

**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” or “Department”) 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 stakeholder engagement for the purposes of ensuring that a community is well informed of the proposed SCEIF before the Applicant submits a completed Consolidated Local Permit Application (“Application”) to the municipality. Pre-filing activities must be completed not more than 60 days before submitting an Application.

This document provides guidance regarding best practices for Applicants to fulfill the pre-filing requirements, craft stakeholder engagement activities and to facilitate their public information sessions.

1. Exemptions

All SCIEFs that qualify for an exemption under 225 CMR 29.07(1) are exempt from the Pre-filing requirements of 225 CMR 29.08.

2. Pre-Filing Requirements

The Applicant must complete all pre-filing requirements not more than 60 days before submitting an Application to the Local Government Representative.

Pre-filing requirements consist of the following:

- Executing stakeholder engagement that is appropriate for the scope of the project
- Meeting with municipal staff or board representatives;
- Hosting a public-facing Pre-filing Information Session on the proposed SCIEF;
- Notifying Abutters and Local Stakeholders about the Pre-filing Information Session;

- Posting notices about the Pre-filing Information Session at not less than two public buildings; and
- Advertising the Pre-filing Information Session on at least two multimedia outlets.

2.1 Stakeholder Engagement

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 such as conflicts with local zoning, and identify opportunities to mitigate adverse impacts;
- Confirm any areas of environmental, cultural, or historical concern that the Applicant will need to take into consideration, and;
- Develop, discuss, and potentially draft Community Engagement Plans. Applicants should consult the Executive Office of Environmental Affairs *Standards and Guidelines* *Community Benefit Plans* *Community Benefit Agreements* for more information about Community Benefits Plans, Community Benefit Agreements, and structuring pre-filing stakeholder engagement activities.

2.2 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. The highlighted census tracts state which language should be considered for translation.

2.3 Pre-filing Municipal Meeting

Before holding a Pre-filing Information Session, the Applicant must schedule a meeting with municipal officials. Municipal officials may include part-time or full-time professional staff, and the chairpersons of relevant municipal boards, or their designees.

One of the objectives for the Pre-filing Municipal Meeting is for the Applicant to receive input from local officials on any planned stakeholder outreach activities, such as which multimedia outlets would be most effective at reaching local stakeholders, and at which public buildings meeting notices should be posted. The Pre-filing Municipal Meeting is also an opportunity for the local government to suggest any additional local stakeholder groups that should be notified of the Pre-filing Information Session and is not listed in the stakeholder reference form provided by DOER. The Applicant should discuss the need for a translator with the Local Government officials responsible for overseeing pre-filing activities.

During the meeting, the Applicant and local officials shall discuss project details as outlined in 225 CMR 29.08(3). The intent of this discussion is to ensure the Applicant has all the information needed to file a thorough and accurate Application. This includes confirming all local permits required, and all information, data, reports that Applicant will have to complete prior to submitting the Application.

2.4 Methods to Inform Stakeholders about the Proposed SCEIF and Pre-filing Information Session

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 for interested parties to ask questions or provide feedback. Stakeholder engagement should be done in a manner that is inclusive, transparent, and culturally relevant.

An Applicant's stakeholder engagement strategy should include the use of multiple traditional and digital media tools and strategies in a manner that will maximize effectiveness, reflect the needs and information consumption habits of the impacted community, and are appropriate for the project's scope and scale.

These outreach and engagement 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 Local Stakeholders;
- Videos or multimedia graphics that explain the details of the proposed SCEIF;
- Image galleries that feature photographs, drawings, and schematics; and
- Small workshops, charrettes, coffee hours that provide interested parties the opportunity to learn more, ask questions, provide feedback.

The Applicant is required to provide notices ahead of planned Pre-filing Informational Sessions to two or more multimedia outlets such as radio, newspapers, or social media to advertise the Pre-filing Information Session to the wider community. These outlets can include:

- Event pages on social media sites, such as Facebook, Instagram, or X that can be shared to community or neighborhood pages;
- Targeted social media advertisements to reach people within a certain geographic radius;
- Community calendars and local news websites;
- Newsletters or community e-mail listservs; and
- Local media outlets such as TV, radio, or newspapers

Applicants may get input from municipal officials during the Pre-filing Municipal Meeting to identify which two outlets would best raise awareness of the project to Local Stakeholders. The Applicant must post notices of planned public Pre-filing Information Sessions on two different public buildings or community facilities within the Host Municipality. The Applicant should seek guidance from the Local Government during the Pre-filing Municipal Meeting to identify the appropriate two public buildings or facilities. Notices should be posted at buildings with pre-established bulletin boards upon which other notices and advertisements are conventionally posted. Examples of public buildings or community facilities to post notices include:

- City or Town Hall and Municipal Offices;
- Public Library;
- Community Center;
- Senior Center;
- Post Office;
- Public Recreation Facilities;
- Cultural Centers;
- Public safety complexes such as Police or Fire Stations; and
- Private businesses that serve as community facilities, such as local markets, general stores, diners, or coffee shops.

The Applicant shall also provide notices of planned public Pre-filing Information Sessions to the Local Government. Notices provided to the Local Government should be placed on a municipal website, in addition to any other location public notices are posted.

2.5 Pre-filing Information Session

The location and structure of Pre-filing Information Sessions 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 Municipal Meeting with Local Government officials, the Applicant should consult with Local Government officials to ensure that the Pre-filing Information Session does not conflict with other planned community events, or is not proposed for a time or location that would be difficult for community members to attend.

In determining a location for the Pre-filing Information Session, the Applicant should consider the following list of strategies:

- **The time and date for the information session should be chosen 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 session 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, but may also include privately owned facilities such as function halls, or meeting spaces rented by not-for-profit organizations. The location should be accessible, large enough to comfortably fit the audience, separated from any other concurrent use, and, where possible, be near public transit.
 - Any individual seeking an accommodation may contact the community's ADA Coordinator if applicable, or Local Government Representative, 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."
- **Whenever possible, the Pre-filing Information Session should be located in a space with the ability to conduct the session in a hybrid format.** The meeting login information should be included on the public notice.
- **Applicants should review the Commonwealth's Tip for Hosting Accessible Events and Meetings Guidebook:** <https://www.mass.gov/info-details/tips-for-hosting-accessible-events-and-meetings>

The Applicant should consider the following best practices in order to maximize public engagement:

- Recording the meeting and then posting the recording online in a manner accessible by the public;
- Employing automated captioning for meeting recordings such as using automated captions for televised meetings or synchronous live captions;
- Utilizing audio setups that ensures all in attendance can hear and be heard. If the location does not come with a built-in audio and speaker system, Applicant should consider providing one of a sufficient size;
- 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, or anything else;

- When appropriate, Applicants may consider organizing carpools, particularly for seniors or others with mobility issues, to increase opportunities for stakeholders to attend the meetings.

2.5.1 Session structure

Upon request, Department staff can help Applicants and municipalities with planning Pre-filing Information Sessions. Requests can be made by contacting the applicable Regional Coordinator at: <https://www.mass.gov/info-details/contact-siting-permitting-regional-coordinators>

The session should be structured so that the Applicant is able to provide a detailed overview of the project 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 any project or municipal websites;
- Review project details such as:
 - Site selection;
 - The preliminary Site Suitability Score;
 - Avoidance, minimization and mitigation measures;
 - Emergency response protocols, if appropriate; and
 - Any proposed community benefits plans;
- Questions and answers from the audience; and
- 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 and provide translated materials;
- The Applicant is responsible for facilitating the meeting. Facilitators should utilize best practices for members of the public to provide feedback in a respectful manner;
- The Applicant is responsible for collecting all stakeholder feedback and including if and how it was incorporated into the project within their Pre-Filing Certification Completion Checklist; and

- The Applicant should consider providing food, or light refreshments to facilitate greater public participation.

Applicants are required to host one Pre-filing Information Session, however there are times when Applicants are strongly encouraged to hold additional sessions. These include:

- If the Applicant ran out of time during the first session to hear from all stakeholders who wanted to ask questions or provide comments;
- If the first session was held during inclement weather that limited people from attending;
- If A/V technology failed during the session, if the session 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 session that significant changes to the project design or proposed mitigation are required; and
- If the impact of the project is large enough that holding multiple information sessions will help reach a greater number of impacted stakeholders.

In addition to the above required Pre-filing Information Session, Applicants are encouraged to attend other community or neighborhood meetings, or meetings of municipal boards to discuss the proposed project.

2.6 Pre-Filing Engagement Completion Checklist

Upon completion of the stakeholder engagement activities, the Applicant will complete the Pre-filing Engagement Completion Checklist to affirm that they completed the required pre-filing activities.

The Applicant will need to attach documentation summarizing all meetings and public information sessions held including the date, location, and copies of all meeting materials, if applicable. This can include:

- Copies of Agendas;
- Copies of Attendee sign-in sheets;
- Links to photos galleries or video recordings of the public information session;
- A summary of stakeholder feedback, including instances of how feedback was incorporated into the Application; and
- Any informational materials made available during the information session.

The Applicant will also need to provide proof of compliance with the notice requirements, such as:

- Photographs of posted notices in designated locations including dates and names of locations;
- E-mail confirmation that a municipal employee has agreed to post the notices in the designated public buildings on behalf of the Applicant;

- Copies or receipts for any advertisement purchased on television, radio, or social media, and;
- Copies of multimedia advertisement materials including dates published, and any reports on metrics or impact of outreach.

2.6.1 Pre-filing Engagement Completion Checklist Review

When evaluating the Pre-filing Engagement Completion Checklist, the Local Government Representative should ensure that:

- All requirements have been met and documented;
- The Applicant has made the appropriate efforts to conduct outreach and solicit feedback on the project, and;
- The Applicant addresses comments, feedback, and suggestions brought up during the Pre-filing Municipal Meeting and the Pre-filing Information Session.

3. Post Pre-filing Period

After the pre-filing period ends, Applicants should continue stakeholder engagement throughout the entire Application process. This includes updating the project webpage with meeting schedules, posting updated plans and documents, as well as conducting any additional public meetings, and following noticing requirements for applicable public hearings during the review of the Consolidated Local Permit Application.