

**Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
DEPARTMENT OF ENERGY RESOURCES**

**SMALL CLEAN ENERGY INFRASTRUCTURE FACILITY SITING &
PERMITTING (225 CMR 29.00)**

DRAFT GUIDELINE

Guideline on Pre-Filing Stakeholder Engagement

Effective Date: March xx, 2026

Background and Purpose

In accordance with the 2024 Climate Act, the Massachusetts Department of Energy Resources (DOER) promulgated regulations, 225 CMR 29.00, pursuant to M.G.L. c. 25A, § 2(iv) to establish standard conditions, criteria, and requirements for efficient siting and permitting of Small Clean Energy Infrastructure Facilities (“SCEIF”) by Local Governments.

As part of the new requirements, Applicants proposing a SCEIF must complete pre-filing requirements, in which they must conduct robust community engagement regarding their proposed project before submitting a completed application to the municipality.

This document provides guidance regarding best practices for Applicants to craft stakeholder engagement plans and to facilitate their public meetings.

Stakeholder Engagement Plan

A stakeholder engagement plan is a critical component of the Notice of Intent to File Application (“NOIFA”). It is a document that outlines how and to whom the Applicant will conduct outreach during the pre-filing stage. Stakeholder engagement should be done early in the process and in a manner that is inclusive, transparent, and culturally relevant.

The purpose of stakeholder engagement during the Pre-filing Period is to:

- Solicit general feedback from stakeholders familiar with the community and the proposed site;
- Identify any potential deficiencies or areas of concern prior to filing a Consolidated Local Permit Application (“Application”), such as conflicts with local zoning, and identify opportunities to mitigate impacts; and
- Confirm any areas of environmental, cultural, or historical concern that the Application will need to take into consideration.

Pre-filing stakeholder engagement provides the basis for an Applicant’s Community Benefit Plan (“CPB”) or Community Benefit Agreement (“CBA”). Applicants should consult the Executive Office of Environmental Affairs *Standards and Guidelines Community Benefit Plans Community Benefit Agreements* for more information about CPBs, CPAs, and structuring pre-filing stakeholder engagement.

Key Stakeholders are defined in 225 CMR 29.02 as:

Abutting residents (both owners and renters)	Elected/appointed municipal officials
Abutting businesses	Regional planning officials
Organizations within 1 mile	Local tribes*
Community-based organizations	Environmental justice communities

* Federally recognized, state-acknowledged, or state-recognized; should also include state-tribes not located in Massachusetts

1.1 Project Information

Key goals of the pre-filing outreach period include helping stakeholders understand what is being proposed by providing accurate and easily accessible sources of information, promoting opportunities for stakeholders to attend meetings or learn more about the proposed SCEIF, and offer ways to ask questions or provide feedback.

An Applicant’s community engagement strategy should include the use of multiple traditional and digital media tools and strategies to maximize effectiveness.

These tools and strategies may include but not be limited to:

- A dedicated website or webpage featuring project information, including plans, planned public meetings, and contact information;
- Project-specific social media accounts;
- Email marketing, that allows interested parties to sign up for and receive project updates;
- TV, radio, or print newspaper advertising;
- Direct mailers to Abutters and other Key Stakeholders;
- Videos or multimedia graphics that explain the details of the proposed project;
- Photo/image galleries that feature drawings and schematics; and
- Small workshops, charrettes, coffee hours that provide interested parties the opportunity to learn more, ask questions, provide feedback

In determining whether the Applicant’s public outreach strategy was sufficient for the proposed SCEIF, the Local Government may consider the following:

- Did the Applicant use multiple approaches to make Key Stakeholders aware of the project and then keep them updated?

- Did the Applicant receive a sufficient response to its outreach efforts in the form of attendance at meetings or comments from the public?
- Was the outreach sufficient so that a reasonable stakeholder likely would have been made aware of the project and known how to find additional information?
- Was the Applicant's public meeting scheduled for a time and location that was convenient and conducted in a way that allowed for questions and comments from stakeholders?

1.2 Pre-Filing Engagement Certifications

Applicants will be asked to self-attest two pre-filing engagement certification checklists, one at the beginning of the Pre-filing Period, and the second at the completion of all pre-filing stakeholder engagement activities.

1.2.1 Pre-filing Engagement Certification Checklist

REGULATORY DIRECTION:225 CMR 29.08(2)(e) The Applicant's self-attested Pre-Filing Engagement Certification Checklist affirming the Applicant will complete...stakeholder engagement after the submission of a Notice of Intent to File Application. The Applicant's stakeholder engagement plan shall be appropriate for the size and scope of the Small Clean Energy Infrastructure Facility and meet Department specifications in its Guideline on Pre-Filing Stakeholder Engagement.

The Pre-Filing Engagement Certification Checklist is a form developed by the Department, which will be filed by Applicants as part of the NOIFA and subject to review by the Local Government Representative in charge of pre-filing activities. The initial self-certification document will affirm the Applicant's intent to comply with the consultation and engagement requirements and detail their stakeholder engagement plan. The document includes:

- The proposed date, time and location for all anticipated public meetings during the Pre-filing Period.
- A list of the names and addresses of all abutters and Key Stakeholders that will be noticed during the Pre-Filing Period.
- The names of at least two multimedia outlets that notices will be published in, including anticipated dates of publication. This should include any links to the Applicant's project webpage.
- The date the Applicant will send the notice to post on the municipality's website.
- The names and addresses of at least three different public buildings or community facilities where notices will be posted.
- Any additional measures of outreach the Applicant intends to conduct based on Project scope and size.

1.2.2 Pre-Filing Engagement Completion Checklist

REGULATORY DIRECTION: 225 CMR 29.08(3) Upon completion of the stakeholder engagement activities described in 225 CMR 29.08, the Applicant shall submit a self-attested Pre-Filing Engagement Completion Checklist to the Local Government.

Upon completion of the stakeholder engagement activities, the Applicant will complete The Pre-filing Engagement Completion Checklist, which will be included in the submission of the Application. This follow-up self-certification document affirms that the Applicant completed the activities proposed in the Pre-filing Engagement Certification Checklist, noting any changes, additions or deviations from the proposed stakeholder engagement plan, with an explanation of why these occurred.

Within the Pre-filing Engagement Completion Checklist, the Applicant should include any metrics or outcomes from the stakeholder engagement activities including, but not limited to:

- The number of attendees at public meetings
- Any social media metrics
- The number of emails, inquiries or comments received either to the Applicant's email, project webpage or to municipality
- A summary of stakeholder feedback, including instances of how feedback was incorporated into the proposed in the Application

The Applicant will be asked to provide supporting evidence of the impact of the outreach, such as meeting sign-in sheets, social media and webpage metric reports, and copies of emails to the Applicant.

After the Pre-filing Period closes, Applicants should continue conducting stakeholder engagement throughout the entire application phase. This includes updating the project webpage with meeting schedules, posting updated plans and documents, as well as conducting any additional stakeholder meetings, and following noticing requirements for public hearings.

1.3 Pre-filing Meeting with Municipal Officials

After submitting the NOIFA, and before holding a public meeting with all Key Stakeholders, the Applicant should schedule a meeting with municipal officials, which may include part-time or full-time professional staff, and the chairpersons of relevant municipal boards, or their designees. The purpose of the meeting is to provide the Applicant with the opportunity to:

- Verify basic project and site information, including zoning information, known areas subject to state or local environmental laws, and any other areas, structures, or buildings of cultural or historical significance that could be impacted by the project;
- Identify to the best extent possible all needed decisions and permits from the Local Government;
- Understand any applicable local bylaws and processes;
- Confirm Key Stakeholders;

- Identify any other potential permitting, design, or engineering obstacles or items of concern that might hinder the Applicant’s ability to secure all needed decisions within the 12-month timeframe;
- Propose dates, times, and locations for a public meeting

The Local Government is expected to act in good faith and meet with the Applicant for the purposes outlined above within an appropriate timeframe, as well as provide complete and accurate answers and information that assists the Applicant during this process.

1.4 Public Meeting with all Key Stakeholders

REGULATORY DIRECTION: 225 CMR 29.08(f)(1). The Applicant shall host a public meeting. The Applicant shall provide notice not less than 14 days before the public meeting, which shall be held in a hybrid format and in a publicly accessible location. The meeting shall be recorded and made available to the public within five (5) days of the meeting date. The meeting shall conform to Department specifications in its Guideline on Pre-Filing Stakeholder Engagement.

The ways in which public meetings are located and structured can have important impacts on the public’s ability to engage in the process and understand the impacts of the proposed SCEIF.

During the pre-filing meeting with Local Government officials, the Applicant should have consulted with Local Government officials to ensure that the public meeting does not conflict with other planned community events or isn’t proposed for a time or location that would be difficult for Key Stakeholders to attend.

In determining a location for the public meeting, the Applicant should consider the following list of strategies:

- The time and date for the meeting should be such to maximize attendance and availability. Typically, these meetings should occur during weekday evenings and avoid dates when other large community events are occurring, such as festivals, holidays, town meetings, parent/teacher conferences, or other significant community events.
- The location for the meeting should be within the municipality where the SCEIF is proposed to be built. Examples of community-centered locations could include municipal offices, community centers, libraries, or schools. The location should be accessible, large enough to comfortably fit the audience, and, where possible, be near public transit.
 - Any individual seeking an accommodation may contact the ADA Coordinator in advance of the meeting. The following sample language is recommended by the Attorney General’s Civil Rights Division to be included in the meeting notice:
 - If you need reasonable accommodations in order to participate in the meeting, contact the ADA Coordinator in advance of the meeting. While the proponent will do its best to accommodate you, certain accommodations require the hiring of

outside contractors who may not be available if requested immediately before the meeting.

- If the municipality has the capability, the meeting should be located in a space with the ability to conduct the meeting in a hybrid format.
- Applicants should consider reviewing the Commonwealth’s Tip for Hosting Accessible Events and Meetings Guidebook: <https://www.mass.gov/info-details/tips-for-hosting-accessible-events-and-meetings>

In running the meeting, the Applicant should consider the following best practices in order to maximize public engagement.

- Employing automated captioning for meeting recordings such as using automated captions for televised meetings to synchronous live captions.
- Meetings should utilize audio setups that ensures all can hear and be heard. If the location does not come with a built-in audio and speaker system, it is the responsibility of the Applicant to provide one of a sufficient size.
- Meetings should be video recorded and then posted online in a manner accessible by the public within 72 hours.
- Meetings can be held in combined purpose spaces – such as libraries, school cafeterias, or private businesses, but the meeting should be able to take place without disruption from other activities taking place in the space.
- The meeting notice should feature any additional requirements needed to enter the building, such as photo identification, a face mask, or anything else.
- When appropriate, Applicants can consider organizing carpools, particularly for seniors or others with mobility issues, to increase opportunities for stakeholders to attend the meetings.

1.4.1 Meeting structure:

Upon request, DOER Siting and Permitting Regional Coordinators can help facilitate pre-filing public meetings. Requests for facilitation should be made 14 days in advance by contacting the applicable Regional Coordinator at: <https://www.mass.gov/info-details/contact-siting-permitting-regional-coordinators>

The meeting should be structured so that the Applicant is able to provide a detailed overview of the project (including site suitability analysis and any potential mitigation measures), with sufficient time at the end for community members to ask questions and provide input. The structure of the meeting should be inclusive, transparent, and engaging. A sample structure of the meeting could be:

- Welcome and introductions
- Review meeting format and goals
- Explain project timeline including pre-filing requirements and application process

- Explain how stakeholders can provide input on the project during and after the meeting, including directing attendees to project website
- Review project details including site selection, site suitability, mitigation measures, emergency response protocols
- Questions and answers from the audience.
- Next steps and reminder of the process

In addition:

- Applicants should describe project details in a manner that is easily understood by the public and explain technical terminology.
- If the SCEIF is located within one of the highlighted census tracts on the “Languages Spoken in Massachusetts” map provided by the Executive Office of Energy Affairs, it is strongly recommended to have a translator present at the public meeting.¹ The Applicant should discuss the need for a translator with the Local Government Representative responsible for overseeing pre-filing activities.
- The Applicant is primarily responsible for facilitating the meeting, unless a DOER Siting and Permitting Regional Coordinator has been requested. Facilitators should utilize best practices for members of the public to provide feedback in a respectful manner.
- The Applicant will be responsible for recording all stakeholder feedback and including it within their Pre-Filing Certification Completion Checklist.
- The Applicant should consider providing food or light refreshments to facilitate greater public participation.

Applicants are required to host one public meeting, however there are times when Applicants are strongly encouraged to hold additional public meetings. These include:

- If the Applicant ran out of time during the first meeting to hear from all stakeholders who wanted to ask questions or provide comments;
- If the first meeting was held during inclement weather that limited people from attending, if A/V technology failed during the meeting, if the meeting was not recorded and published online, or any other event that limited the ability of interested parties to take part;
- If the Applicant determines following the first meeting that significant changes to the project design or proposed mitigation are required;
- If the project is going to disturb more than 5 acres of previously undeveloped land and/or receives a Total Site Suitability Score greater than 15;

In addition the above required meeting, Applicants are encouraged to attend any community or neighborhood meetings, or meetings of municipal boards discussing the proposed project.

¹ Environmental Justice Populations in Massachusetts: <https://mass-coeca.maps.arcgis.com/apps/MapSeries/index.html?appid=535e4419dc0545be980545a0ceaf9b53>

1.4.1.1 Language Access

The “Languages Spoken in Massachusetts” map provided by the Executive Office of Energy Affairs is a tool that can be used to identify limited English proficiency populations across the state. If the proposed SCEIF is located within one of the highlighted census tracts on the map, it is strongly recommended that the Applicant translate outreach materials^{2(OBJ)}³. The highlighted census tracts state which language should be considered for translation.

1.4.2 Expanded Outreach

If the proposed SCEIF’s site footprint is more than five acres, or if the proposed SCEIF receives a Total Site Suitability Score above 15,⁴ the following additional outreach methods should be employed:

- The range of Abutters and Key Stakeholders shall be increased to those within one mile of the proposed SCEIF, and;
- Town-wide mailers shall be sent out when a SCEIF is located in a rural community, as defined by the [MA Department of Rural Affairs](#).

³ Environmental Justice Populations in Massachusetts: <https://mass-coeca.maps.arcgis.com/apps/MapSeries/index.html?appid=535e4419dc0545be980545a0eeaf9b53>

⁴ See Site Suitability For Clean Energy Infrastructure Guidance, developed by the Executive Office of Energy and Environmental Affairs.