

## EJC member initial individual comments on Draft EEA EJ Strategy

To be referenced during discussion in December 13, 2022 EJC Meeting

(Author attributions have been removed. Page & chapter references are to document available [here](#))

### GENERAL COMMENTS: Applicable to all Agencies & Offices

#### FUTURE CHANGES TO STRATEGY

- On page 4, under Purpose and Use, the 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.

#### 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
- Have pop offices across the state, go to the people. Perhaps this gets paired with work that MVP coordinators are doing in various regions.
- Create regional strategies for different parts of the state—identifying what are the key EJ challenges and how departments can work collaboratively to address.
- 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
- How does the public, especially EJ communities, learn about planning, projects, and programs? Some departments seem to have thought this through more than others; hope that they share those outreach and engagement strategies across departments.

#### 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?

#### 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

## PERIODIC UPDATES TO STRATEGY

- The 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.

## STATE RESOURCES

- Staff capacity—How will the state ensure that there is adequate staff to carry out these activities?

## METRICS and MEASUREMENT OF PROGRESS TOWARD EJ GOALS

- EEA plans to issue an annual report that details the ways in which environmental justice criteria were used for awarding grants and prioritizing program funding for the prior fiscal year. The report will show, at the census block group level:
  - the amount of public funds, or publicly leveraged funds, used and for what projects
  - 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

My understanding is that this reporting applies to all secretariats or agencies under EEA. Each of these metrics should be disaggregated by agency/secretariat, program purpose, and location or specific community.

- 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 more clarity in commitments to tracking, measuring, and communicating the equity of outcomes.
- 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.
- Metrics tend to focus on outputs eg. 3 of trainings v outcomes eg. did all stakeholders feel included and respected in the decision process
- 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.
- Articulate what are the outcomes you are seeking and then backward chain into what measures would indicate that outcome.

- 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?
- 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
- Consider paying communities to engage with permitting process – not everyone has the financial flexibility to participate and thus could be a barrier to engagement
- 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.
- 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.
- Can there be goals around distribution of resources like the federal governments Justice 40
- Satisfaction with language translation services (for example, the EFSB proposes a metric of the number of positive/negative comments received regarding quality of translation/interpretation that other agencies could adopt)
- Agency staff demographic %
- Total \$ grants awarded to EJ populations

### **“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		

## SPECIFIC COMMENTS: Applicable to Individual Agencies & Offices

### Office of Coastal Zone Management:

- Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth
- They have put some thought into outreach to EJ populations, including tribal populations
- The staff training piece is important!
- Need Some concrete metrics

### MA Office of Law Enforcement and MA Environmental Police

- Should provide data on enforcement activities by location, reason, and entity.
- Number of personnel deployed to manage or monitor resources by location

### Massachusetts Environmental Policy Act Office

- add locations in addition to numbers of MEPA projects on Environmental Monitor
- Does analysis of project impacts include any socio-economic impact analysis?
- -They have thought pretty extensively about language, outreach to existing groups, alternative media. Good ideas. Who implements? Do they have the staff to implement?
- -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?
- -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?

### Massachusetts Office of Technical Assistance

- Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth
- -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?
- -Good to see the plan to develop metrics; is there a baseline analysis and some goals?

### Massachusetts Department of Agricultural Resources

- Need to think about offering assistance for HOUSING and TRANSPORTATION for farm workers
- -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?

### Department of Conservation and Recreation

- 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."
- Report on demographics of utilization, including visits from EJ communities

- Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth
- -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?

#### MassDEP

- Numerous projects and priorities aimed at addressing EJ and EJ communities, but no description of any quantifiable or accountability metrics or progress
- 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

- 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

- 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

- Require EJ-relevant reporting by regulated utilities - efforts, policies, outcomes (e.g., Mass Save spending by customer and/or block group).
- 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
- Reporting on outcomes should be both in total and relative to the rest of the state
- In addition to language translation services, the EEA should consider how to increase access by summarizing filings/prefiled testimony in “plain language”. 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.

#### Commonwealth of Massachusetts Energy Facilities Siting Board (EFSB)

- Provide access to data supporting energy infrastructure development and siting decisions for impartial, 3rd party review
- 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.
- 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.

#### Massachusetts Clean Energy Center

- 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 COMPLEMENT TO TRACKIING OUTCOMES - SET GOALS AND MEASURE HOW PROGRESS TOWARD THOSE GOALS.
- Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth

#### Massachusetts Water Resources Authority

- Spending and other activities should be reported both in total AND relative to total spending for all communities or across the commonwealth