

**COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD**

Rulemaking Implementing the Requirements of)	
the 2024 Climate Act, St. 2024, c. 239, to)	
Establish New Requirements, Revise Existing)	EFSB 25-10-C
Requirements, and Repeal Unused Requirements)	
Governing the Energy Facilities Siting Board)	

**DECISION PROMULGATING FINAL REGULATIONS IN RULEMAKING ON
CUMULATIVE IMPACT ANALYSIS AND SITE SUITABILITY CRITERIA**

April 24, 2026

The Siting Board translates materials into other languages to assist people with limited English proficiency. The Siting Board has reasonably attempted to provide an accurate translation of the original material, but due to the nuances in translating to a different language, slight differences may exist. While the Siting Board has provided translated versions, the English version is the official version of the Siting Board's decision.

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The Energy Facilities Siting Board (“Siting Board”) hereby approves a Decision adopting final regulations in a rulemaking to implement An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers, St. 2024, c. 239 (“2024 Climate Act” or the “Act”). G.L. c. 30A, §§ 1-7. To implement the 2024 Climate Act, the Siting Board promulgates final regulations regarding the Cumulative Impact Analysis and Standards for Applying Siting Suitability Criteria provisions of the 2024 Climate Act, 980 CMR 15.00. St. 2024, c. 239, §§ 5, 53, 60, 62, 74.

I. INTRODUCTION

On November 20, 2024, Governor Maura Healey signed into law the 2024 Climate Act. The 2024 Climate Act reforms the siting and permitting process for clean energy infrastructure facilities (“CEIF”) and revises the statutory obligations of the Siting Board. A major focus of the 2024 Climate Act is reforming the siting and permitting process for CEIF to help achieve the Commonwealth’s ambitious climate and clean energy goals. Key provisions of the 2024 Climate Act will improve the speed and efficiency of siting and permitting CEIF at state and local levels, ensure that the benefits of the clean energy transition are shared equitably among all residents of the Commonwealth, and that communities and other stakeholders have meaningful opportunities for engagement and input in pre-filing and review processes. Specifically, the 2024 Climate Act requires the Siting Board to promulgate regulations to implement changes to G.L. c. 164, §§ 69G to 69J¼, inclusive, §§ 69O and 69P, §§ 69R and 69S, and §§ 69T to 69W, inclusive. The 2024 Climate Act requires the Siting Board to promulgate regulations by March 1, 2026, for Applications filed with the Siting Board on or after July 1, 2026. St. 2024, c. 239, § 132.¹

¹ Concurrent with the Siting Board’s development of these regulations, other agencies are also promulgating related regulations to implement the 2024 Climate Act. DOER has promulgated regulations and guidance documents to establish a process for Local Governments to issue Consolidated Local Permits. 225 CMR 29.00. The Department has promulgated regulations to implement the Intervenor Support Grant Program. 220 CMR 34.00. In addition, the Department will promulgate regulations setting revised filing fees for Applications filed with the Siting Board. 220 CMR 32.00.

On September 12, 2025, the Siting Board issued a Decision Opening Rulemaking in EFSB 25-10, including a series of proposed regulations to implement the 2024 Climate Act provisions: revisions to 980 CMR 1.00 and 2.00; new regulations 980 CMR 13.00, 14.00, and 16.00;² and repeals of 980 CMR 4.00, 5.00, 7.00, 8.00, and 11.00³. EFSB 25-10.⁴ In addition, the Decision Opening Rulemaking identified a public comment process to receive comment on the proposed regulations. The Siting Board completed its rulemaking proceeding for these regulations and issued a Final Decision on February 13, 2026. EFSB 25-10-B. The regulations, 980 CMR 1.00, 2.00, 13.00, 14.00, and 16.00 and repeals of 980 CMR 4.00, 5.00, 7.00, 8.00, and 11.00, were effective on February 27, 2026 when they were published in the Massachusetts Register, each noted below in Table 1.

Table 1. Summary of Final and Proposed EFSB Regulations.

Regulation	Status	Regulation Title
980 CMR 1.00	Revised (final)	Rules for the Conduct of Adjudicatory Proceedings
980 CMR 2.00	Revised (final)	General Information and Conduct of Board Business
980 CMR 13.00	New (final)	Consolidated Permits for Clean Energy Infrastructure Facilities
980 CMR 14.00	New (final)	De Novo Adjudications of Consolidated Local Permit Applications

² In response to comments, the Siting Board did not issue Final Regulations for 980 CMR 17.00, Constructive Approval, at the same time as the other regulations. The Siting Board intends to issue a final rulemaking decision on Constructive Approval at a later time.

³ In its Proposed Regulations, the Siting Board proposed to also repeal 980 CMR 9.00. The Massachusetts Office of Coastal Zone Management filed comments indicating its recommendation that the Siting Board retain 980 CMR 9.00, as this regulation is the underlying state authority for a provision of the approved Massachusetts Coastal Management Program. The Siting Board retained 980 CMR 9.00 in response to comments from the Office of Coastal Zone Management.

⁴ The Siting Board noted at the time that it planned to also propose a new chapter of regulations (980 CMR 15.00) focused on cumulative impacts analysis and site suitability criteria.

Table 1. Summary of Final and Proposed EFSB Regulations.

Regulation	Status	Regulation Title
980 CMR 16.00	New (final)	Pre-filing Consultation and Engagement Requirements
980 CMR 17.00	New (proposed)	Constructive Approval
980 CMR 4.00	Repealed (final)	Freedom of Information; Protection of Trade Secrets
980 CMR 5.00	Repealed (final)	Environmental Assessment and Environmental Impact
980 CMR 7.00	Repealed (final)	Long-Range Forecasts and Supplements
980 CMR 8.00	Repealed (final)	Notices of Intention to Construct an Oil Facility
980 CMR 11.00	Repealed (final)	Licensing of Hydropower Generating Facilities

On December 19, 2025, the Siting Board opened the rulemaking to issue a proposed regulation, 980 CMR 15.00, Cumulative Impact Analysis and Standards for Applying Siting Suitability Criteria. EFSB 25-10-A. The Siting Board has completed the rulemaking for 980 CMR 15.00. In this Decision, the Siting Board adopts a final regulation, 980 CMR 15.00 (“Final CIA and SSC Regulations”). EFSB 25-10-C. Attached to this Decision: final 980 CMR 15.00 (Attachment 1), final CIA Report Template (Attachment 2), a revised Glossary of Definitions (Attachment 3), and List of Commenters (for CIA) (Attachment 4).

II. DESCRIPTION OF THE 2024 CLIMATE ACT

A. Background on the 2024 Climate Act

The Siting Board’s Decision Opening Rulemaking reviews in detail the siting and permitting provisions of the 2024 Climate Act. See EFSB 25-10. Specifically, the 2024 Climate Act creates a new Consolidated Permit process⁵ by which the Siting Board will issue all necessary

⁵ A Consolidated Permit is a permit issued by the Siting Board to a CEIF Applicant that includes all state, regional, and local permits that the CEIF would otherwise need to obtain individually, except for certain federal permits that are delegated to specific state agencies.

local, regional, and state permits and approvals for Large Clean Energy Infrastructure Facilities⁶ (“LCEIF”). G.L. c. 164, § 69T. In addition, G.L. c. 164, § 69U allows proponents of Small Clean Transmission and Distribution Infrastructure Facilities (“SCTDIF”) to elect to seek a Consolidated Permit from the Siting Board that includes all necessary state, regional, and local permits. G.L. c. 164, § 69V allows proponents of Small Clean Energy Generation Facilities (“SCEGF”) and Small Clean Energy Storage Facilities (“SCESF”) to elect to seek a Consolidated State Permit from the Siting Board that includes all necessary state permits.^{7,8} The 2024 Climate Act establishes mandatory deadlines for the Siting Board to issue these permits; if the Siting Board fails to issue a decision on the permit Application by the deadline, the Application will be constructively approved, meaning that the Applicant will receive a Consolidated Permit with certain pre-determined common conditions. St. 2024, c. 239, § 74.

Additional provisions of the 2024 Climate Act include: G.L. c. 164, § 69W, which allows Local Governments to elect to refer a request for all necessary local permits for a SCEIF to the Siting Board Director for a De Novo Adjudication of a Consolidated Local Permit request initially submitted to local permit officials;⁹ and allows Applicants and other substantially and specifically affected individuals and entities to seek De Novo Adjudication by the Director of Consolidated

⁶ Capitalized terms throughout this Decision refer to terms defined in the Final Regulations.

⁷ Local permits for SCEGFs and SCESFs would be issued by Local Government as either a Consolidated Local Permit, pursuant to regulations established by the Department of Energy Resource (“DOER”), 225 CMR 29.00, or as individual local permits not subject to 225 CMR 29.00. 225 CMR 29.04(1).

⁸ An “EFSB Consolidated Permit” is defined in 980 CMR 1.01(4) as being either a Consolidated Permit or a Consolidated State Permit.

⁹ A Consolidated Local Permit is a permit issued by a Local Government for a SCEIF that includes all required local permits, approvals, or authorizations that the Applicant would otherwise need to obtain individually from the Local Government. DOER is promulgating 225 CMR 29.00 to implement the Consolidated Local Permit process.

Local Permit decisions made by a Local Government (or issued by Constructive Approval).¹⁰ The 2024 Climate Act establishes a new mandate, scope of review, and required findings for the Siting Board, and expands the membership of the Siting Board. St. 2024, c. 239, § 60. Additionally, the 2024 Climate Act mandates that prior to filing an Application with the Siting Board, Applicants consult with state, regional, and local agencies regarding their Project, and engage with community members and organizations in the area where a Project is proposed. *Id.* at § 74. The 2024 Climate Act transfers certain siting authority from the Department of Public Utilities (“Department”), including authority to grant zoning exemptions and to grant the right to exercise the power of eminent domain, consolidating that authority in the Siting Board. St. 2024, c. 239, §§ 72, 73, 75, 76, 83.

B. Statutory Requirements for the Cumulative Impact Analysis and Site Suitability Provisions

The 2024 Climate Act contains two provisions that require the Board to consider the cumulative burdens or impacts of a Project on the location in which it is proposed to be sited. The Board’s statutory mandate, in G.L. c. 164, § 69H, requires that any determination by the Siting Board include findings that due consideration has been given to cumulative burdens on host communities and efforts to avoid, minimize, or mitigate such burdens. St. 2024, c. 239, § 60.

The Act also includes a cumulative impact analysis (“CIA”) provision, which requires Applicants to determine: (1) whether their project is to be sited in a specific geographical area that “is subject to an existing unfair or inequitable environmental burden or related health consequence,” and if so; (2) whether the environmental and public health impact from the proposed project would likely result in a disproportionate adverse effect on the area or would increase or reduce the effects of climate change on the area. St. 2024, c. 239, § 53. If the Project is likely to result in a disproportionate adverse effect on a “specific geographical area,” the Applicant must propose potential remedial actions to address any disproportionate adverse effect

¹⁰ A Local Government is a municipal or regional authority, board, commission, office, or other entity, as defined in G.L. c. 25A, § 21, that would have had jurisdiction to issue at least one permit for an LCEIF or SCEIF absent a Consolidated Permit.

to the environment, public health, and climate resilience of the area that may be attributable to the proposed Project. St. 2024, c. 239, § 53. These requirements apply to CEIFs and legacy Facilities reviewed by the Board (i.e., fossil fuel facilities). Id. at § 53. Further, the Siting Board is required to promulgate regulations that apply Site Suitability Guidance established by the Executive Office of Energy and Environmental Affairs (“EEA”).¹¹ Id. at § 74.

The 2024 Climate Act requires that the EEA Office of Environmental Justice and Equity (“OEJE”) develop and issue before the Siting Board Final CIA and SSC Regulations standards and guidelines governing the potential use and applicability of CIA (“CIA Guidelines”) in developing energy infrastructure, with input from representatives of utilities, the renewable energy industry, local government, environmental justice community organizations, environmental sectors and other representatives as deemed appropriate by OEJE.¹² St. 2024, c. 239, §§ 5, 129, 139; G.L. c. 21A, § 29. The 2024 Climate Act requires that the Siting Board develop standards for applying the CIA Guidelines developed by OEJE, by March 1, 2026, to apply to all jurisdictional projects submitted to the Siting Board on or after July 1, 2026. St. 2024, c. 239, §§ 74, 132, 139.¹³ The 2024 Climate Act further requires the Siting Board to promulgate regulations for CIA as part of its review of Facilities, LCEIF and SCEIF provided, however, that such regulations shall be informed by the CIA Guidelines issued by OEJE. St. 2024, c. 239, §§ 62, 132. Finally, the 2024 Climate Act requires Applicants for Consolidated Permits, and entities filing petitions to construct to include in its Application or Petition a CIA. St. 2024, c. 239, §§ 61 (projects subject to G.L. c. 164, §§ 69H, 69K, 69K½), 65 (projects subject to G.L. c. 164, § 69J), 68 (projects subject to

¹¹ EEA is responsible for developing guidance on Site Suitability Guidance; OEJE is responsible for developing guidance on CIA, and the Siting Board is responsible for promulgating regulations which incorporate both the CIA and Site Suitability guidances.

¹² OEJE has also developed Standards and Guidelines for Community Benefit Plans and Community Benefit Agreements.

¹³ The Siting Board acknowledges that it did not promulgate final regulations to implement the cumulative impact analysis and site suitability criteria before March 1, 2026. With this decision, the Siting Board is promulgating Final CIA and SSC Regulations well in advance of July 1, 2026, the date by which Applicants must meet the new requirements pursuant to the 2024 Climate Act.

G.L. c. 164, § 69J¼), 74 (projects subject to G.L. c. 164, §§ 69T, 69U, 69V). 980 CMR 15.00 also applies to every project change that triggers the EFSB’s jurisdiction.

Further, the 2024 Climate Act includes provisions relating to the suitability of sites for CEIF.¹⁴ St. 2024, c. 239, § 5. The 2024 Climate Act requires EEA, by March 1, 2026, to establish and periodically update a methodology for determining the suitability of sites for Large Clean Energy Generation Facilities (“LCEGF”), SCEGFs, Large Clean Energy Storage Facilities (“LCESF”), SCESFs, and Large Clean Energy Transmission and Distribution Infrastructure Facilities (“LCTDIF”) and SCTDIFs established in new public rights of way (“Site Suitability Guidance”).¹⁵ St. 2024, c. 239, §§ 5, 130; G.L. c. 21A, § 30. The 2024 Climate Act requires EEA’s methodology to include multiple geospatial screening criteria to evaluate sites for: (i) development potential; (ii) climate change resilience; (iii) carbon storage and sequestration; (iv) biodiversity; and (v) social and environmental benefits and burdens. St. 2024, c. 239, §§ 5, 130; G.L. c. 21A, § 30. The 2024 Climate Act also requires project proponents to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate siting impacts and environmental and land use concerns. St. 2024, c. 239, §§ 5, 130; G.L. c. 21A, § 30. Additionally, the 2024 Climate Act requires EEA to develop and periodically update guidance to inform state, regional, and local regulations, ordinances, by-laws and permitting processes on ways to avoid, minimize, or mitigate impacts on the environment and people to the greatest extent practicable. St. 2024, c. 239, §§ 5, 130; G.L. c. 21A, § 30.

The 2024 Climate Act requires the Siting Board to establish, by March 1, 2026, standards for applying the Site Suitability Guidance developed by EEA to evaluate the social and environmental impacts of proposed LCEIF project sites. St. 2024, c. 239, §§ 74, 132, 139. The 2024 Climate Act specifies that the Siting Board’s Site Suitability standards shall include a

¹⁴ The Siting Board notes that the 2024 Climate Act does not apply the site suitability requirements to “legacy” Facilities, aka “Fossil Fuel-Related Energy Infrastructure.”

¹⁵ The Site Suitability Guidance uses the term “Site Suitability Report” (“SSR”) to describe the required end product of this analysis by Applicants. We use the term Site Suitability Criteria (“SSC”), as in the 2024 Climate Act, to describe the provisions the Board’s related standards are obligated to follow.

mitigation hierarchy to be applied during the permitting process to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate impacts of siting on the environment and people while contributing to the goals and objectives of the Commonwealth for climate mitigation, carbon storage and sequestration, resilience, biodiversity, and protection of natural and working lands to the extent practicable. St. 2024, c. 239, §§ 74, 132, 139.

III. PROCEDURAL HISTORY

A. Background

Governor Healey established the Commission on Energy Infrastructure Siting and Permitting (“Commission”) on September 26, 2023, with the intention to remove barriers to expeditious and responsible CEIF development to meet greenhouse gas emissions limits outlined in the Commonwealth’s Clean Energy and Climate Plan. The mandate of the Commission was to advise the Governor on: (1) accelerating the responsible deployment of clean energy infrastructure through siting and permitting reform in a manner consistent with applicable legal requirements and the Clean Energy and Climate Plan; (2) facilitating community input into the siting and permitting of clean energy infrastructure; and (3) ensuring that the benefits of the clean energy transition are shared equitably among all residents of the Commonwealth. Executive Order No. 620. The Commission issued a final report in March 2024. Many of the recommendations from the Commission’s report were enacted in the 2024 Climate Act in November 2024. St. 2024, c. 239.

B. Rulemaking on 980 CMR 1.00, 2.00, 13.00, 14.00, 16.00, and repeals of 980 CMR 4.00, 5.00, 7.00, 8.00, 11.00

The Siting Board’s Decision Opening Rulemaking, issued September 12, 2025, includes a description of the extensive outreach conducted during the development of the Proposed Regulations. This outreach process included an informal stakeholder process, with straw proposals, stakeholder meetings in April and May, 2025, and written comments. See EFSB 25-10. The Siting Board conducted a stakeholder meeting on May 5, 2025, focused particularly on CIA.¹⁶

¹⁶ The Department, EEA, and OEJE also issued straw proposals for requirements for a new intervenor support grant program, SSC, and community benefits plans, respectively. The straw proposals are available at <https://www.mass.gov/info-details/2024-climate-act->

The Siting Board considered the comments received on its straw proposals in guiding the development of the draft Proposed Regulations.

The Siting Board issued a Tentative Decision and Proposed Regulations on September 4, 2025. The Siting Board conducted a hybrid Board meeting on September 8, 2025. The Siting Board voted to approve the Tentative Decision, and to issue the Proposed Regulations for comment. On September 12, 2025, the Siting Board issued a Decision Opening Rulemaking in EFSB 25-10. The Proposed Regulations were published in the Massachusetts Register on September 26, 2025.

The Siting Board issued Proposed Regulations for a formal public comment process focusing on all aspects of the 2024 Climate Act implementation with the exception of CIA. The Siting Board and Department conducted four hybrid public comment hearings in various locations around the Commonwealth: October 27 in New Bedford, October 29 in Pittsfield, November 3 in Boston, and November 5 in Lynn, and accepted written comments until November 7, 2025. The Siting Board received approximately 540 written comments on the Proposed Regulations (of which approximately 475 were form letters) from a diverse range of stakeholders, including state agencies, local and other officials, utility representatives, clean energy developers, environmental groups, labor representatives, community-based organizations, and many individuals.¹⁷ The Siting Board staff revised the Proposed Regulations in response to comments received, and issued the draft Final Regulations for public comment on January 6, 2026. On January 7, 2026, the Siting Board conducted a hybrid Board meeting to receive a staff presentation on the draft Final Regulations and to hear additional public comment. The Siting Board provided a further opportunity for written comments on the draft Final Regulations in addition to the earlier required comment period, and made revisions in response to the comments.

[stakeholder-sessions](#). The Siting Board staff and OEJE presented a slide deck regarding CIA. The Siting Board staff also issued a request for comments for a new Siting Board permitting dashboard.

¹⁷ Some of the comments addressed Cumulative Impact Analysis and Site Suitability, as well as Constructive Approval (see e.g., The Nature Conservancy; Town of Charlton; Joint Comments of Eversource and National Grid). The Siting Board will address these issues in a later Decision.

The Siting Board released the Final Regulations, and a Tentative Decision explaining the changes to the public on February 11, 2026. The Siting Board conducted a hybrid Board meeting on February 12, 2026, to hear comment, deliberate, and vote on the Final Regulations. At the Board meeting, the Siting Board approved the Tentative Decision and Final Regulations for issuance. The Siting Board issued a Decision Adopting Final Regulations on February 13, 2026. EFSB 25-10-B. The Final Regulations went into effect February 27, 2026, upon publication in the Massachusetts Register, for Applications filed July 1, 2026, and afterwards.

C. Rulemaking for CIA and SSC, 980 CMR 15.00

OEJE developed draft guidelines on CIA during the summer and fall of 2025. In addition, EEA developed draft guidance on SSC during this same timeframe. Both the CIA Guidelines and Site Suitability Guidance documents have been released for public comment, and OEJE and EEA have conducted multiple stakeholder meetings regarding each guidance document. Siting Board staff have attended many of those stakeholder meetings. In addition, EEA conducted a Site Suitability webinar on October 9, 2025.

The Siting Board issued draft proposed regulations on CIA and SSC (“Proposed CIA and SSC Regulations”) for discussion purposes on October 31, 2025. Siting Board staff, along with staff from OEJE, conducted a virtual webinar on November 6, 2025, at which staff provided an overview of the OEJE CIA Guidelines and the draft Proposed CIA and SSC Regulations. The Siting Board accepted written comments on the draft Proposed CIA and SSC Regulations and OEJE accepted written comments on the draft CIA Guidelines. The Siting Board staff considered the extensive oral and written comments received during the informal outreach process and revised the draft Proposed CIA and SSC Regulations.

The Siting Board opened a formal rulemaking on new regulations 980 CMR 15.00, Cumulative Impact Analysis and Standards for Applying Site Suitability Criteria. The Siting Board conducted a hybrid Siting Board Meeting on December 15, 2025. At the Board meeting, the Siting Board heard presentations from Siting Board staff, accepted public comment, and deliberated on the Tentative Decision. The Siting Board voted to approve the Tentative Decision

Opening Rulemaking, and to issue the Proposed Regulations for comment. EFSB 25-10-A, December 19, 2025.

Proposed regulation, 980 CMR 15.00, was published in the Massachusetts Register, January 2, 2026. The notice of the Proposed CIA and SSC Regulations public comment period was included in the Siting Board's December 19, 2025 Decision Opening Rulemaking. In addition, the notice was posted on the Siting Board website, and sent via email to a Siting Board distribution list, including persons requesting notification of Siting Board rulemakings. The Notice was published in the Boston Globe on January 2, 2026. Notice was also provided to the Local Government Advisory Committee (via the Massachusetts Municipal Association and Massachusetts Department of Housing and Community Development), and to the Massachusetts Department of Environmental Protection.

The Siting Board established a public comment period of January 23 – February 13, 2026 regarding the Proposed CIA and SSC Regulations. The Siting Board accepted written comments until February 13, 2026. The Siting Board conducted two remote public comment hearings on February 2, 2026. In addition, the Siting Board provided interpretation in the following languages in addition to English: Spanish, Brazilian Portuguese, Haitian Creole, Chinese, Vietnamese, and American Sign Language. The Siting Board posted recordings of the public comment hearings on its YouTube channel.¹⁸

The Siting Board received comments from a diverse range of stakeholders, including state agencies, local and other officials, utility representatives, clean energy developers, environmental groups, labor representatives, community-based organizations, and many individuals.¹⁹ The Siting Board received approximately 76 written comments from 42 entities on the Proposed CIA and SSC Regulations (in addition to approximately 270 form letters), and comments from 14 different speakers at the public comment hearings and Siting Board meetings (some speakers participating

¹⁸ The Siting Board YouTube channel is available at: <https://www.youtube.com/channel/UcklPj6xxSKww-Kr26lEZVTA>.

¹⁹ Some of the comments filed in EFSB 25-10 for the other regulation packages also addressed CIA and Site Suitability, as well as Constructive Approval (see e.g., The Nature Conservancy; Town of Charlton; Joint Comments of Eversource and National Grid).

in multiple events). All comments received by the Siting Board were posted to a dedicated webpage for the EFSB 25-10 docket:

<https://eeaonline.eea.state.ma.us/dpu/fileroom/#/dockets/docket/12678>.

On February 26, 2026, the Siting Board conducted a hybrid Board meeting to receive a staff presentation on the draft Final CIA and SSC Regulations and to hear additional public comment from commenters. For the Board meeting, the Siting Board provided interpretation in the following languages in addition to English: Spanish, Brazilian Portuguese, Haitian Creole, Chinese, Vietnamese, and American Sign Language. The Siting Board posted recordings of the Board meeting on its YouTube channel.

The Siting Board staff revised the Proposed CIA and SSC Regulations in response to comments received, and issued the draft Final CIA and SSC Regulations for one further public comment period on March 20, 2026. The Siting Board provided a further opportunity for written comments on the draft Final CIA and SSC Regulations in addition to the earlier required comment period, and made revisions in response to the comments. The Siting Board released the Final CIA and SSC Regulations, and a Tentative Decision explaining the changes to the public on April 15, 2026.

The Siting Board conducted a hybrid Board meeting on April 21, 2026, to hear comment, deliberate, and vote on the Final CIA and SSC Regulations. The Siting Board provided interpretation in Spanish, Brazilian Portuguese, Haitian Creole, Chinese, Vietnamese, and American Sign Language. At the Board meeting, the Siting Board approved the Tentative Decision and Final CIA and SSC Regulations for issuance. The Siting Board issued a Decision Adopting Final Regulations on April 24, 2026. The Final CIA and SSC Regulations will go into effect May 8, 2026, once published in the Massachusetts Register, for Applications filed July 1, 2026, and afterwards.

IV. GUIDANCE DOCUMENTS

A. OEJE CIA Guidelines

Given its statutory role in developing guidelines for CIA, OEJE initiated the development of an informational tool that could help address key data and analytical requirements for CIA, as

detailed in the Act. In collaboration with other agencies in the EEA Secretariat, including the Department and Siting Board, as well as outside experts and stakeholders, OEJE developed MassEnviroScreen (“MES”). OEJE’s objective for MES is to provide a consistent, data-driven basis for evaluating community-level burdens and integrating those findings into siting and permitting decisions. CIA Guidelines at 2. MES is intended to satisfy key requirements of the 2024 Climate Act by supporting the development and application of site suitability and cumulative impact processes required by statute. MES is also intended to complement the procedural and permitting reforms developed by the Siting Board.

The purpose of the CIA Guidelines is to establish a clear and consistent framework for the preparation of a CIA that incorporates cumulative impacts and environmental justice considerations in siting and permitting decisions for energy infrastructure projects, particularly as they impact areas experiencing an existing unfair or inequitable environmental burden or related public health consequence. St. 2024, c. 239, §§ 5, 53, 129. The CIA Guidelines outline core principles of the newly required CIA and provides a practical roadmap for integrating those principles in the regulatory and decision-making processes of the Siting Board. OEJE finalized the CIA Guidelines on April 15, 2026.²⁰ The Siting Board’s regulations at 980 CMR 15.00 incorporate the CIA Guidelines.

A key component of the CIA process is the MES.²¹ MES is a GIS-based mapping tool developed and administered by OEJE that uses Indicators to produce an MES Score and provide Indicator data for every Census Block Group across the Commonwealth. 980 CMR 15.02. MES is designed to identify the most environmentally vulnerable or burdened communities in Massachusetts. The MES tool supports consistent, data-informed approaches to understanding cumulative environmental and social burdens across the state.

²⁰ The Final OEJE CIA Guidelines are available at <https://www.mass.gov/doc/april-2026-cia-standards-and-guidelines/download>.

²¹ MES is available at: <https://mass-eoea.maps.arcgis.com/apps/instant/sidebar/index.html?appid=4be63e892a3d42d69334615a64095a39>.

The MES uses 30 statewide Indicators to characterize Pollution and Climate Burden and Population Characteristics.²² The MES uses percentiles to assign scores for each of the Indicators in a given geographic area. The percentiles represent a relative score for the Indicators with the higher percentiles indicating greater cumulative burden. The MES Score reflects two main factors: (1) pollution and climate burden; and (2) population characteristics, which together are made up of five component scores: Environmental Exposures; Environmental Effects; Climate Risks; Sensitive Populations; and Socioeconomic Factors.²³ CIA Guidelines at 8.

MES combines the component scores to produce a cumulative burden score (0 - 100) for every Census Block Group in Massachusetts that is relative to other Census Block Groups in the state. CIA Guidelines at 8. After the Indicators are scored within Pollution and Climate Burden and Population Characteristics, scores for the Pollution and Climate Burden and Population Characteristics categories are multiplied to calculate the overall MES Score. The cumulative burden score is in percentile ranks, which means that a community's score also indicates the percentage of cumulative burden scores for all Census Block Groups in Massachusetts that it equals or exceeds. MES is one tool to determine those Census Block Groups that are identified as Burdened Areas ("BAs"). Communities are designated as BAs when they meet one or both of the following criteria: (1) cumulative burden percentile score (i.e., MES Score) of 75 or greater; or (2) annual median household income is 65 percent or less of the statewide annual median household income. CIA Guidelines at 8.

²² Based on its review, OEJE recommended the use of 30 Indicators in MES, and in the CIA process. These Indicators provide data coverage across the entire state, with varying geographic scale (e.g., data at county, census tract, or Census Block Group levels). OEJE's consultant transformed all data into percentile values, across all Census Block Groups, in Massachusetts so that that data could be used in a consistent manner in an overall cumulative impact score, in percentile terms (0 - 100). OEJE emphasized that even at the highest percentiles, Indicators provide comparative information on the ranking of such data across Massachusetts, and do not necessarily mean that an Indicator exceeds regulatory thresholds or poses direct human health risks at a particular score.

²³ Access the technical documentation that explains MES and describes the data used by the tool for component scores:
<https://www.arcgis.com/sharing/rest/content/items/98e655e983ae40fb9b4749f58974009c/d ata>.

The CIA Guidelines outline the CIA process. Project Applicants must identify the Specific Geographical Area(s) (“SGA”) of the proposed Project. The SGA relies on the outermost boundaries of the Project site (this is the Facility Boundary and means the outermost boundary of a Project building or other structures, or the outermost areas of construction activity or disturbance), or the Project fence line, and for linear projects, such as transmission lines or pipelines, the Facility Boundary is the edge of the right-of-way (“ROW”).²⁴ The SGA also uses a prescribed “radial distance” outward from the Facility Boundary, based on type of facility, or facility component. The Applicant must then examine whether the SGA intersects any BAs as identified by the MES. Applicants must complete a CIA for any BA that intersects the SGA. If the Project’s SGA does not overlap with any BAs, then the Applicant is not required to conduct any further CIA analysis but must complete the CIA Report detailing the steps it took to confirm that the SGA does not overlap with a BA and that no further CIA steps are necessary. The Applicant must identify Indicator values and any Elevated Indicators within the BA. MES provides the percentile values for each Indicator in a Census Block Group which represents the baseline conditions that will be used when assessing the Project’s Impact. For each BA within the SGA, the Applicant must document the Elevated Indicators (i.e., for CEIF, Elevated Indicators are those above the 50th percentile for the specific Indicator; for Fossil Fuel-Related Energy Infrastructure (e.g., legacy Facilities reviewed by the Siting Board), Elevated Indicators are all 30 Indicators in MES).

For each Elevated Indicator, the Applicant provides a written description of the Project’s Impact related to that Elevated Indicator in the BA for both the construction and the operations

²⁴ The Final CIA and SSC Regulations define Facility Boundary as “the outermost boundary of the Project site (such as a Project building or other structures, or the outermost areas of construction activity or disturbance), or the Project fence line. For linear projects, or project components, such as transmission lines or pipelines, the Facility Boundary shall be the edge of the right-of-way.” 980 CMR 15.02. The Final CIA and SSC Regulations define Site Footprint as “the area of land and water encompassed by a CEIF’s equipment, plus any land significantly impacted by construction of the CEIF, including, but not limited to, land altered for clearing, grading, and roadways.” 980 CMR 15.02. The distinction between these two definitions is that a Site Footprint can be slightly larger than the Facility Boundary because it can encompass construction areas that extend beyond the Project fence line or edge of the right-of-way.

phases. To the extent feasible, the Applicant must provide both a qualitative and a quantitative assessment of each such Project Impact. A Project may have negative, positive (Benefits), or no Impacts on a given Indicator. An Applicant must provide an explanation of how it assessed the projected level of such Impacts. In assessing severity of an Impact, the Applicant should consider: the nature of Impacts, the magnitude/degree of Impacts, the geographic extent of Impacts, and the Impact duration.

The Applicant assesses whether a Project results in a Disproportionate Adverse Effect related to an Elevated Indicator. The Project would result in a Disproportionate Adverse Effect if the Project causes a negative Impact during construction and/or operation that materially exacerbates the condition reflected by the Elevated Indicator. Applicants must describe anticipated Impacts from the proposed Project and solicit input from Key Stakeholders, starting during the pre-filing process, on avoidance, minimization, and mitigation of those Project Impacts in compliance with 980 CMR 16.07 (Pre-filing Engagement Requirements for Meetings with Key Stakeholders and Public Meetings with the Community).

Finally, where the Project will cause a Disproportionate Adverse Effect in a BA, the Applicant must propose remedial actions to address the Project's Impact to that Elevated Indicator in the BA. Proposed remedial actions should include a description of any actions the Applicant proposes to remediate Disproportionate Adverse Effects, using the mitigation hierarchy:²⁵ avoidance (avoiding impacts where possible); minimization (reducing unavoidable impacts to the greatest extent feasible); and mitigation (addressing remaining effects through appropriate mitigation measures, which may include rehabilitation, restoration, or offsets). Remedial actions should proportionately address the extent, nature, magnitude, duration, and geographic reach of Disproportionate Adverse Effects resulting from a proposed Project.

B. EEA SSC Guidance

On May 5, 2025, EEA issued a straw proposal for establishing Site Suitability Guidance. EEA solicited comments on this straw proposal through May 23, 2025, and held a series of

²⁵ For a discussion of the mitigation hierarchy, see the Decision Opening Rulemaking EFSB 25-10-A, at 23-24.

stakeholder meetings to discuss it both before and after the comment period. On September 12, 2025, EEA issued a draft guidance document “Site Suitability Assessments for Clean Energy Infrastructure.” EEA conducted a series of stakeholder meetings to discuss the draft Site Suitability Guidance and conducted a webinar on October 9, 2025.²⁶ EEA also accepted written comments on the draft Site Suitability Guidance through October 31, 2025. On January 29, 2026, EEA issued a revised Site Suitability Guidance document and solicited a final round of public comments through February 13, 2026. EEA finalized its Site Suitability Guidance on March 1, 2026.²⁷

The Site Suitability Guidance describes the methodology for determining the suitability of sites for applicable clean energy infrastructure and provides recommendations for using the Site Suitability methodology in the review of Applications for Consolidated Permits and Consolidated State Permits by the Siting Board, and Consolidated Local Permits by Local Governments, and how to use the methodology to avoid, minimize, or mitigate impacts on the environment and people to the greatest extent practicable. The Siting Board’s regulations at 980 CMR 15.00 reflect the Site Suitability Guidance. The regulations promulgated by DOER establishing standards, requirements, and procedures governing the siting and permitting of SCEIF by Local Governments, 225 CMR 29.00, reflect the Site Suitability Guidance for SCEIF.

Proponents of Fossil Fuel-Related Energy Infrastructure are not required to complete a Site Suitability Assessment. CEIF proponents applying to the Siting Board or Local Governments for Consolidated Permits will be required to complete a Site Suitability Assessment, with certain exceptions. The Site Suitability Guidance exempts certain projects from its requirements, including very small generation facilities. Site Suitability Guidance at 8. The 2024 Climate Act

²⁶ On September 12, 2025, OEJE issued its Draft Standards and Guidelines for Community Benefit Plans and Community Benefit Agreements. The October 9, 2025 webinar was conducted jointly with OEJE, and included discussion of OEJE’s Draft Standards and Guidelines for Community Benefit Plans and Community Benefit Agreements. OEJE finalized the Standards and Guidelines for Community Benefit Plans and Community Benefit Agreements on March 1, 2026.

²⁷ The Site Suitability Guidance is available at <https://www.mass.gov/doc/site-suitability-guidance-final-march-1-2026/download>.

limits the application of Site Suitability Assessments for transmission and distribution infrastructure to “newly established public rights of way.” St. 2024, c. 239, § 5.

The Site Suitability Assessment uses a scoring framework that evaluates certain social and environmental criteria using publicly available datasets and tools. The Site Suitability Guidance establishes a process by which a potential site for CEIF siting is scored on five criteria, and that score reflects the site’s suitability for the siting of the CEIF. These scores will be taken into consideration by permitting authorities and impact the types and level of minimization or environmental mitigation measures needed to be issued a permit.

The Site Suitability Guidance calculates for each CEIF site Criteria-Specific Suitability Scores, a quantitative rating (0.0 to 5.0) of the suitability of a given project site with respect to specific social, environmental, and physical criteria (*i.e.*, climate change resilience, carbon sequestration, biodiversity, agriculture, social and environmental burdens).²⁸ Site Suitability Guidance at 10-13. Scores may be modified by Score Modifiers that can subtract or add points to a score based on project-specific features reflecting particular social, environmental, and physical criteria (development potential and social and environmental benefits). The SSR will include all Criteria-specific Suitability Scores for an applicable facility. Lower suitability scores indicate more suitable locations for CEIF, while higher scores indicate less suitable locations.

The five criteria are: (1) Climate Resilience (exposure of the site to two climate hazards: riverine flooding and coastal flooding from sea level rise and storm surge); (2) Carbon Storage and Sequestration (estimated carbon stocks and 50-year projections of carbon sequestration at a site, reflecting anticipated carbon losses associated with site clearing for an energy facility); (3) Biodiversity (site-specific values of a biodiversity index, based on specific Massachusetts BioMap²⁹ elements and National Heritage and Endangered Species Program Priority Habitat, as well as ecological integrity value); (4) Agricultural Resources (site-specific values of an agricultural resources index, overlap with areas designated as: (i) Prime Farmland, (ii) Farmland

²⁸ Criteria-specific Suitability Scores for climate change resilience are scored on a 0.0 - 3.0 scale.

²⁹ See <https://www.mass.gov/info-details/biomap-the-future-of-conservation-in-massachusetts>.

of Statewide Importance, and (iii) Farmland of Unique Importance, with greater weight given to areas under active agricultural use); and (5) Social and Environmental Burdens (assessed by examining a CEIF's Site Footprint and its intersection with the scores established for each Census Block Group in the MES tool). Score Modifiers include: (1) development potential (points added or subtracted for projects located in Protected Open Space, or for Solar Canopies, Brownfields, Eligible Landfills, and Previously Developed Lands); and (2) Social and Environmental Benefits (points subtracted for providing certain social and environmental benefits, if agreed to by the host municipality). Site Suitability Guidance at 13-14, 17-18.

The Site Suitability Guidance establishes a process for Site Suitability Assessments. During the initial pre-filing stage, Applicants shall utilize the Site Suitability Mapping Tool to derive the anticipated Criteria-specific Suitability Scores for a proposed Applicable Facility prior to submitting an application for a Consolidated Permit, Consolidated Local Permit, or Consolidated State Permit.³⁰ If one or more Criteria-specific Suitability Score is disputed, the Applicant or affected stakeholder may request a score review with the Siting Board Director or DOER, depending on the type of permit at issue.

The Site Suitability Guidance includes recommendations for how the Siting Board may use the Criteria-specific Suitability Scores. Site Suitability Guidance at 18-19. The Site Suitability Guidance recommends that Applicants seeking Consolidated Permits and Consolidated State Permits from the Siting Board use the Site Suitability Mapping Tool during the pre-filing process as an initial screening tool. Site Suitability Guidance at 9. Applicants should use the Site Suitability Mapping Tool to estimate the Criteria-specific Suitability Scores for the proposed CEIF. Applicants should share these estimated Criteria-specific Suitability Scores with stakeholders in any pre-filing engagements that occur prior to submitting an application to the EFSB and describe how the Criteria-specific Suitability Scores informed project design and/or the

³⁰ EEA has developed a web-based mapping tool established and maintained by EEA, which contains geographic information system data layers used to determine Criteria-Specific Suitability Scores. The Site Suitability Mapping Tool has the capability to automatically calculate an Applicable Facility's Criteria-Specific Suitability Scores by delineating the Applicable Facility's Site Footprint in the tool.

alternatives analysis used to select the Applicant's preferred site option, if applicable. Applicants would file their SSR with their Application to the Siting Board.

The Site Suitability Guidance recommends that the Siting Board use the Criteria-specific Suitability Scores as a resource to determine whether a proposed Project avoids Impacts, or whether Project Impacts should be further minimized and/or mitigated for a Project to receive a Consolidated Permit, Consolidated Local Permit, or Consolidated State Permit. Site Suitability Guidance at 18-19. All minimization and mitigation measures should have a rational nexus to the Impact or Burden. Site Suitability Guidance at 19.

V. FINAL CIA AND SSC REGULATIONS, 980 CMR 15.00

The Siting Board's 2024 Climate Act regulations package implements a comprehensive program to accelerate the siting of clean energy infrastructure while emphasizing participation by Key Stakeholders and community members in the development and review process. The 2024 Climate Act created new categories of facilities, new roles for state, regional, and local agencies and various stakeholders, and established new procedural mechanisms to enhance the efficiency and effectiveness of CEIF siting and permitting in the Commonwealth. See EFSB 25-10, Decision Opening Rulemaking for a detailed description of the context of Proposed Regulations.

Understanding and accounting for cumulative impacts is essential to making equitable decisions about energy infrastructure that assess population vulnerabilities and public health impacts. Rather than evaluating a proposed Project in isolation, a cumulative impacts framework considers how multiple environmental and social Indicators interact and build over time in a given area. Cumulative impacts are the compounding effects resulting from exposures to multiple stressors experienced by a person or community. These cumulative impacts are focused on historical burdens of industrial, commercial, and other activities and those effects on people. Cumulative impacts include past and present activities and conditions that affect pollution and climate burden, and population characteristics through the lens of environmental exposures, environmental effects, climate risks, sensitive populations, and socioeconomic factors.

Cumulative burden has direct implications for public health, as communities facing multiple overlapping Indicators tend to experience higher rates of chronic disease, lower life expectancy, and greater vulnerability to environmental hazards. Incorporating cumulative impact considerations into energy planning and permitting is therefore a critical strategy for protecting human health and reflects the Commonwealth's priority of ensuring that state agencies meaningfully address the longstanding and interconnected inequities concerning environmental exposure and infrastructure development.

Clean energy projects, such as solar, wind, storage, and transmission system upgrades, are intended to support statewide reductions in greenhouse gas emissions, improve air quality, strengthen system reliability, and advance the transition to a clean energy system. Some clean energy projects may also bring localized improvements – such as reducing reliance on older, higher emitting facilities in or near certain communities. The CIA process provides a structured, transparent way to understand how new energy infrastructure will interact with existing environmental and social conditions and support new energy projects without imposing Disproportionate Adverse Effects. For Fossil Fuel-Related Energy Infrastructure, the CIA process assesses a proposed Project's Impacts, provides a structured way to evaluate Elevated Indicators, and considers the mitigation hierarchy while avoiding Disproportionate Adverse Effects.

A. CIA Analysis

The Siting Board's Final CIA and SSC Regulations implement the provisions of the CIA Guidelines and the Site Suitability Guidance. 980 CMR 15.01(4). The Siting Board addresses the Site Suitability Guidance in Section V.B, below. As an initial matter, 980 CMR 15.01 explicitly states that the CIA regulations apply to both Fossil Fuel-Related Energy Infrastructure and CEIF. CIA is one aspect of the Board's evaluation of a Project's overall impact. G.L. c. 164, § 69H. Pursuant to G.L. c. 164, § 69H, nothing in 980 CMR 15.00 limits the Board's consideration of the full range of Project Impacts (e.g., air emissions, stormwater or wastewater discharges, solid or hazardous waste generation, traffic, impervious surfaces, heat-island effect, climate change effects such as heat, flooding or wildfire risk, impacts to natural resources and habitat, impacts to public health or socioeconomic conditions, ecological, historical/archaeological resources, tree canopy

cover, constructability, etc.) or geographical areas outside the BAs as defined in 980 CMR 15.02 when evaluating energy projects. G.L. c. 164, § 69H. 980 CMR 15.01 also references the CIA Report Template and Instructions, attached to this Decision.³¹

The Final CIA and SSC Regulations outline the CIA process, closely mirroring the CIA process as defined in the CIA Guidelines. In its Decision opening the rulemaking for 980 CMR 15.00, the Siting Board provided detailed information on the Proposed CIA and SSC Regulations. EFSB 25-10-A. In this Decision, the Siting Board notes the comments it has received and explains the recommended changes to 980 CMR 15.00, and the CIA Report Template. The Final CIA and SSC Regulations and CIA Report Template are attached to this Decision.

1. Changes Based on Revisions to the CIA Guidelines

In the proposed regulations at 980 CMR 15.02, the Siting Board included a definition of Elevated Indicators. This definition defined an Elevated Indicator as one that is at or above the 50th percentile statewide in Massachusetts, prior to consideration of additional Project Impacts. Several commenters pointed out that an Indicator at the 50th percentile is not “disproportionate” (Eversource and National Grid Joint Comments). Other commenters indicated support for an Elevated Indicator at the 50th percentile (Conservation Law Foundation and Six Supporting Organizations³² Comments at 1, 3; Environmental Justice Table Comments at 4; Union of Concerned Scientists Comments at 1-2). Some commenters argued that Elevated Indicators should be set significantly higher than the 50th percentile, but the Siting Board declines to make the requested change (see Eversource and National Grid Joint Comments at 25). The Final CIA and

³¹ The CIA Report Template and Instructions provide detailed guidance to Applicant for completing their CIA Reports.

³² Conservation Law Foundation filed a comment letter on February 13, 2026, with the support of the following organizations: Alternatives for Community & Environment, Arise for Social Justice, Clean Water Action, GreenRoots, Sierra Club Massachusetts, and Union of Concerned Scientists.³

SSC Regulations provide that an Elevated Indicator is above the 50th percentile because the Siting Board removed “at or” from the Elevated Indicator threshold.

The proposed regulations defined a process by which entities in a non-BA could petition the Director of the Siting Board for a CIA in the non-BA. 980 CMR 15.04(6). The Siting Board discussed this provision extensively during the February 26, 2026, Board meeting, and the Siting Board also received comments on this provision. Numerous commenters support a process allowing a person in a non-BA to petition for a CIA (Conservation Law Foundation Comments and Six Supporting Organizations at 5; Environmental Justice Table Comments at 3-4; Union of Concerned Scientists at 1; Westfield Residents Advocating for Themselves Comments at 1-2). Some stakeholders asserted that allowing petitions for CIAs to be conducted for non-BAs is unnecessary (Eversource and National Grid Joint Comments at 9-14). Other commenters expressed concern that the petitions for a CIA in a non-BA could be used as a delay mechanism, and argued that there should be a high standard for granting a petition (RENEW Comments at 2-3).

First, the Siting Board declines to remove this provision as it serves as a tool to ensure that an Applicant conducts a CIA in areas where it is warranted. The Siting Board agrees that there should be a high standard for granting this petition, and notes that the regulations provide that the petition would be granted only in extraordinary circumstances. 980 CMR 15.04(6)(d). Furthermore, the Final CIA and SSC Regulations limit the entities that can petition for a CIA to group of ten or more residents residing in, or businesses with a business address in, a Census Block Group that intersects the SGA.³³ The Final CIA and SSC Regulations require that at least one member of the group must meet the definition of Key Stakeholder. 980 CMR 15.04(6). Finally, the Final CIA and SSC Regulations provide certain procedural protections to ensure that

³³ The proposed regulations provided that Key Stakeholders could petition for a CIA under this provision. 980 CMR 15.04(6). However, the final regulations provide that a group of ten or more residents residing in, or businesses with a business address in, a Census Block Group that intersects the SGA can petition for a CIA. At least one member of the group must meet the definition of Key Stakeholder. The Siting Board notes that this refinement better reflects the intent of the CIA petition provision.

granting the request for a CIA does not delay the review of a proposed project and occurs simultaneously with project review. 980 CMR 15.04(6)(e) and (f).

The proposed regulations provide that to determine whether a Project Impact results in a Disproportionate Adverse Effect on an Elevated Indicator, the effect must “materially exacerbate” the condition reflected in the Elevated Indicator. 980 CMR 15.07(1). Several commenters requested clarification of the term “materially exacerbate”. The Siting Board notes that what constitutes a material change in an Elevated Indicator will necessarily be fact specific. However, the Siting Board intends this term to capture negative Impacts that are more than minimal or de minimis. To determine if a negative Project Impact to an Elevated Indicator constitutes a Disproportionate Adverse Effect, the Project must materially exacerbate the condition reflected in the Elevated Indicator causing additional negative Project Impacts. 980 CMR 15.07(1). An Applicant is required to explain whether the Project impacts an Elevated Indicator in such a manner and intervenors and commenters have the ability to concur or disagree.

In the proposed regulations at 980 CMR 15.08(1)(c), the Siting Board required that an Applicant mitigate Project Impacts to the fullest extent practicable. One commenter contends that the statutory language relating to mitigation of Project Impacts does not include the word “fullest” (Eversource and National Grid Joint Comments at 22). To ensure consistency with the statutory language, the Siting Board has removed the word “fullest” and requires an Applicant to mitigate Project Impacts to the extent practicable. 980 CMR 15.08(1)(c).

The Siting Board received several comments, and discussed during the February 26, 2026, Board meeting, the role of Community Benefit Plans (“CBP”) and Community Benefits Agreements (“CBA”). Some commenters noted that the 2024 Climate Act does not require that Applicants enter into CBA/CBPs (Eversource and National Grid Joint Comments at 4, 20; RENEW Comments at 3). The Siting Board agrees that the CIA regulations do not require a CBP/CBA for a proposed Project. The Final CIA and SSC Regulations do include specific references to the OEJE Standards and Guidelines for Community Benefit Plans and Community Benefits Agreements for guidance for such voluntary plans and agreements. 980 CMR 15.11(3). The Siting Board received comments on the difference between mitigation and CBAs (Environmental Justice Table Comments at 5-7; Eversource and National Grid Joint Comments at

18-19; Conservation Law Foundation Comments at 8). The Final CIA and SSC Regulations clarifies that mitigation measures must have a nexus to Project Impacts. 980 CMR 15.02, 15.11(3). In contrast, if an Applicant develops a CBP or enters into a CBA, the benefits offered by the Applicant in a CBP or CBA are not required to have a nexus to Project Impacts. See 980 CMR 15.02. Nevertheless, a CBA may include useful mitigation measures, and the Siting Board would consider the CBP or CBA in its determination regarding the appropriate level of mitigation of Project Impacts to include in any EFSB Consolidated Permit.

2. Other Changes

980 CMR 15.01(2) provides that the CIA regulations apply to project changes that would trigger Siting Board jurisdiction. Some commenters support requiring the CIA provisions to apply to project changes (Conservation Law Foundation Comments at 1, 4; Environmental Justice Table Comments at 8). Some commenters recommended that the Siting Board remove this requirement (Eversource and National Grid Joint Comments at 15-18). The Siting Board declines to remove this provision, but takes the opportunity to clarify what it means by “triggers Board jurisdiction.” The Siting Board intends that only significant project changes should be subject to the CIA regulations. The Final CIA and SSC Regulations state that 980 CMR 15.00 applies to a project change that by itself would qualify as a “Facility” or a “CEIF,” or requires a subsequent final decision of the Board. 980 CMR 15.01(2).

The proposed regulations at 980 CMR 15.03(1) stated that an Applicant must determine whether the SGA of its Project intersects with a BA for every proposed site or route, and every noticed site and route. Commenters requested that the regulations make it explicit that there is no requirement that an Applicant conduct a CIA for every site or route that is under consideration for a Project, unless noticed (Eversource and National Grid Joint Comments). The Siting Board added the requested clarification. However, given that the MES tool is available to easily determine whether the SGA for a proposed Project intersects a BA, the Siting Board encourages Applicants to use MES as a screening tool to determine whether sites under consideration may intersect a BA, and use this information as a factor in their site selection process. The Siting Board notes that a similar tool is available to determine the suitability of a site for a Project (see Site Suitability

Guidance). Such tools should provide helpful information to interested stakeholders and should assist Applicants in refining sites and routes to bring forward for Siting Board review.

In addition, 980 CMR 15.03(3) requires a full CIA whenever any portion of a Project's SGA intersects a BA. Some commenters argued that this requirement does not take into account the scale, duration, or functional relevance of that overlap, diverting time and resources away from projects and communities where cumulative impacts are "truly significant" (RENEW Northeast/American Clean Power). In the CIA Report, the Applicant can explain the limited functional relevance of the CIA based on the scale or duration of the overlap between a Project's SGA and the BA. However, the Siting Board declines to revise the regulations to account for a small or partial overlap of a BA.

Several commenters argued for an adjustment for the radial distances for certain project types. Certain BESS supporters argued that the SGA for a BESS project should be significantly decreased from that specified in the proposed regulations to one-half mile (Environmental Defense Fund Comments at 11; Environmental Justice Table Comments at 7; Environmental League of Massachusetts Comments at 4; RENEW Comments at 4), and to increase the radial distance for gas pipelines to 1 mile (Environmental League of Massachusetts Comments at 4).

980 CMR 15.05(1). In the Final CIA and SSC Regulations, the Siting Board declines to reduce the SGA for BESS, but agrees that the SGA for gas pipelines should be expanded to 1 mile.

The Siting Board received comments arguing that 980 CMR 15.00 does not adequately reflect considerations of impacts to natural resources (DeChiara Comments and Supplemental Comments at 1-3, Norman Comments at 1-2). The Siting Board has a statutory mandate, separate from the CIA/SSC regulation, to identify environmental impacts from a Project and to ensure efforts have been made to avoid, minimize, and mitigate those impacts. G.L. c. 164, § 69H. This mandate, taken together with the combination of analyses used by the Board - Site Suitability, CIA, and the environmental analysis (conducted as part of the Project Application review) - address natural resource issues. See EFSB 25-10-A at 19; 980 CMR 15.01(3). The Final CIA and SSC Regulations are only part of the Siting Board's review of a Project and combined with other tools, provide a comprehensive review of a proposed Project.

Several commenters provided helpful suggestions on how to improve the CIA Report Template (Environmental Defense Fund Comments at 4, 7; Eversource and National Grid Joint Comments at 8). The Siting Board incorporated many of these comments into the CIA Report Template. The Siting Board notes that the Template is not a regulation, and will be subject to further refinement.

B. Site Suitability Assessment

In 980 CMR 15.10, the Board follows the Site Suitability Guidance for CEIF, as issued by EEA. The Site Suitability Guidance is applicable to LCEGFs, SCEGFs, LCESFs, SCESFs, and also to LCTDIFs and SCTDIFs in newly established public ROW.³⁴ Site Suitability Assessments are not required for Projects exempted under 225 CMR 29.07(1). 980 CMR 15.10(1). SCEIF that are exempted from Site Suitability Assessment per 225 CMR 29.07 shall be exempted from the requirements of 980 CMR 15.10.

Applicants utilize the Site Suitability Mapping Tool, pursuant to instructions provided in the Site Suitability Guidance, to derive the anticipated Criteria-specific Suitability Scores for a proposed CEIF prior to submitting an Application for a Consolidated Permit or Consolidated State Permit to the Board. 980 CMR 15.10(2). Applicants share these estimated Criteria-specific Suitability Scores with stakeholders during the pre-filing process, per 980 CMR 16.00, and file a SSR with its Application for a Consolidated Permit or Consolidated State Permit per 980 CMR 13.00, as applicable. 980 CMR 15.10(2), (3). The Board considers Site Suitability Assessments in its review of a Project. 980 CMR 15.10(6). The Board considers Criteria-specific Suitability Scores to assess avoidance, minimization and mitigation of Project Impacts. 980 CMR 15.10(6). The Board shall consider the Criteria-specific Suitability Scores in its decision on whether to grant a Consolidated Permit or Consolidated State Permit, as applicable. 980 CMR 15.10(6). The Decision opening the rulemaking for 980 CMR 15.00 provides additional detail on the Site Suitability process. EFSB 25-10-A.

³⁴ Site Suitability requirements do not apply to Fossil Fuel-Related Energy Infrastructure. St. 2024, c. 239, § 23.

The Site Suitability Guidance was revised over the course of the CIA public comment period. One significant revision included the elimination of Total Suitability Scores, in favor of requiring only Criteria-specific Suitability Scores. To reflect this change, the Siting Board added the definition of Criteria-specific Suitability Score to the definitions in 980 CMR 15.02. In addition, the Site Suitability Guidance removed the requirement for a formal score determination, and instead allows an Applicant to score its Project, subject to the Siting Board's consideration of the score.

VI. VOTE AND DECISION

The Siting Board hereby votes to adopt Final CIA and SSC Regulations to implement provisions of the 2024 Climate Act, St. 2024, c. 239. The Siting Board adopts new regulation 980 CMR 15.00: Cumulative Impact Analysis and Standards for Applying Site Suitability Criteria. The Siting Board also adopts the CIA Report Template, attached to this Decision.

A handwritten signature in black ink, appearing to read "Joan Foster Evans". The signature is written in a cursive style with a horizontal line above it.

Joan Foster Evans, Esq.

Dated this 15th day of April 2026

APPROVED by unanimous vote of the Energy Facilities Siting Board at its meeting of April 21, 2026, by the members and designees present and voting. Voting for approval of the Final Decision: Michael Judge, Undersecretary of Energy and designee for Rebecca L. Tepper, Secretary of Energy and Environmental Affairs and Chair, Energy Facilities Siting Board; Jeremy McDiarmid, Chair, Department of Public Utilities and Acting Chair, Energy Facilities Siting Board; Elizabeth Mahony, Commissioner, Department of Energy Resources; Laurel Mackay, Principal Deputy General Counsel and designee for Bonnie Heiple, Commissioner, Department of Environmental Protection; Douglas Gutro, Director of the Permit Regulatory Office and designee for Eric Paley, Secretary, Executive Office of Economic Development; Dr. Robert Goldstein, Commissioner, Department of Public Health; and Thomas O'Shea, Commissioner, Department of Fish and Game.

A handwritten signature in black ink that reads "Michael Judge". The signature is written in a cursive, slightly slanted style.

Michael Judge, Undersecretary of Energy
designee for Rebecca L. Tepper, Chair
Energy Facilities Siting Board

Dated this 24th day of April 2026

ATTACHMENT 1 – FINAL REGULATIONS 980 CMR 15.00

980 CMR: ENERGY FACILITIES SITING BOARD

980 CMR 15.00: CUMULATIVE IMPACT ANALYSIS AND STANDARDS FOR APPLYING SITE SUITABILITY CRITERIA

Section

- 15.01: Purpose, Scope, Application, and Other General Provisions
- 15.02: Definitions
- 15.03: Overview of Cumulative Impact Analysis
- 15.04: Determination of Burdened Areas
- 15.05: Identification of Burdened Areas Intersecting the Specific Geographical Area of a Project Site or Route
- 15.06: Assessment of Burdened Areas for Elevated Indicators
- 15.07: Disproportionate Adverse Effect Analysis – Project Impacts that are Likely to Materially Exacerbate Elevated Indicators
- 15.08: Remedial Actions to Avoid, Minimize or Mitigate Disproportionate Adverse Effects
- 15.09: Contents of CIA Report
- 15.10: Standards for Applying Site Suitability Criteria
- 15.11: Board’s Findings in its Final Decision

15.01: Purpose, Scope, Application, and Other General Provisions.

(1) Purpose. The purpose of 980 CMR 15.00 is to implement the provisions from M.G.L. c. 164, §§ 69G, 69H, 69J, 69J¼, 69T, 69U, 69V regarding Cumulative Impact Analysis (“CIA”) and standards for applying site suitability criteria to guide Energy Facilities Siting Board (“Board”) decisions. The purpose of those provisions is to evaluate existing environmental burdens and related public health consequences in a Specific Geographical Area (“SGA”) proximate to a proposed Project location, and to assess whether the Project would result in any Disproportionate Adverse Effects, including environmental and public health impacts, or the effects of climate change.

(2) Scope. 980 CMR 15.00 applies to every Application submitted to the Board for a Clean Energy Infrastructure Facility (CEIF) (M.G.L. c. 164, §§ 69T, 69U, 69V), and to every Petition to Construct a Facility (M.G.L. c. 164, § 69J) or a Generating Facility (M.G.L. c. 164, § 69J¼). 980 CMR 15.00 also applies to every project change that itself would qualify as a “Facility” or a “CEIF” or requires a subsequent final decision of the Board. *See* 980 CMR 1.09(13).

(3) Context of Board Review. CIA is one aspect of the Board’s evaluation of a Project’s overall impacts. M.G.L. 164, § 69H. Nothing in 980 CMR 15.00 limits the Board’s consideration of the full range of Project Impacts (e.g., ecological, historical and archaeological resources, tree canopy cover, constructability, etc.) and geographical areas outside the Burdened Areas as defined in 980 CMR 15.00 when evaluating energy projects. M.G.L. c. 164, § 69H.

(4) Underlying Guidance. 980 CMR 15.00 reflects the “Guidelines and Standards for Cumulative Impact Analysis” issued by the Massachusetts Office of Environmental

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Justice and Equity pursuant to M.G.L. c. 21A, § 29. *See* M.G.L. c. 164, §§ 69G, 69T. 980 CMR 15.00 also applies the “Site Suitability Guidance” developed by the Executive Office of Energy and Environmental Affairs (“EEA”) pursuant to M.G.L. c. 21A, § 30, as applicable. *See* M.G.L. c. 164, § 69T. The Board shall consider revisions to 980 CMR 15.00, and related CIA implementation documents developed by the Board, in response to future modifications of the “Guidelines and Standards for Cumulative Impact Analysis” or the “Site Suitability Guidance”.

(5) Effective Date. 980 CMR 15.00 takes effect on May 8, 2026, and applies to Applications or petitions to construct filed on or after July 1, 2026.

(6) Applicability of Earlier Sections. 980 CMR 15.00 relies upon provisions of 980 CMR that by their terms apply to all sections of chapter 980 CMR, unless otherwise noted.

(7) CIA Report Template and Instructions. The Board shall maintain and update, as appropriate, a document entitled “CIA Report Template and Instructions” (“CIA Report Template”). The CIA Report Template provides guidance to Applicants and other stakeholders engaged in preparation or review of a CIA Report pursuant to 980 CMR 15.00. The Board shall develop the CIA Report Template in accordance with 980 CMR 15.00, the “Guidelines and Standards for Cumulative Impact Analysis” by the Massachusetts Office of Environmental Justice and Equity, and “Site Suitability Guidance” developed by EEA. The Board will provide notice and the opportunity for comment on any changes to the CIA Report Template.

(8) Periodic Revision. The Board will assess 980 CMR 15.00 and the CIA Report Template no more than five years after promulgation, or sooner, as it deems appropriate.

15.02: Definitions.

(1) Definitions. 980 CMR 15.00 shall be subject to the definitions of 980 CMR 1.01(4): *Definitions*; 980 CMR 13.01(4): *Definitions*; 980 CMR 16.02: *Definitions*. The following additional definitions shall also apply unless the context or subject matter requires a different interpretation:

Benefit means a positive effect as it pertains to public health, the environment, or in ameliorating the effects of climate change. Benefits include, but are not limited to, access to: clean natural resources, including air, water resources, and open space; constructed playgrounds, outdoor recreational paths, facilities, and venues; clean renewable energy sources; affordable access to reliable electricity; improved public health from reduced pollution and environmental contaminants; improved socio-economic opportunity from additional jobs, education, training programs, tax revenues; enhanced environmental enforcement; and funding disbursed or administered by EEA. For the Board to consider Benefits as Project-related for CIA purposes, such Benefit must have a geographic, economic, public health, or scientific nexus to areas of overlap between Burdened Area(s) and a Project’s SGA. A benefit incorporated into a

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Community Benefit Agreement need not have a geographic, economic, public health, or scientific nexus to a Project Impact.

Burden means a negative effect such as destruction, damage or impairment of natural resources that is not insignificant, including but not limited to, climate change, air pollution, water pollution, improper sewage disposal, dumping of solid wastes and other noxious substances, excessive noise, activities that limit access to natural resources and constructed outdoor recreational facilities and venues, inadequate remediation of pollution, reduction of ground water levels, impairment of water quality, increased flooding or stormwater flows, and damage to inland waterways and waterbodies, wetlands, marine shores and waters, forests, open spaces, and playgrounds from private industrial, commercial, or government or private operations or activity that contaminates or alters the quality of the environment and public health.

Burdened Area means a Census Block Group, which is subject to an existing unfair or inequitable environmental burden or related health consequence. 980 CMR 15.00 identifies Burdened Areas as those areas that have a MassEnviroScreen Score (MES Score) of 75 or greater (*i.e.*, at or above the 75th percentile, statewide), or an annual median household income of 65% or less of the statewide annual median household income.

Census Block Group means a statistical subdivision of a census tract used by the U.S. Census Bureau for data tabulation and presentation. It is a collection of census blocks and is the smallest geographic unit for which the U.S. Census Bureau publishes sample data from its household surveys.

Criteria-specific Suitability Score means the score for each criterion in the Site Suitability Report, as assessed following the methods outlined in the Site Suitability Guidance, representing the suitability of a site for a given Clean Energy Infrastructure Facility with respect to each criterion. These scores can range from 0.0 (most suitable, lowest impact, and/or greatest benefit) to 5.0 (least suitable, greatest impact, and/or lowest benefit).

Cumulative Impact means the combined effects of past and present private, industrial, commercial, federal, state, or municipal projects, operations, development, and other economic activities, in addition to the effects of the proposed Project on: (1) the environment; (2) public health; and (3) reasonably foreseeable effects of climate change. For purposes of 980 CMR 15.00, Cumulative Impact is determined for the area where a Project's SGA intersects one or more Burdened Area(s).

Cumulative Impact Analysis (CIA) means the process by which Applicants and Petitioners shall identify, consider, and address the Cumulative Impact of a Project, as articulated in 980 CMR 15.00. The Board reviews the Applicant's CIA pursuant to 980 CMR 15.00.

Cumulative Impact Analysis Report (CIA Report) means the written report that an Applicant submits as part of an Application or petition to construct for applicable Projects, pursuant to 980 CMR 15.09.

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Disproportionate Adverse Effect means a Project Impact that is likely to materially exacerbate an Elevated Indicator in a Burdened Area intersecting a Project's SGA. As used in M.G.L. c. 164, §§ 69G and 69H, "disproportionate adverse impact" is the equivalent of "Disproportionate Adverse Effect." A Disproportionate Adverse Effect requires consideration of both positive and negative Project Impacts, and results in a net negative impact.

Elevated Indicator for a Clean Energy Infrastructure Facility ("CEIF") means an Indicator that is above the 50th percentile statewide in Massachusetts, prior to consideration of additional Project Impacts. For Fossil Fuel-related Energy Infrastructure, each Indicator is treated as an Elevated Indicator. For purposes of 980 CMR 15.00, an Elevated Indicator is identified solely in those areas where a Project's SGA intersects one or more Burdened Areas.

Facility Boundary means the outermost boundary of the Project site (such as a Project building or other structures, or the outermost areas of construction activity or disturbance), or the Project fence line. For linear projects, or project components, such as transmission lines or pipelines, the Facility Boundary shall be the edge of the right-of-way.

Fossil Fuel-related Energy Infrastructure means Facilities subject to Board jurisdiction under M.G.L. c. 164, §§ 69J, 69J¼, that are not CEIFs.

Indicator means a statistical measure, which is used to evaluate a Census Block Group's environmental exposures, environmental effects, climate effects, sensitive populations, and socioeconomic factors.

MassEnviroScreen (MES) means a GIS-based mapping tool developed and administered by the Office of Environmental Justice and Equity that uses Indicators to produce an MES Score and provide Indicator data for every Census Block Group across the Commonwealth.

MassEnviroScreen Score (MES Score) means the numerical score output from the MES.

Noticed Alternative Site or Route means a site or route that an Applicant has submitted for review by the Board, in addition to a Proposed Site or Route, and provided Notice to affected abutters and others concerning this site or route. 980 CMR 15.00 does not impose upon the Applicant an obligation to propose an alternative site or route but recognizes that in certain circumstances the Applicant may be required to do so or may elect to do so.

Project Impact means an effect on the environment, socioeconomic and public health conditions, or climate change resiliency, resulting from construction and operation of the Project. A Project Impact can be either positive or negative.

Proposed Site or Route means the Applicant's preferred location for a Project site or route that it submits for approval by the Board.

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Remedial Action means an action taken that would avoid, minimize, or mitigate one or more Disproportionate Adverse Effects.

Site Footprint means the area of land and water encompassed by a CEIF's equipment, plus any land significantly impacted by construction of the CEIF, including, but not limited to, land altered for clearing, grading, and roadways.

Site Suitability Mapping Tool means a web-based mapping tool established and maintained by the EEA in accordance with the Site Suitability Guidance, which contains geographic information system data layers used to determine Criteria-specific Suitability Scores. The mapping tool shall have the capability to automatically calculate a CEIF's Criteria-specific Suitability Scores by delineating the CEIF Site Footprint in the mapping tool.

Site Suitability Report means a written report documenting the Applicant's Criteria-specific Suitability Scores, any Site Suitability Score Modifiers, as defined in the Site Suitability Guidance, the Applicant is seeking to apply, and any other required supporting documentation, in a form and manner established by the EEA, in consultation with the Board and the Department of Energy Resources.

Specific Geographical Area (SGA) means an area in which a proposed facility may be located and is determined based on facility-specific radial distances from the Facility Boundary, as established by the Board in 980 CMR 15.05(1). Each Proposed Site or Route and each Noticed Alternative Site or Route, if any, has its own SGA.

15.03: Overview of Cumulative Impact Analysis. The following steps set forth the process for an Applicant to determine a Project's Cumulative Impact and prepare a CIA Report.

(1) For each Proposed Site or Route and Noticed Alternative Site or Route, as applicable, the Applicant shall determine the applicable SGA consistent with 980 CMR 15.05(1). If the SGA intersects a Burdened Area according to MES, the Applicant or Petitioner is required to conduct additional CIA review steps below. An Applicant shall conduct a CIA for every noticed site or route that it intends to file with the EFSB with a petition to construct, an Application for a Consolidated Permit, or a project change in accordance with 980 CMR 1.09(13). There is no requirement that an Applicant conduct a CIA for every site or route that is under consideration for a Project, unless noticed.

(2) If the proposed Project's SGA does not intersect any Burdened Areas, no further CIA evaluation is necessary. However, a CEIF Project having an SGA that does not intersect a Burdened Area may be required to provide a Site Suitability Report, as applicable. *See* 980 CMR 15.10.

(3) If any part of the Project's SGA intersects one or more Burdened Area(s), the CIA must assess whether the Project imposes a Disproportionate Adverse Effect within each such Burdened Area, for each Elevated Indicator per 980 CMR 15.07.

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(4) To determine whether a Disproportionate Adverse Effect may result from the Project, the Applicant shall evaluate the following for each Burdened Area intersecting the Project's SGA:

- (a) Whether any of the Indicators are Elevated Indicators; and
- (b) If there are one or more Elevated Indicator(s), whether the Project is likely to materially exacerbate such Elevated Indicators.

If the Project is likely to materially exacerbate one or more Elevated Indicator(s), the Project is deemed to have a Disproportionate Adverse Effect for such Indicator(s), in one or more of the applicable Burdened Areas.

(5) For a Project deemed to have a Disproportionate Adverse Effect, the Applicant must propose Remedial Actions that avoid, minimize, or mitigate such adverse effects.

(6) The Applicant prepares a CIA Report that documents the above steps, as required, and submits the CIA Report as part of its CEIF Application or petition to construct a Facility to the Board. The Applicant shall share the results of its CIA Report with Key Stakeholders, as defined in 980 CMR 16.02: Definitions, during the Pre-filing Outreach Period in accordance with 980 CMR 16.04: Pre-filing Consultation and Engagement Requirements, and communicate with Key Stakeholders throughout the Board adjudication regarding the CIA Report.

15.04: Determination of Burdened Areas. The Board, working with the Massachusetts Office of Environmental Justice and Equity, maintains the MES, which differentiates Census Block Groups within the Commonwealth based on their MES Score, and provides other Indicator data relevant to 980 CMR 15.00.

(1) Burdened Areas. MES identifies all Census Block Groups within the Commonwealth that are deemed to be Burdened Areas, based on either of the two following criteria:

- (a) A MES Score of 75 or greater, indicating that the Census Block Group is at or above the 75th percentile of MES Scores in comparison with other census blocks, on a statewide basis; or
- (b) Annual median household income in the Census Block Group is 65% or less of the statewide annual median household income.

(2) MES Indicators. MES Scores shall be based on the following categories of Indicators, including but not limited to:

- (a) pollution and climate burden (which consists of Indicators for environmental exposures, environmental effects, and climate risks); and
- (b) population characteristics (which consist of Indicators for sensitive populations and socioeconomic factors).

(3) Indicator Data. The Board shall ensure that MES relies on data that generally have the following characteristics:

- (a) Indicator data are publicly available (or otherwise provided in a publicly available manner);

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- (b) Indicator data are collected for all parts of the Commonwealth at a geographic resolution that allows for meaningful comparison between locations, as appropriate;
 - (c) Indicator data are specifically identified and quantifiable;
 - (d) Indicator data are generally accepted statistical measurements for the type of Project Impacts they describe; and
 - (e) Indicator data are reasonably current, and updated regularly, as practicable.
- (4) The Board shall work with the Massachusetts Office of Environmental Justice and Equity and MassGIS (Bureau of Geographic Information) to ensure that MES is updated periodically with the most current data, is reliable, and continues to serve the needs of 980 CMR 15.00 implementation, including for Applicants and other stakeholders.
- (5) Indicator Data Used in CIA. Throughout the Pre-filing process, the Application process, and the adjudication process, the Applicant may rely upon Indicator data that was current as of the beginning of the pre-filing process.
- (6) Petition for a CIA in a Non-burdened Area. A group of ten or more residents residing in, or businesses with a mailing address in, a Census Block Group that intersects the SGA may petition the Director of the Board requesting that an Applicant be required to conduct a CIA for such Census Block Group that is not a Burdened Area pursuant to 980 CMR 15.04(1), and to include the results of such CIA in its CIA Report filed pursuant to 980 CMR 15.09. At least one member of the ten-member petitioning group shall also be a Key Stakeholder as defined in 980 CMR 16.02: Definitions.
- (a) Such request by a ten-member group, as described above in Section 980 CMR 15.04(6), shall initially be presented to a designated representative of the Applicant with a copy to the Division of Public Participation Director and the Director of the Board during the Pre-filing process pursuant to 980 CMR 16.00: Pre-filing Consultation and Engagement Requirements. The request shall include a statement describing the group's specific interest in the proposed Project, and a description of the extraordinary circumstances which support the request.
 - (b) If the Applicant declines to perform the CIA for the requested portion of the SGA that is not a Burdened Area and declines to include the results in its CIA Report, the petitioning group may file a petition with the Director of the Board to require such CIA no later than 14 days after the Applicant files its Application.
 - (c) The petition shall explain the extraordinary circumstances which support the request. Extraordinary circumstances may include, but are not limited to, significant adverse changes in conditions relevant to Indicators for such Non-burdened Area(s) that are not accurately reflected in MES data, significant environmental exposures that are not reflected in MES data, or other anomalies with MES data or functions that would obscure significant Burdens in the specified Census Block Group.
 - (d) The Director of the Board shall grant such request only if extraordinary circumstances are shown to exist regarding the requested Census Block Group. The Director shall rule on the request concurrently with the Notice of

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Completeness pursuant to 980 CMR 13.06(2): Completeness Determination. The Director’s decision on whether to grant the request is non-appealable.

(e) If the Director grants the request, the Applicant shall conduct the CIA assessment and file its CIA Report as a supplemental exhibit within 60 calendar days of the Director’s grant of the request. The filing of the supplemental exhibit shall not delay the Presiding Officer’s issuance of a Notice of Completeness pursuant to 980 CMR 13.06: Completeness Determination.

(f) If the Applicant files its CIA Report as a supplemental exhibit within 60 calendar days, the Presiding Officer shall determine whether the CIA Report is consistent with the Board’s requirements at 980 CMR 15.00. An Applicant may request by motion, filed before the end of the 60 calendar day deadline for the CIA, a reasonable extension of time to prepare the CIA Report as a supplemental exhibit. The Presiding Officer may grant such request upon a showing of good cause. If the Applicant fails to file its CIA Report as a supplemental exhibit within 60 calendar days without an extension from the Presiding Officer, then the Applicant may be subject to an unexcused delay pursuant to 980 CMR 13.07(7): Unexcused Delay.

15.05: Identification of Burdened Areas Intersecting the Specific Geographical Area of a Project Site or Route. For all Applications or petitions to construct facilities identified in 980 CMR 15.01(2), the Applicant shall assess for each Proposed Site or Route and each Noticed Alternative Site or Route, if any, whether the SGA intersects any Burdened Area pursuant to 980 CMR 15.04. This is a threshold analysis that determines whether the Applicant shall continue with its CIA. The Applicant conducts this assessment by doing the following:

- (1) Identification of the Project SGA. For each Proposed Site or Route or Noticed Alternative Site or Route, the Applicant shall use the following Facility Boundary and radial distances from the Facility Boundary to determine the SGA:
 - (a) Facility Boundary. The SGA shall rely on the outermost boundary of the Project site (such as a Project building or other structures, or the outermost areas of construction activity or disturbance), or the Project fence line. For linear projects, or project components, such as transmission lines or pipelines, the Facility Boundary shall be the edge of the right-of-way;
 - (b) Specific Geographical Area. For Projects that include multiple facility types (such as transmission and distribution lines, and a battery energy storage system), the SGA is determined using the Facility Boundary and the radial distance from the Facility Boundary applicable to each component of the Project, as described in the table below.

Facility Type (or component of a Facility)	Radial Distance from Facility Boundary
Transmission and Distribution Line (part of an LCTDIF or SCTDIF)	1/4 Mile
Clean Energy Storage Facility (LCESF or SCESF)	1 Mile

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Facility Type (or component of a Facility)	Radial Distance from Facility Boundary
Substation (Part of an LCTDIF or SCTDIF)	1/2 Mile
Ground-Mounted Photovoltaics (LCEGF or SCEGF)	1/2 Mile
Onshore Wind Facility or Anaerobic Digester (LCEGF or SCEGF)	1 Mile
Liquefied Natural Gas Facility (§ 69J)	1 Mile (no Air permit) 2 Miles (non-Major Air Permit)
Gas Pipeline (§ 69J)	1 Mile
Fossil Generating Facility (§ 69J¼)	2 Miles (non-Major Air Permit) 5 Miles (Major Air Permit)
Gas Compressor Station (§ 69J, as part of a Gas Pipeline)	1 Mile (no Air permit) 2 Miles (non-Major Air Permit) 5 Miles (Major Air Permit)

(2) Determine Whether the SGA Intersects with a Burdened Area. The Applicant shall determine whether the SGA of the Project intersects with one or more Burdened Areas.

(3) Implications of the Burdened Area Assessment. If the SGA intersects with a Burdened Area, the Applicant shall comply with the requirements of 980 CMR 15.06. If the Project SGA does not intersect a Burdened Area, the Applicant shall: (1) conclude the CIA and complete 980 CMR 15.09; and (2) pursuant to 980 CMR 15.10, determine whether a Site Suitability Report is required, and, if so, include a Site Suitability Report in the Project's Application to the Board. Applicants should refer to the CIA Report Template for detailed information regarding the preparation of a CIA Report. Applicants should refer to the Site Suitability Template for detailed information regarding preparation of a Site Suitability Report.

15.06: Assessment of Burdened Areas for Elevated Indicators.

(1) The CIA Report Template provides a list of Indicators that an Applicant must evaluate, as applicable, for its proposed Project. The Indicators are used in MES to produce the MES Score. The Applicant shall analyze the Indicators for all Burdened Areas that intersect the Project's SGA.

(2) For each Burdened Area intersecting the Project's SGA, the Applicant shall use MES to identify all Indicators that are also Elevated Indicators. For Fossil Fuel-related Energy Infrastructure, each Indicator is treated as an Elevated Indicator. An Applicant shall evaluate whether the Project is likely to materially exacerbate such Elevated Indicators, and therefore produce a Disproportionate Adverse Effect, in accordance with the requirements of 980 CMR 15.07.

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15.07: Disproportionate Adverse Effect Analysis

The Applicant shall evaluate whether, and to what extent, the Proposed Project Site or Route and any Noticed Alternative Site or Route(s) are likely to increase or decrease Elevated Indicators identified for Burdened Areas intersecting the Project's SGAs. For purposes of making such assessment, the Applicant may consider the Project Impacts inclusive of any actions to avoid, minimize, or mitigate Project Impacts for which the Applicant has made a firm commitment to undertake. The Applicant shall use the following methods to identify and, where practicable, quantify such Project Impacts. *See* the CIA Report Template for additional details.

- (1) Determination of Disproportionate Adverse Effect on an Elevated Indicator. To determine if a negative Project Impact to an Elevated Indicator constitutes a Disproportionate Adverse Effect, the Project must materially exacerbate the condition reflected in the Elevated Indicator causing additional negative Project Impacts.
- (2) Qualitative Assessment Methods. In determining whether a Project materially exacerbates an Elevated Indicator during construction or operation, an Applicant shall first assess qualitatively whether, and how, the Project may impact each Elevated Indicator. Project Impacts related to an Elevated Indicator may include but are not limited to air emissions, stormwater or wastewater discharges, solid or hazardous waste generation, traffic, impervious surfaces, heat-island effect, climate change effects such as heat, flooding or wildfire risk, impacts to natural resources and habitat, impacts to public health or socioeconomic conditions, among other possible Project Impacts.
- (3) Quantitative Assessment Methods. If qualitative assessment methods indicate Project Impacts to one or more Elevated Indicators, the Applicant shall endeavor to provide a quantitative assessment of each such Project Impact. Quantitative methods may include quantification of emissions and other discharges, modeling analysis, detailed assessment of Project Impacts through engineering or construction plan reviews, and other means. *See* CIA Report Template for examples of quantitative assessment methods.
- (4) Applicant's or Petitioner's Analysis and Findings. Based on the qualitative and quantitative information developed, the Applicant shall assess whether the Project is expected to materially exacerbate one or more of the Elevated Indicators and shall include a narrative analysis and findings of supporting data, as appropriate, in its CIA Report. The Applicant shall also include community input gathered during pre-filing consultation and engagement pursuant to 980 CMR 16.00: Pre-filing Consultation and Engagement Requirements, and address that input in its CIA Report.

15.08: Remedial Actions to Avoid, Minimize or Mitigate Disproportionate Adverse Effects.

If the Project is expected to materially exacerbate one or more Elevated Indicators, based on the finding made according to 980 CMR 15.07(4), the Applicant shall include in its CIA Report the following:

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(1) Evaluation of Remedial Actions for Disproportionate Adverse Effects. A description of any actions the Applicant proposes to undertake to avoid, minimize, or, if negative Project Impacts cannot be avoided or minimized, mitigate, the Disproportionate Adverse Effects of the proposed Project on each Burdened Area, and how those actions address the Project Impacts.

(a) An Applicant is required to describe how its proposed actions could avoid one or more Project Impacts to each Elevated Indicator.

(b) If an Applicant cannot avoid one or more Project Impacts to an Elevated Indicator, it shall describe how its proposed actions could minimize one or more Project Impacts to an Elevated Indicator.

(c) If an Applicant cannot minimize one or more Project Impacts to an Elevated Indicator, it shall describe how its proposed actions could mitigate one or more Project Impacts to an Elevated Indicator. An Applicant is required to mitigate Project Impacts to the extent practicable. Proposed mitigation actions shall ensure that Project Impacts will not materially exacerbate an Elevated Indicator.

(2) Cumulative Impact Summary. A summary of the Project's Cumulative Impact in light of any avoidance, minimization, or mitigation actions the Applicant or Petitioner proposes to undertake.

15.09: Contents of CIA Report. The Applicant shall describe in its CIA Report its assessment pursuant to 980 CMR 15.05(2) and the implications of that assessment under 980 CMR 15.05(3). See CIA Report Template for additional details of contents in a CIA Report.

15.10: Standards for Applying Site Suitability Guidance. In 980 CMR 15.00, the Board follows the "Site Suitability Guidance" for CEIF, as issued and updated from time to time by EEA.

(1) Applicability. The Site Suitability Guidance is applicable to LCEGFs, SCEGFs, LCESFs, SCESFs, and also to LCTDIFs and SCTDIFs, as defined in 980 CMR 1.01, in newly established public rights of way. 980 CMR 15.10 does not apply to Projects exempted under 225 CMR 29.07(1).

(2) Pre-filing. Applicants shall utilize the Site Suitability Mapping Tool, pursuant to instructions provided in the Site Suitability Guidance, to derive the anticipated Criteria-specific Suitability Scores for a proposed CEIF prior to submitting an Application for a Consolidated Permit or Consolidated State Permit to the Board. Applicants shall share these anticipated Criteria-specific Suitability Scores with stakeholders during the Pre-filing process, per 980 CMR 16.00: Pre-filing Consultation and Engagement Requirements.

(3) File with Application. An Applicant shall file a Site Suitability Report with its Application for a Consolidated Permit or Consolidated State Permit per 980 CMR 13.00: Consolidated Permits for Clean Energy Infrastructure Facilities, as applicable. Unless a Request for Score Revision by the Board pursuant to 980 CMR 15.10(4) is requested or a

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Social and Environmental Benefit Criteria Score Modifier is applied pursuant to 980 CMR 15.10(5), the Criteria-specific Suitability Scores in the Site Suitability Report submitted by the Applicant shall be final.

(4) Request for Score Revision by the Director. If the Applicant, a Local Government, or any other Key Stakeholder asserts that one or more Criteria-specific Suitability Scores were calculated based on materially erroneous, incomplete, or otherwise faulty data, they may request a score revision from the Director in a form prescribed by the Director. The Director shall review one or more Criteria-specific Suitability Scores subject to the request.

(a) Parties seeking a Request for Score Revision must identify the specific deficiencies that resulted in one or more erroneous Criteria-specific Suitability Scores. Failure to specify such deficiencies may result in the Director's denial of the Request for Score Revision.

(b) The Director shall issue a decision on a Request for Score Revision not more than 30 days after receipt.

(c) Any revised Criteria-specific Suitability Scores issued by the Director shall be final, subject to the application of one or more Site Suitability Score Modifier.

(5) Social and Environmental Benefit Criteria Score Modifier. The Applicant's Criteria-specific Suitability Scores may be modified by the Board when the Applicant agrees to provide certain social or environmental benefits as described in the Site Suitability Guidance. Score modification may only occur upon the mutual written agreement between the Applicant and a Local Government.

(6) Consideration by the Board During Adjudication of a Consolidated Permit.

(a) The Board shall consider the Site Suitability Report in its CIA and route and site scoring analysis. The Board shall consider Criteria-specific Suitability Scores to assess avoidance, minimization, and mitigation of Project Impacts. The Board shall consider the Criteria-specific Suitability Scores in its decision on whether to grant a Consolidated Permit or Consolidated State Permit, as applicable.

(b) The Board may consider as evidence a Community Benefit Agreement between a host municipality and an Applicant regarding Benefits of a Project.

15.11: Board's Findings in its Final Decision.

(1) The Board shall assess the adequacy of the CIA Report and Site Suitability Report, including whether the Applicant, if required to, presented a comprehensive analysis of whether its Project Impacts will result in a Disproportionate Adverse Effect, and make findings based on that review. Findings shall include the extent to which the CIA Report and Site Suitability Report, as applicable, inform the evidentiary record upon which the Board may approve or deny an EFSB Consolidated Permit Application or Facility Petition to Construct.

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(2) Pursuant to M.G.L. c. 164, § 69H, the Board shall, in issuing a final decision, make findings as to whether the Applicant has given due consideration to the Cumulative Impact of the Project, and whether the Applicant has adequately undertaken actions to avoid, minimize, or mitigate any Disproportionate Adverse Effects from the Project. In making such determinations, the Board may consider, but is not limited to:

- (a) The population characteristics such as sensitive populations and socioeconomic factors of the population living within Burdened Areas intersecting the Project's SGA;
- (b) Pollutant exposures and environmental effects, and climate risks;
- (c) The extent, nature, magnitude, duration, and geographic reach of any Elevated Indicators on any of those populations;
- (d) Project Impacts related to the Elevated Indicators identified, including Benefits and Burdens;
- (e) The extent and efficacy of the obligations the Applicant has undertaken to remediate Project Impacts;
- (f) Any remaining Disproportionate Adverse Effects from the Project on the Burdened Areas within the SGA, in light of the Applicant's plans to avoid, minimize, or mitigate the negative Project Impacts;
- (g) Conditions obligating the Applicant to further address any remaining Disproportionate Adverse Effects from the proposed Project;
- (h) The Applicant's use of a Community Benefit Plan or Community Benefit Agreement to identify community needs and provide Benefits for a host community, in accordance with guidance from the Massachusetts Office of Environmental Justice and Equity, "Standards and Guidelines for Community Benefits Plans and Community Benefits Agreements."

(3) The Board shall consider whether an Applicant has made reasonable efforts to consider and develop a Community Benefit Plan or Community Benefit Agreement. *See* 980 CMR 2.02(3): General Information and Conduct of Board Business.

- (a) If an Applicant has developed a Community Benefit Plan or signed a Community Benefit Agreement, the Board shall give it due weight in the final decision;
- (b) If an Applicant has not developed a Community Benefit Plan or signed a Community Benefit Agreement for a Project in a Burdened Area, then the Board shall consider imposing additional Project conditions to address Disproportionate Adverse Effects in Burdened Areas intersecting the Project's SGA.
 1. Mitigation is a mechanism to address Project Impacts related to construction or operational Impacts of the Project;
 2. A Community Benefit Agreement is aimed at creating tangible, equitable benefits that address a community's specific and local needs and priorities separate from required mitigation. *See* "Standards and Guidelines for Community Benefits Plans and Community Benefits Agreements" issued by the Massachusetts Office of Environmental Justice and Equity pursuant to M.G.L. c. 21A, § 29.
- (c) The Board may add enforceable conditions to a final decision that it deems necessary to avoid, minimize, or mitigate Project Impacts to a Burdened Area.

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Conditions may include enforceable Remedial Actions designed to address Project Impacts.

REGULATORY AUTHORITY

980 CMR 15.00: M.G.L. c. 164, §§ 69G, 69H, 69J, 69J¼, 69T, 69U, and 69V.

ATTACHMENT 2 – FINAL CIA REPORT TEMPLATE

980 CMR 15.00 CIA REPORT TEMPLATE

PROJECT NAME: Enter Project name here
DOCKET NUMBER: Enter docket number here
APPLICANT: Enter Applicant name here

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CIA Report Template

Overview: The 2024 Climate Act requires that the Siting Board develop standards for applying the cumulative impact analysis standard and guidelines developed by the Executive Office of Energy and Environmental Affairs Office of Environmental Justice and Equity to apply to all jurisdictional projects submitted to the Siting Board on or after July 1, 2026. St. 2024, c. 239, §§ 74, 132, 139. 980 CMR 15.01(2) requires the submission of a CIA Report for every Application submitted to the Energy Facilities Siting Board for a Clean Energy Infrastructure Facility (M.G.L. c. 164, §§ 69T, 69U, 69V) and to every Petition to Construct a Facility (M.G.L. c. 164, § 69J) or a Generating Facility (M.G.L. c. 164, § 69J¼). 980 CMR 15.00 also applies to every project change that triggers the EFSB’s jurisdiction. This document is the CIA Report Template and Instructions to which 980 CMR 15.01(6) refers. Once completed and submitted, this document is the CIA Report required by 980 CMR 15.09. This document relies heavily upon the definitions in 980 CMR 15.02: *Definitions*.

I. IDENTIFICATION OF THE PROJECT SPECIFIC GEOGRAPHICAL AREA(S)

Overview: In this section, the Applicant determines the Specific Geographical Areas (“SGAs”) for the Proposed Site or Route, the Noticed Alternative Site or Route, if any, and the Noticed Variation Site or Route, if any (collectively, “Noticed Site or Route”). The SGA for a site or route is the area surrounding that site or route, as specified by 980 CMR 15.05(1): *Identification of the Project SGA*. The SGA defines the geographical area that the CIA Report examines.

General Instructions: *Follow the guidance in italicized text for each of the sections below. If your Project proposes more than one site or route, you will need to create additional tables. In general, you may modify tables in this CIA Report (table numbers, heading names, heading orientation, number of columns, colors, etc.) to suit your Project. A sample completed version of this form is available here: _____ . [\[SAMPLE LINK\]](#). You may email sitingboard.filing@mass.gov if there are problems with this template.*

A. Sites or Routes

Instruction: *In Table 1, briefly describe each Noticed Site or Route the Applicant proposes for the Project and the location in the Application or Petition of the full description of such site or route.*

Table 1. Proposed Sites or Routes

Site or Route Type	Site Address and Other Brief Description of Site or Route and Page(s) in Application or Petition Containing Full Description
Proposed	
Noticed Alternative (if any)	
Noticed Variation (if any)	

B. Facility Boundary

Instruction: For each Noticed Site or Route, complete Table 2 below and attach (or insert below) a site map that shows the Facility Boundary/ies¹. In Table 2 below, describe each Facility Boundary and explain how the boundary for the Project complies with the definition of Facility Boundary at 980 CMR 15.02.

Table 2. Description of Facility Boundaries (and Site Maps)

Site or Route Type	Attachment Number	Description of Facility Boundary and Explanation of 980 CMR 15.02 Compliance
Proposed		
Noticed Alternative (if any)		
Noticed Variation (if any)		

C. Specific Geographical Area

Instruction: For the Proposed Site or Route, indicate in Table 3 below the Facility type or types and the corresponding radial distance from the Facility Boundary for that Facility type as described in 980 CMR 15.05: Identification of Burdened Areas

¹ Facility Boundary means the outermost boundary of the Project site (such as a Project building or other structures, or the outermost areas of construction activity or disturbance), or the Project fence line. For linear projects, or project components, such as transmission lines or pipelines, the Facility Boundary shall be the edge of the right-of-way. 980 CMR 15.02: Definitions.

Intersecting the Specific Geographical Area of a Project Site or Route. For a Project containing more than one Facility type, e.g., a transmission line and a substation, each different Facility type may correspond to a different radial distance. Prepare an additional table for any Noticed Alternative Site or Route and another table for any Noticed Variation Site or Route.

Table 3. Specific Geographic Area Radii from Facility Boundary for the Proposed Site or Route

	Facility Type(s)	Radial Distance from Facility Boundary (mi)
<input type="checkbox"/>	Transmission and Distribution Lines	0.25
<input type="checkbox"/>	Clean Energy Storage Facility	1
<input type="checkbox"/>	Substation	0.5
<input type="checkbox"/>	Ground-Mounted Photovoltaics	0.5
<input type="checkbox"/>	Onshore Wind Facility	1
<input type="checkbox"/>	Anaerobic Digester > 25 MW	1
<input type="checkbox"/>	Liquefied Natural Gas Storage Facility	No air permit: 1 Non-major air permit: 2
<input type="checkbox"/>	Gas Pipeline	1
<input type="checkbox"/>	Fossil Generating Facility	Non major air permit: 2 Major air permit: 5
<input type="checkbox"/>	Gas Compressor Station	No air permit: 1 Non-major air permit: 2 Major air permit: 5

D. Explanatory Comments

Instruction: *Comment on any of the above sections that merit further explanation or qualification.*

Comment:

II. IDENTIFICATION OF ANY BURDENED AREA(S) INTERSECTING A SPECIFIC GEOGRAPHICAL AREA (SGA) OF A PROJECT SITE OR ROUTE

Overview: In this section, the Applicant uses the [MassEnviroScreen mapping tool](#) to identify within each SGA of the Project any areas of overlap between the SGA and a Burdened Area (BA). As defined in 980 CMR 15.02(1): *Definitions*, a BA is a Census Block Group that has a MassEnviroScreen score of 75 or greater and/or an annual median household income of 65 percent or less of the

statewide annual median household income. The MassEnviroScreen score is a composite score that reflects the Census Block Group’s percentile among all the Census Block Groups in the State based on the Indicators. Where the Director grants a petition for a CIA in a non-Burdened area pursuant to 980 CMR 15.04(6): *Petition for a CIA in a Non-Burdened Area*, the Applicant shall perform a CIA Report as if the census block area is a BA.

A. SGA Overlay with MassEnviroScreen Burdened Areas

Instruction: For each Noticed Site or Route, attach (or insert below) a site map that clearly shows the Facility Boundary, the SGA, and any overlapping BA. If the SGA only partially intersects a BA or SGA, include the full BA on the map. Prepare the map(s) at a geographic resolution that clearly shows the geographic extent of the overlap, if any, between a Project’s SGA and any overlapping BA. If there is no overlap between the BA and the SGA, provide a map that shows the closest BA relative to the SGA. Designate the Attachment number, in Table 4 below.

Table 4. Attachment Designation for SGA Map(s)

Site or Route Type	Attachment Number
Proposed	
Noticed Alternative (if any)	
Noticed Variation (if any)	

B. Burdened Areas intersecting the SGA(s)

Instruction: List the Census Block Group ID of any BA that intersects the SGA for a site or route in Table 5.

Table 5. List of Burdened Areas within Project SGA(s)

Site or Route Type	Census Block Group ID(s) of Burdened Area(s)
Proposed	
Noticed Alternative (if any)	
Noticed Variation (if any)	

Check this box if no BA overlaps any SGA.

If this box is checked, then the CIA Report concludes here and the remainder of the template may be deleted. Depending upon the Project type, the Applicant may still be required to prepare a Site Suitability Report. See 980 CMR 15.03(2) and 980 CMR 15.10.

C. Explanatory Comments

Instruction: *Comment on any of the above sections that merit further explanation or qualification.*

Comment:

III. ASSESSMENT OF BURDENED AREAS TO IDENTIFY ELEVATED INDICATORS

Overview: In this section, the Applicant identifies all Indicator values for each BA that intersects a Project SGA and then highlights the Elevated Indicators, as defined in 980 CMR 15.02: *Definitions*, for each BA. An SGA intersecting multiple BAs may have different Elevated Indicators in each BA.

A. BA Indicator Percentile Values and Identification of Elevated Indicators

Instruction: *For the Proposed Site or Route, use the data from MassEnviroScreen to list in Table 6 all Indicator percentile values for any BA that intersects the SGA for that site or route. Replace the generic “[Census Block Group #]” in the column headings with the corresponding Census Block Group ID number for the Project. Prepare an additional table for any Noticed Alternative Site or Route and another table for any Noticed Variation Site or Route. **Identify the Elevated Indicators in the table below by bolding or highlighting the corresponding percentile value.** An Elevated Indicator for a Clean Energy Infrastructure Facility (“CEIF”) means an Indicator that is above the 50th percentile statewide in Massachusetts, prior to consideration of additional Project Impacts. For Fossil Fuel-Related Energy Infrastructure, each Indicator is treated as an Elevated Indicator. For purposes of 980 CMR 15.00, an Elevated Indicator is identified solely in those areas where a Project’s SGA intersects one or more Burdened Areas.*

Table 6. Statewide **Percentile Values** for each Indicator for each BA in Proposed Site or Route (provide additional columns for additional BA Census Block Groups (CBG); and attach additional tables for Noticed Alternative and Noticed Variation sites or routes)

Indicators	Indicator Percentile Values in Burdened Areas by Census Block Groups (Highlight Elevated Indicators)							
	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]
Fine Particulate Matter (PM2.5)								
Ozone								
Nitrogen Dioxide (NO2)								
Diesel Particulate Matter (DPM)								
Drinking Water Non-Compliance								
Air Toxics Cancer Risk								
Air Toxics Respiratory Hazard Index								
Proximity to Heavy Traffic								
Pollution Cleanup Score								
Groundwater Threats								

Indicators	Indicator Percentile Values in Burdened Areas by Census Block Groups (Highlight Elevated Indicators)						
	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]
Hazardous Waste Generators and Facilities							
Solid Waste Sites and Facilities							
Impaired Water Bodies							
Drought							
Wildfire Risk							
Flood Risk							
Extreme Heat Days							
Pediatric Asthma							
Low Birth Weight Infants							
Elevated Blood Lead in Children							
Premature Mortality							
Adult High Blood Pressure							

Indicators	Indicator Percentile Values in Burdened Areas by Census Block Groups (Highlight Elevated Indicators)							
	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]	[BA Census Block Group #]
Coronary Heart Disease								
Chronic Obstructive Pulmonary Disease (COPD)								
Adult Cancer								
Adults without High School Diploma								
Housing Burdened Low-Income Households								
Linguistic Isolation								
Poverty								
Unemployment								
Median Household Income								

B. Explanatory Comments

Instruction: *Comment on any of the above sections that merit further explanation or qualification.*

Comment:

IV. ANALYSIS OF DISPROPORTIONATE ADVERSE EFFECTS

Background: In this section, the Applicant analyzes the Project's Impact on each Elevated Indicator during the construction and operation phases to determine whether the Project is likely to cause a Disproportionate Adverse Effect, defined as a net negative Project Impact that is likely to materially exacerbate an Elevated Indicator in a BA intersecting a Project's SGA. See also Appendix B: Method for Determining Whether Projects Materially Exacerbate Elevated Indicators for further explanation.

A. Construction Phase Project Impacts

Instruction: *For each BA within a Project SGA, qualitatively assess the expected Project Impacts (Benefits or Burdens or No/Insignificant Impact) on that BA during the construction phase for each Elevated Indicator in Table 7 below. As part of this assessment, provide a rationale for the Impact determination in the table or include citation reference(s) to other documents that provide supporting rationale where applicable. To the extent practicable, include a quantitative assessment of expected Project Impacts. For purposes of making such an assessment, the Applicant may consider the Project Impacts inclusive of any measures to avoid, minimize, or mitigate Project Impacts that the Applicant has made a firm commitment to undertake. The Applicant may also describe corresponding Project Burdens and Benefits outside the BA to provide further context. Project Burdens and Project Benefits can occur concurrently. Assess the severity of an Impact in terms of its nature, magnitude, geographic extent, and duration (See also Appendix B).*

For each Noticed Site or Route, complete Table 7 to summarize your assessment of construction phase-related Project Impacts on Elevated Indicators and the supporting rationale for your assessment. Create a separate table for each Noticed Alternative or Noticed Variation as applicable.

Table 7. Summary of Proposed Site or Route’s Construction Phase Project Impacts Related to Elevated Indicators

Elevated Indicator	Project Impact (During Construction)	Disproportionate Adverse Effect? (Yes/No)	Supporting Rationale or Reference to Documentation in Support of Impact Determination
[Elevated Indicator #1]			
[Elevated Indicator #...]			
Elevated Indicator #N]			

B. Operations Phase Project Impacts

Instruction: Do the same as in part IV.A above except with respect to the operations phase of the proposed Project and summarize your assessment in Table 8 below.

Table 8. Summary of Proposed Site or Route’s Operations Phase Project Impacts Related to Elevated Indicators

Elevated Indicator	Project Impact (During Operations)	Disproportionate Adverse Effect? (Yes/No)	Supporting Rationale or Documentation for Impact Determination
[Elevated Indicator #1]			
[Elevated Indicator #...]			

C. Explanatory Comments

Instruction: Comment on any of the above sections that merit further explanation or qualification.

Comment:

V. IDENTIFICATION OF REMEDIAL ACTIONS TO AVOID, MINIMIZE OR MITIGATE DISPROPORTIONATE ADVERSE EFFECTS

Instruction: For each Noticed Site or Route, describe in Table 9 the proposed avoidance, impact minimization, or mitigation measures (collectively, “Remedial Actions”) proposed to address the nature, magnitude, duration, and geographic extent of the Disproportionate Adverse Effect(s) associated with the site or route for impacts associated with both the proposed Project’s construction and operation phases. Explain how the proposed Remedial Actions address the Disproportionate Adverse Effects. State and explain the expected cost of the proposed remedial action(s). Provide supporting documentation, where appropriate, to describe proposed mitigation hierarchy actions, costs, and anticipated outcomes of these actions.

Table 9. Summary of Remedial Actions to Address Project Disproportionate Adverse Effects for Proposed Site or Route

Elevated Indicator(s)	Action Type ¹	Description of Proposed Remedial Action	Description How Proposed Remedial Action Addresses Disproportionate Adverse Effects	Expected Cost	Supporting Documentation
[Elevated Indicator #1]	[Avoidance, Minimization, or Mitigation]				[Attachment Reference]
[Elevated Indicator #...]	[Avoidance, Minimization, or Mitigation]				[Attachment Reference]
¹ If an Applicant cannot avoid one or more Project Impacts reflected by an Elevated Indicator, it shall describe how its proposed actions could minimize such Project Impacts. If an Applicant cannot minimize one or more Project Impacts reflected by an Elevated Indicator, it shall describe how its proposed actions could mitigate such Project Impacts.					

VI. DESCRIPTION OF PROJECT BENEFITS

Overview: Describe in Table 10 the Project Benefits that have a geographic, socio-economic, environmental, public health, or other nexus to areas where BAs and the Project's SGA intersect. Include references to supporting documentation as appropriate. Provide a similar table for each Noticed Alternative and Noticed Variation as well.

Table 10. Description of Project Benefits

Project Benefit	Description of Benefit (Nature, Location and Extent, and Duration of Benefit)	Supporting Documentation

VII. DESCRIPTION OF COMMUNITY BENEFIT PLAN AND/OR AGREEMENT (OPTIONAL)

Overview: Describe any Community Benefit Plan or Community Benefit Agreement to which the Applicant has committed. In doing so, summarize the community needs that the plan or agreement identifies and the benefits the plan or agreement envisions for the host community. Explain how such plan or agreement, if any, constitutes action that addresses any Elevated Indicators. Include an electronic copy (or link to a copy) of the CBP/CBA if one exists and is available.

Description and Explanation:

VIII. CONCLUSION

Overview: Highlight any Disproportionate Adverse Effects of the Project as it pertains to individual Burdened Areas or to the Burdened Areas collectively where the Project SGA intersects; describe the measures the Applicant proposes to address the Disproportionate Adverse Effects; highlight the adequacy of the proposed measures; and add relevant information not otherwise included in this report, as applicable.

APPENDIX A: Indicator Definitions and Sources

The following is a summary of indicators used in MassEnviroScreen (MES). Sources and details of each indicator may be updated over time. For the most recent descriptions and sources of MES indicators see the [MES Technical Documentation](#).

Indicator	Summary Description	Source
PM 2.5	Average annual 24-hour average concentration of particulate matter that is less than or equal to 2.5 micrometers in diameter (PM2.5) measured in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).	U.S. EPA
Ozone	Maximum 8-hour average model predictions of concentrations of ground-level ozone in parts per billion (ppb).	U.S. EPA
Nitrogen Dioxide (NO ₂)	Average annual nitrogen dioxide (NO ₂) levels expressed as part per billion (by volume) for 2020 at 1km grid resolution, aggregated to Census Block Groups using mean pixel values.	NASA
Diesel Particulate Matter	Diesel particulate matter (PM) level in air measured in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).	EJScreen 2024.
Drinking Water Non-Compliance	Safe Drinking Water Act (SDWA) compliance performance score of a community water system (CWS) serving a Census Block Group population.	EJScreen 2024
Air Toxics Cancer Risk	Risk of developing cancer due to inhalation exposure to air toxic compounds over a normal lifetime of 70 years, measured in incidents per million people.	U.S. EPA
Respiratory Hazard Index	Non-Cancer Respiratory Hazard Index; ratio of exposure concentration to a health-based reference concentration.	U.S. EPA
Proximity to Heavy Traffic	Heavy traffic proximity impact index.	EJScreen 2024
Pollution Cleanup Score	Weighted count of environmental cleanup sites requiring federal or state oversight for cleanup due to contamination.	US EPA; MassGIS
Groundwater Threats	Weighted count of groundwater threats.	U.S. EPA; MassGIS
Hazardous Waste Generators and Facilities	Weighted count of hazardous waste facilities, and hazardous waste generators within each Census Block Group.	MassGIS
Solid Waste Sites and Facilities	Weighted count of solid waste sites and facilities.	MassGIS
Impaired Water Bodies	Count of pollutants across all water bodies designated as impaired within the area.	MassGIS
Drought	Sum of weekly total percent of an area experiencing a severe, extreme, or exceptional drought (categories D2, D3, or D4), adapted from Colorado EnviroScreen.	U.S. Drought Monitor 2019-2024
Wildfire Risk	Mean wildfire hazard potential.	USDA; USFS
Flood Risk	Percentage of each geographic area where there is at least a one percent chance of flooding annually.	FEMA; MassGIS
Extreme Heat Days	Number of days between May and September from 2015 through 2024 in which daily high temperature was 85 degrees Fahrenheit or higher.	Oregon State University

Indicator	Summary Description	Source
Premature Mortality	Age-adjusted premature mortality rate (per 100,000).	MassDEP
Adult Cancer	Prevalence of cancer (non-skin) or melanoma among adults.	CDC PLACES Health Outcomes
Chronic Obstructive Pulmonary Disease (COPD)	Prevalence of chronic obstructive pulmonary disease among adults.	CDC PLACES Health Outcomes
Coronary Heart Disease	Prevalence of coronary heart disease among adults.	CDC PLACES Health Outcomes
Elevated Blood Lead Levels in Children	5-year average prevalence of elevated (≥ 5 $\mu\text{g}/\text{dL}$ estimated confirmed) childhood blood lead levels in children (ages 9-47 months).	MassDEP
Adult High Blood Pressure	Prevalence of high blood pressure among adults.	CDC PLACES Health Outcomes
Pediatric Asthma	Population-weighted average asthma prevalence (percentage of K-8 enrollment).	MassDEP
Adults without a High School Degree	Percent of people age 25 or older whose education is less than a high school diploma.	US American Community Survey 5-year Estimates for 2019 – 2023
Poverty	Percent of households whose income is less than or equal to twice the poverty level.	US American Community Survey 5-year Estimates for 2019 – 2023
Linguistically Isolated Households	Percentage of limited English-speaking households.	US American Community Survey 5-year Estimates for 2019 – 2023
Housing Burdened Low Income Households	Percent of households that are both low income (making less than 80% of the HUD Area Median Family Income) and severely burdened by housing costs (paying greater than 50% of their income to housing costs).	US Department of Housing and Urban Development
Unemployment	Percentage of the population over the age of 16 that who are unemployed and eligible for the labor force. Excludes retirees, students, homemakers, institutionalized persons except prisoners, those not looking for work, and military personnel on active duty.	US American Community Survey 5-year Estimates for 2019 – 2023
Median Household Income	Median household income in the past 12 months (in 2023 inflation-adjusted dollars).	US American Community Survey 5-year Estimates for 2019 – 2023

The [MassEnviroScreen documentation](#) further explains the use and rationale of the Indicators.

APPENDIX B: Method for Determining Whether Project Impacts Are Likely to Materially Exacerbate Elevated Indicators

To determine if a negative Project Impact to an Elevated Indicator constitutes a Disproportionate Adverse Effect, the Project must materially exacerbate the condition reflected in the Elevated Indicator causing additional negative Project Impacts. 980 CMR 15.07(1). Factors to consider when determining whether projects materially exacerbate Elevated Indicators include (but are not limited to) the following:

- Likelihood that project construction or operation would result in exceedances of public health, environmental, or climate regulatory standards (e.g., National Ambient Air Quality Standards);
- Perceptibility of impacts: Would a casual observer notice any impacts measured by the Elevated Indicators?
- Measurability: Are impacts to an indicator able to be measured, whether quantitatively, qualitatively, or by level of significance?
- Duration and frequency of impacts: Long-term or frequent impacts are more likely to exacerbate conditions than short-term, infrequent ones.
- Increased geographic extent of impacts: Would a Project's Impact expand a Burden beyond the geographic extent of the baseline Burden exhibited by an Elevated Indicator?
- Resiliency and recovery rate: How would a Project adversely affect the ability of an Indicator to absorb Project-induced disturbances, adapt to maintain essential functions and services, and then recover? For example, extensive tree clearing in an urban environment during a project's construction phase may have immediate impact on localized tree canopy (and the cooling effect from shading) and take years to recover, assuming trees are planted to replace the lost tree canopy cover. However, pruning tree branches during construction instead of clearing trees may yield only minor shading impacts and recover much more quickly.
- Social, economic, and cultural impacts: Would a proposed project be likely to adversely impact the social fabric, economic vitality, or cultural resources of a BA as measured by Elevated Indicators?
- Public health conditions: Would the Project impact the public health condition of a BA as measured by Elevated Indicators?
- Potential for migration of contamination (on-site and off-site by air, ground, or water); To address these considerations, Applicants should consider these – and other pertinent – factors when evaluating the following issues:

- What is the baseline state (i.e., existing conditions before the introduction of the proposed project) of the Elevated Indicators in question – i.e., MES score, and baseline health, environmental, and climate resiliency states?
 - Describe the states of each Elevated Indicator in the BA of concern.
 - What are the drivers of Elevated Indicators baseline states – i.e., what are the major reasons for the indicators being elevated – in their baseline state?
 - How would the Project impact the baseline state of the Elevated Indicators with respect to the nature, degree, and geographic and temporal extent of impacts?
- What aspects of a proposed energy project construction and operations would (adversely) impact each Elevated Indicator? Include an accounting of the project-related drivers that would likely adversely impact the Elevated Indicators during project construction and operational project phases, including a description of the nature, degree, extent, and duration of impacts.
 - What municipal, state, or federal standards apply to the Elevated Indicators in question (list these).
 - Do any of the Elevated Indicators exceed these standards in their baseline state?
 - Would the project likely result in an exceedance of these standards? If so, why?
 - What other likely diverse impacts would occur to the Elevated Indicators that are not addressed above?

The Applicant makes these determinations following consultation with Key Stakeholders. The Applicant should leverage the pre-filing engagement process to solicit community input and articulate how Project Impacts may materially exacerbate Elevated Indicators where appropriate.

ATTACHMENT 3 – GLOSSARY OF DEFINITIONS

ENERGY FACILITIES SITING BOARD**GLOSSARY OF DEFINITIONS**

4/24/26

Agency Consultation means written, oral, and other communications with Local Government and state agencies with an interest in the permitting of a proposed LCEIF, SCEIF, or other Facility. 980 CMR 16.02.

Anaerobic Digestion Facility means a facility that: (i) generates electricity from a biogas produced by the accelerated biodegradation of organic materials under controlled anaerobic conditions; and (ii) has been determined by the department of energy resources, in coordination with the department of environmental protection, to qualify under the department of energy resources regulations as a Class I renewable energy generating source under M.G.L. c. 25A, § 11F. 980 CMR 1.01(4).

Ancillary Structure means new or expanded equipment or structure which is an integral part of the operation of any CEIF or Facility. 980 CMR 1.01(4).

Applicant means a Person who submits to the Board a petition to construct a Facility, an application for a Consolidated Permit for a LCEIF or SCEIF, an application for a Consolidated State Permit for a SCEIF, or a petition for a certificate of environmental impact and public need. An Applicant also means a Person who submits an application for a Consolidated Local Permit with a Local Government pursuant to 225 CMR 29.00. 980 CMR 1.01(4).

Application means a submission to the Board, in such form and detail as prescribed by the Board, by an Applicant for an EFSB Consolidated Permit for the purpose of constructing, owning, or operating a CEIF Project. 980 CMR 13.01(4).

Benefit means a positive effect as it pertains to public health, the environment, or in ameliorating the effects of climate change. Benefits include, but are not limited to, access to: clean natural resources, including air, water resources, and open space; constructed playgrounds, outdoor recreational paths, facilities, and venues; clean renewable energy sources; affordable access to reliable electricity; improved public health from reduced pollution and environmental contaminants; improved socio-economic opportunity from additional jobs, education, training programs, tax revenues; enhanced environmental enforcement; and funding disbursed or administered by EEA. For the Board to consider Benefits as Project-related for CIA purposes, such Benefit must have a geographic, economic, public health, or scientific nexus to areas of overlap between Burdened Area(s) and a Project's SGA. A benefit incorporated into a Community Benefit Agreement need not have a geographic, economic, public health, or scientific nexus to a Project Impact. 980 CMR 15.02(1).

Board means the Energy Facilities Siting Board established under M.G.L. c. 164, § 69H. 980 CMR 1.01(4).

Board Member means any of the eleven individuals set forth in 980 CMR 2.03(1) or any individual named to serve as a designee under the terms of 980 CMR 2.03(3). 980 CMR 1.01(4).

Burden means a negative effect such as destruction, damage or impairment of natural resources that is not insignificant, including but not limited to, climate change, air pollution, water pollution, improper sewage disposal, dumping of solid wastes and other noxious substances, excessive noise, activities that limit access to natural resources and constructed outdoor recreational facilities and venues, inadequate remediation of pollution, reduction of ground water levels, impairment of water quality, increased flooding or stormwater flows, and damage to inland waterways and waterbodies, wetlands, marine shores and waters, forests, open spaces, and playgrounds from private industrial, commercial, or government or private operations or activity that contaminates or alters the quality of the environment and public health. 980 CMR 15.02(1).

Burdened Area means a Census Block Group, which is subject to an existing unfair or inequitable environmental burden or related health consequence. 980 CMR 15.00 identifies Burdened Areas as those areas that have a MassEnviroScreen Score (MES Score) of 75 or greater (i.e., at or above the 75th percentile, statewide), or an annual median household income of 65 percent or less of the statewide annual median household income. 980 CMR 15.02(1).

Census Block Group means a statistical subdivision of a census tract used by the U.S. Census Bureau for data tabulation and presentation. It is a collection of census blocks and is the smallest geographic unit for which the U.S. Census Bureau publishes sample data from its household surveys. 980 CMR 15.02(1).

Chair means the Chair of the Energy Facilities Siting Board. 980 CMR 1.01(4).

Clean Energy Infrastructure Facility (CEIF) means an LCEGF, LCESF, LCTDIF, SCEGF, SCESF, or SCTDIF. A CEIF is not a Facility as defined in M.G.L. c. 164, § 69G. 980 CMR 1.01(4).

Common Condition means a condition or requirement established by the Board for specific types of CEIF as identified in “13.00: EFSB Consolidated Permit Application Guidance,” Attachment 1: *Common Conditions and Requirements for EFSB Consolidated Permits*. 980 CMR 13.01(4).

Community means at a minimum members of the public residing or working within a distance set forth in 980 CMR 15.05 (1)(b) from the Facility Boundary of a proposed facility. 980 CMR 16.02.

Completeness Determination means a ruling by the Presiding Officer indicating whether an Application substantially and materially complies with the Board’s Application requirements. 980 CMR 13.01(4).

Consolidated Permit means a permit issued by the Board for an LCEIF or a SCEIF that includes all municipal, regional, and state permits that the LCEIF or SCEIF would otherwise need to

obtain individually, with the exception of certain federal permits that are delegated to specific state agencies as determined by the Board. 980 CMR 1.01(4).

Consolidated Local Permit means a permit issued by a Local Government for a SCEIF that includes all required local permits, approvals, or authorizations that the Applicant would otherwise need to obtain individually from the Local Government. 980 CMR 1.01(4).

Consolidated Local Permit Application means a submission by an Applicant, in such form and detail as prescribed in 225 CMR 29.00, that would otherwise go to a Local Government for a Consolidated Local Permit, for the purpose of obtaining permission to construct, own, or operate a CEIF Project. An Applicant may elect to submit a Consolidated Local Permit Application and the Board may issue a Consolidated Local Permit as part of an EFSB Consolidated Permit, pursuant to M.G.L. c. 164 §§ 69T and 69U. Alternatively, an Applicant may elect to use extant PEA Application forms, and receive individual local Permits under M.G.L. c. 164 §§ 69T and 69U. 980 CMR 13.01(4).

Consolidated State Permit means a permit issued by the Board for an SCESF or an SCEGF that includes all state permits, approvals, or authorizations that the Applicant would otherwise need to obtain individually from state agencies, authorities, boards, commissions, offices or other entities, with the exception of certain federal permits that are delegated to specific state agencies as determined by the Board. 980 CMR 1.01(4).

Construction means work performed by the Applicant, or on behalf of the Applicant, on the CEIF Project site, or along the Project route, but shall not include contractual obligations to purchase such facilities or equipment, or preliminary work in furtherance of permitting (e.g., soil boring, surveys) that does not impose significant adverse impacts. 980 CMR 13.01(4).

Constructive Approval means approval, pursuant to 980 CMR 17.00, of an Application for a CEIF where the Board fails to issue a final decision by the deadlines established in M.G.L. c. 164, §§ 69T, 69U, 69V, and 980 CMR 13.00. 980 CMR 1.01(4).

Criteria-specific Suitability Score means the score for each criterion in the Site Suitability Report, as assessed following the methods outlined in the Site Suitability Guidance, representing the suitability of a site for a given Clean Energy Infrastructure Facility with respect to each criterion. These scores can range from 0.0 (most suitable, lowest impact, and/or greatest benefit) to 5.0 (least suitable, greatest impact, and/or lowest benefit). 980 CMR 15.02(1).

Cumulative Impact means the combined effects of past and present private, industrial, commercial, federal, state, or municipal projects, operations, development, and other economic activities, in addition to the effects of the proposed Project on: (1) the environment; (2) public health; and (3) reasonably foreseeable effects of climate change. For purposes of 980 CMR 15.00, Cumulative Impact is determined for the area where a Project's SGA intersects one or more Burdened Area(s). 980 CMR 15.02(1).

Cumulative Impact Analysis (CIA) means the process by which Applicants and Petitioners shall identify, consider, and address the Cumulative Impact of a Project, as articulated in 980 CMR 15.00. The Board reviews the Applicant's CIA pursuant to 980 CMR 15.00. 980 CMR 15.02(1).

Cumulative Impact Analysis Report (CIA Report) means the written report that an Applicant submits as part of an Application or petition to construct for applicable Projects, pursuant to 980 CMR 15.09: Contents of CIA Report. 980 CMR 15.02(1).

Department means the Massachusetts Department of Public Utilities. 980 CMR 1.01(4).

De Novo Adjudication means an adjudicatory proceeding where the Director will consider an application for a Consolidated Local Permit based on evidence submitted in the proceeding that may include but is not limited to the information submitted to the Local Government as part of the application for a proposed SCEIF. 980 CMR 1.01(4).

Director means the individual appointed by the Chair of the Department of Public Utilities to direct the work of the siting division and to conduct the day-to-day business of the Board as well as to perform any other duty delegated by the Chair. The Director may issue decisions in De Novo Adjudications of local Permit applications pursuant to M.G.L. c. 164, § 69W. 980 CMR 1.01(4).

Disproportionate Adverse Effect means a Project Impact that is likely to materially exacerbate an Elevated Indicator in a Burdened Area intersecting a Project's SGA. As used in M.G.L. c. 164, §§ 69G and 69H, "disproportionate adverse impact" is the equivalent of "Disproportionate Adverse Effect." A Disproportionate Adverse Effect requires consideration of both positive and negative Project Impacts, and results in a net negative impact. 980 CMR 15.02(1).

Distribution means delivery of electricity as defined in M.G.L. c. 164, § 1. 980 CMR 1.01(4).

Division of Public Participation (DPP) means the Division of Public Participation at the Department established under M.G.L. c. 25, § 12T to assist stakeholders with navigating the Department and the Board pre-filing requirements, clarifying filing requirements, and identifying opportunities to intervene. 980 CMR 16.02.

DOER means the Massachusetts Department of Energy Resources. 980 CMR 1.01(4).

DPP Opinion means a written communication from the Director of DPP to the Board assessing whether the Applicant has completed the pre-filing consultation and engagement requirements in 980 CMR 16.00. 980 CMR 16.02.

Elevated Indicator for a Clean Energy Infrastructure Facility ("CEIF") means an Indicator that is above the 50th percentile statewide in Massachusetts, prior to consideration of additional Project Impacts. For Fossil Fuel-Related Energy Infrastructure, each Indicator is treated as an Elevated Indicator. For purposes of 980 CMR 15.00, an Elevated Indicator is identified solely in those areas where a Project's SGA intersects one or more Burdened Areas. 980 CMR 15.02(1).

EFSB Consolidated Permit means a Consolidated Permit or a Consolidated State Permit. 980 CMR 1.01(4).

Facility means any "facility" described in M.G.L. c. 164, §69G including:

- (a) any generating unit designed for or capable of operating at a gross capacity of 25 megawatts or more, including associated buildings, Ancillary Structures, transmission and pipeline interconnections that are not otherwise facilities, and fuel storage facilities;
- (b) a new electric transmission line having a design rating of 69 kilovolts or more and which is one mile or more in length on a new transmission corridor;
- (c) a new electric transmission line having a design rating of 115 kilovolts or more which is ten miles or more in length on an existing transmission corridor except reconductoring or rebuilding of transmission lines at the same voltage;
- (d) an Ancillary Structure which is an integral part of the operation of any transmission line which is a facility;
- (e) a unit, including multiple tanks and associated buildings and structures, designed for, or capable of, the manufacture or storage of gas, except such units below a minimum threshold size as established by regulation;
 - 1. a unit with a total gas storage capacity of less than 25,000 gallons and also with a manufacturing capability of less than 2,000 MMBtu per day;
 - 2. a unit whose primary purpose is research, development, or demonstration of technology and whose sale of gas, if any, is incidental to that primary purpose; or
 - 3. a landfill or sewage treatment plant.
- (f) a new pipeline for the transmission of gas having a normal operating pressure in excess of 100 lbs. per square inch gauge, which is greater than one mile in length except restructuring, rebuilding, or relaying of existing pipelines of the same capacity; and
- (g) any new unit, including associated buildings and structures, designed for, or capable of, the refining, the storage of more than 500,000 barrels or the transshipment of oil or refined oil products and any new pipeline for the transportation of oil or refined oil products which is greater than one mile in length except restructuring, rebuilding, or relaying of existing pipelines of the same capacity. 980 CMR 1.01(4).

Facility Boundary means the outermost boundary of the Project site (such as a Project building or other structures, or the outermost areas of construction activity or disturbance), or the Project fence line. For linear projects, or project components, such as transmission lines or pipelines, the Facility Boundary shall be the edge of the right-of-way. 980 CMR 15.02(1).

Final Decision of Local Government means a Consolidated Local Permit issued by a Local Government, a denial by a Local Government of an application for a Consolidated Local Permit, or a Constructive Approval of a Consolidated Local Permit Application, pursuant to 225 CMR 29.00. 980 CMR 14.01.

Fossil Fuel-Related Energy Infrastructure means Facilities subject to Board jurisdiction under M.G.L. c. 164, §§ 69J, 69J¼, that are not CEIFs. 980 CMR 15.02(1).

Gas means an energy source which includes natural gas, propane air, synthetic natural gas, liquefied natural gas, renewable natural gas, and hydrogen. 980 CMR 1.01(4).

Generating Facility means any generating unit designed for or capable of operating at a gross capacity of 25 megawatts or more, that is not a LCEGF or SCEGF, including associated buildings, Ancillary Structures, transmission and pipeline interconnections that are not otherwise facilities and fuel storage facilities. 980 CMR 1.01(4).

Hand Delivery means delivery by methods other than pre-paid U.S. mail (e.g., Federal Express or paid courier service). Hand Delivery shall not include delivery by electronic mediums such as facsimile or e-mail unless authorized by the Presiding Officer. 980 CMR 1.01(4).

Indicator means a statistical measure, which is used to evaluate a Census Block Group's environmental exposures, environmental effects, climate effects, sensitive populations, and socioeconomic factors. 980 CMR 15.02(1).

Key Stakeholders means, at a minimum, public interest groups, organizations serving the local community in the vicinity of a proposed Project that could be affected by a proposed Project; abutters of the Project, including residents (both owners and renters) and businesses; community-based organizations, elected or appointed municipal officials (e.g., mayor or town/city manager, relevant Council/Select Board members, Chair(s) of the Conservation Commission, Planning Board, Zoning Board, and Head of the Department of Public Works), regional planning officials, representatives of labor groups (e.g., union locals, building trades councils, central labor councils, and the Massachusetts AFL-CIO) and apprenticeship programs, and federally recognized, state-acknowledged, or state-recognized Tribes. 980 CMR 16.02.

Language Access Plan means the Language Access Plan established by the Board pursuant to Executive Order No. 615. 980 CMR 1.01(4).

Large Clean Energy Generation Facility (LCEGF) means energy generation infrastructure with a nameplate capacity of not less than 25 megawatts that is an Anaerobic Digestion Facility, Solar Facility or Wind Facility, including any Ancillary Structure that is an integral part of the operation of the LCEGF. 980 CMR 1.01(4).

Large Clean Energy Infrastructure Facility (LCEIF) means an LCEGF, LCESF, or LCTDIF. 980 CMR 1.01(4).

Large Clean Energy Storage Facility (LCESF) means an energy storage system as defined under M.G.L. c. 164, § 1, with a rated capacity of not less than 100 megawatt hours, including any Ancillary Structure that is an integral part of the operation of the LCESF. 980 CMR 1.01(4).

Large Clean Transmission and Distribution Infrastructure Facility (LCTDIF) means electric transmission and distribution infrastructure and related ancillary infrastructure that is:

- (a) a new electric transmission line having a design rating of not less than 69 kilovolts and that is not less than 1 mile in length on a new transmission corridor, including any Ancillary Structure that is an integral part of the operation of the transmission line;
- (b) a new electric transmission line having a design rating of not less than 115 kilovolts that is not less than 10 miles in length on an existing transmission corridor except reconducted or rebuilt transmission lines at the same voltage,

including any Ancillary Structure that is an integral part of the operation of the transmission line;

(c) any other new electric transmission infrastructure requiring zoning exemptions, including standalone transmission substations and upgrades and any Ancillary Structure that is an integral part of the operation of the transmission line; and

(d) facilities needed to interconnect offshore wind to the grid.

A LCTDIF shall be:

(a) designed, fully or in part, to directly interconnect or otherwise facilitate the interconnection of a CEIF to the electric grid;

(b) approved by the regional transmission operator in relation to interconnecting a CEIF;

(c) proposed to ensure electric grid reliability and stability; or

(d) designed to help facilitate the electrification of the building and transportation sectors.

A LCTDIF shall not include new transmission and distribution infrastructure that solely interconnects new and existing energy generation powered by fossil fuels on or after January 1, 2026. 980 CMR 1.01(4).

Limited Participant means any Person allowed to participate in an adjudicatory proceeding pursuant to M.G.L. c. 30A, § 10, and 980 CMR 1.05(2). A Limited Participant is not a Party. 980 CMR 1.01(4).

Local Government means a municipal or regional authority, board, commission, office, or other entity, as defined in M.G.L. c. 25A, § 21, that would have had jurisdiction to issue at least one permit for an LCEIF or SCEIF absent a Consolidated Permit. Local Governments enforce the portions of a Consolidated Permit that relate to subject matter within their jurisdiction as if that portion of the Consolidated Permit had been directly granted by the Local Government. 980 CMR 1.01(4).

Local Government Representative means the Chief Administrative Officer of the Local Government, or their designee(s), pursuant to 225 CMR 29.02. 980 CMR 1.01(4).

Local Request for Review Based on Lack of Resources means a notification filed by the Local Government that its resources, capacity, or staffing do not allow for review of a SCEIF's Consolidated Local Permit Application within the required maximum 12-month timeframe for Local Government review. 980 CMR 14.01.

MassEnviroScreen (MES) means a GIS-based mapping tool developed and administered by the Office of Environmental Justice and Equity that uses Indicators to produce an MES Score and provide Indicator data for every Census Block Group across the Commonwealth. 980 CMR 15.02(1).

MassEnviroScreen Score (MES Score) means the numerical score output from the MES. 980 CMR 15.02(1).

MEPA Office means the Massachusetts Environmental Policy Act Office within the Executive Office of Energy and Environmental Affairs that administers MEPA and 301 CMR 11.00. 980 CMR 16.02.

Ministerial Permit means a non-discretionary permit or approval for a CEIF Project that meets objective, pre-defined codes and standards, and is typically approved in a streamlined, time-bound, administrative process that does not involve adjudication. A Ministerial Permit is usually issued after other adjudicatory or discretionary permits are issued, and the project is at a more advanced state of design completion, prior to the intended start of construction or operation of a CEIF Project. 980 CMR 13.01(4).

Notice of Completeness means notice by the Presiding Officer that the Application substantially and materially complies with all Application requirements. 980 CMR 13.01(4).

Noticed Alternative Site or Route means a site or route that an Applicant has submitted for review by the Board, in addition to a Proposed Site or Route, and provided Notice to affected abutters and others concerning this site or route. 980 CMR 15.00 does not impose upon the Applicant an obligation to propose an alternative site or route but recognizes that in certain circumstances the Applicant may be required to do so or may elect to do so. 980 CMR 15.02(1).

OEJE means the Office of Environmental Justice and Equity within the Executive Office of Energy and Environmental Affairs, as established in M.G.L. c. 21A, § 29. 980 CMR 16.02

Party means an applicant, any Person allowed to intervene in an adjudicatory proceeding pursuant to M.G.L. c. 30A, § 1(3), and 980 CMR 1.05(1), or any Person who intervenes in an adjudicatory proceeding by right. 980 CMR 1.01(4).

Person means a natural person, partnership, corporation, association, society, authority, agency, department, or division of the Commonwealth, or any body politic or political subdivision of the Commonwealth including municipal corporations. 980 CMR 1.01(4).

Permit means a municipal, regional, or state permit, authorization, determination, license, or approval that would otherwise be individually required to construct and operate a CEIF Project, absent an EFSB Consolidated Permit. 980 CMR 1.01(4).

Permit Enforcement Agency (PEA) means an agency, authority, board, commission, office, or other entity that would have jurisdiction to issue at least one Permit for a CEIF Project in the absence of an EFSB Consolidated Permit. PEAs enforce the portions of an EFSB Consolidated Permit that relate to subject matters within their jurisdiction as if such portions had been directly granted by the PEA. PEA may include Local Government and Local Government Representatives. 980 CMR 13.01(4).

Permit Advisory Agency (PAA) means a municipal, regional, or state agency, authority, board, commission, office, or other entity that would advise a PEA concerning recommended permit conditions on the issuance of at least one Permit for a CEIF Project that would otherwise be issued without an EFSB Consolidated Permit, but does not have jurisdiction for issuance of such Permit(s). 980 CMR 13.01(4).

Pre-filing Engagement Status Checklist means a document to be filed by an Applicant with DPP approximately midway through the Pre-filing Outreach Period that catalogs the status of pre-filing consultation and engagement requirements and includes supporting documentation identified in 980 CMR 16.00. The checklist shall include an attestation by the Applicant that all statements contained therein are true. 980 CMR 16.02.

Pre-filing Engagement Completion Checklist means a document that reflects completed pre-filing consultation and engagement requirements to be filed by an Applicant with DPP, the Board, and Local Government and state permitting agencies at the completion of the Pre-filing Outreach Period and together with the Pre-filing Notice. The Applicant shall submit supporting documentation identified in 980 CMR 16.00 to DPP at the completion of the Pre-filing Outreach Period. If certain outreach or agency consultation requirements cannot be completed, the Applicant shall attach a statement clarifying the reason or a waiver or partial waiver that was requested from and approved by DPP pursuant to 980 CMR 16.03(1). The checklist shall include an attestation by the Applicant that all statements contained therein are true. 980 CMR 16.02.

Pre-filing Notice means the Notification of Intent to File Application filed by an Applicant with DPP, the Board and Local Government and state permitting agencies no less than 60 days and no more than 90 days prior to filing an Application or a petition to construct with the Board. 980 CMR 16.02.

Pre-filing Outreach Period means the period of time between the start of pre-filing consultation and engagement activities specified in 980 CMR 16.04 and the submission of the Pre-filing Notice to the Board and DPP. For purposes of 980 CMR 16.00, the Pre-filing Outreach Period begins when the Applicant meets with DPP and OEJE. The Applicant may meet with the stakeholders prior to the beginning of the Pre-filing Outreach Period. 980 CMR 16.02.

Presiding Officer means Board staff assigned by the Director to conduct adjudicatory proceedings for matters within the jurisdiction of the Board. 980 CMR 1.01(4).

Project means the structures, equipment, facilities, and land uses, and the construction and operation thereof, for which an applicant requires an approval, permits, or authorizations of the Board. The specific elements of a Project will be unique in each proceeding. 980 CMR 1.01(4).

Project Impact means an effect on the environment, socioeconomic and public health conditions, or climate change resiliency, resulting from construction and operation of the Project. A Project Impact can be either positive or negative. 980 CMR 15.02(1).

Proposed Site or Route means the Applicant's preferred location for a Project site or route that it submits for approval by the Board. 980 CMR 15.02(1).

Remedial Action means an action taken that would avoid, minimize, or mitigate one or more Disproportionate Adverse Effects. 980 CMR 15.02(1).

Site Footprint means the area of land and water encompassed by a CEIF's equipment, plus any land significantly impacted by construction of the CEIF, including, but not limited to, land altered for clearing, grading, and roadways. 980 CMR 15.02(1).

Site Suitability Mapping Tool means a web-based mapping tool established and maintained by the EEA in accordance with the Site Suitability Guidance, which contains geographic information system data layers used to determine Criteria-specific Suitability Scores. The mapping tool shall have the capability to automatically calculate a CEIF's Criteria-specific Suitability Scores by delineating the CEIF Site Footprint in the mapping tool. 980 CMR 15.02(1).

Site Suitability Guidance means guidance and criteria for the assessment of the suitability of the proposed siting of a CEIFs, as established by the Executive Office of Energy and Environmental Affairs, pursuant to M.G.L. c. 21A, § 30. 980 CMR 13.01(4).

Site Suitability Report means a written report documenting the Applicant's Criteria-specific Suitability Scores, any Site Suitability Score Modifiers, as defined in the Site Suitability Guidance, the Applicant is seeking to apply, and any other required supporting documentation, in a form and manner established by the EEA, in consultation with the Board and the Department of Energy Resources. 980 CMR 15.02(1).

Site Suitability Score Modifier means positive or negative adjustments to a CEIF's Criteria-specific Suitability Scores that are reflective of development potential or social and environmental benefits, as prescribed in the Site Suitability Guidance. 980 CMR 13.01(4).

Small Clean Energy Generation Facility (SCEGF) means energy generation infrastructure with a nameplate capacity of less than 25 megawatts that is an Anaerobic Digestion Facility, Solar Facility or Wind Facility, including any Ancillary Structure that is an integral part of the operation of the SCEGF. 980 CMR 1.01(4).

Small Clean Energy Infrastructure Facility (SCEIF) means an SCEGF, SCESF or SCTDIF. 980 CMR 1.01(4).

Small Clean Energy Storage Facility (SCESF) means an energy storage system as defined in M.G.L. c. 164, § 1, with a rated capacity of less than 100 megawatt hours, including any Ancillary Structure that is an integral part of the operation of the SCESF. 980 CMR 1.01(4).

Small Clean Transmission and Distribution Infrastructure Facility (SCTDIF) means electric transmission and distribution infrastructure and related ancillary infrastructure, including:

- (a) electric transmission line reconductoring or rebuilding projects;
- (b) new or substantially altered electric transmission lines located in an existing transmission corridor that are not more than 10 miles long, including any Ancillary Structure that is an integral part of the operation of the transmission line;
- (c) new or substantially altered electric transmission lines located in a new transmission corridor that are not more than 1 mile long, including any

Ancillary Structure that is an integral part of the operation of the transmission line;

(d) any other electric transmission infrastructure, including standalone transmission substations and upgrades and any Ancillary Structure that is an integral part of the operation of the transmission line and that does not require zoning exemptions; and

(e) electric distribution-level projects that meet a certain threshold, as determined by the Department of Energy Resources.

A SCTDIF shall be:

(a) designed, fully or in part, to directly interconnect or otherwise facilitate the interconnection of a CEIF to the electric grid;

(b) designed to ensure electric grid reliability and stability; or

(c) designed to help facilitate the electrification of the building and transportation sectors. A SCTDIF shall not include new transmission and distribution infrastructure facilities that solely interconnect new or existing generation powered by fossil fuels to the electric grid on or after January 1, 2026. 980 CMR 1.01(4).

Solar Facility means a ground-mounted facility that uses sunlight to generate electricity. The nameplate capacity for a Solar Facility shall be calculated in direct current. 980 CMR 1.01(4).

Specific Geographical Area (SGA) means an area in which a proposed facility may be located and is determined based on facility-specific radial distances from the Facility Boundary, as established by the Board in 980 CMR 15.05(1). Each Proposed Site or Route and each Noticed Alternative Site or Route, if any, has its own SGA. 980 CMR 15.02(1).

Wind Facility means an onshore or offshore facility that uses wind to generate electricity. 980 CMR 1.01(4).

ATTACHMENT 4 – LIST OF COMMENTERS FOR CIA

Attachment: List of Commenters for EFSB 25-10-C

Written Commenters:

1. Alternatives for Community & Environment (ACE) (11/7/25)
2. Alexander Platt
3. Michael DeChiara (10/29/25, 11/3/25, 2/2/26)
4. Conservation Law Foundation (10/17/25, 11/7/25, 11/17/25, 2/13/26)
5. Shondra Britton
6. Jeanine Deland
7. Michael Burt
8. Stacey McCullough
9. Susan Ryan
10. Avangrid
11. The Nature Conservancy (11/7/25, 11/14/25, 2/12/26)
12. MassAudubon (11/11/25, 2/13/26)
13. RENEW Northeast and American Clean Power Association (11/17/25, 2/13/26)
14. Environmental League of Massachusetts (11/17/25, 2/13/26)
15. Mary Russell
16. Heather Regan
17. Douglas Buckley
18. Mary Ann Babinski (11/17/25, 11/18/25, 2/13/26)
19. ACT, SEAI, CCSA
20. Environmental Defense Fund
21. Energy Futures Group, on behalf of EDF (11/17/25, 2/13/26)
22. Ocean Winds (11/17/25, 2/13/26)
23. Lloyd Mendes
24. Al Norman, Sprawl-Busters
25. Ceres
26. H. Laurie Degnan, Charlton Planning Board
27. Mystic River Watershed Association
28. GreenRoots, on behalf of the Environmental Justice Table
29. Ron Roux
30. National Grid & Eversource (2/9/26, 2/13/26, 4/17/17/26)
31. Lara Wahl
32. Eli Elkus
33. Zulecia Booth
34. Union of Concerned Scientists
35. Community Land & Water Coalition
36. Jeff Weston
37. Cape Cod Commission
38. Joseph Cogliano
39. Westfield Residents Advocating for Themselves, Inc. (WRAFT)
40. The North American Indian Center of Boston
41. 350 Mass, Berkshire Environmental Action Team, Brookhaven Residents' Climate Change Committee, Climate Action Now Western Mass, Community Land &

Water Coalition, Concerned Citizens of Franklin County, Elders Climate Action Massachusetts, Friends of Fellsmere Heights, Friends of the Notch Forest, Green Arlington MA, Greening Greenfield, Meadowscaoping for Biodiversity, Mothers Out Front Massachusetts, Our Revolution Massachusetts (ORMA), Pipe Line Awareness Network for the Northeast, Pollinator Networks, RESTORE: The North Woods, Save Massachusetts Forests, Sierra Club Massachusetts, Slingshot, The Enviro Show, Third Act MA, Trees as a Public Good Network, Unitarian Universalist Mass Action, UUSF Green Sanctuary Team, Westfield Residents Advocating for Themselves, Inc. (WRAFT), Worcester Congregations for Climate and Environmental Justice

42. Paul Healey (1/4/26, 1/5/26, 1/7/26, 1/8/26, 1/9/26, 1/10/26, 1/12/26, 1/13/26, 1/15/26, 1/16/26, 1/17/26, 1/18/26, 1/23/26, 1/25/26, 1/26/26, 2/3/26, 2/4/26, 2/5/26, 2/10/26)

Oral Commenters (from February, March, April 2026 Public Comment Hearings and Board Meetings):

1. Michael DeChiara
2. Olivia Paradis
3. Jane Winn
4. David Rosenzweig (Eversource and National Grid)
5. Diedre Matthews (National Grid)
6. Laurie Degnan
7. John Walkey
8. Adam Reynolds
9. Jeff Weston
10. Kate O'Connor
11. Denise Bartone
12. Erin Smith
13. Steve Long
14. Sara Reilly

Form Letters:

1. Form Letter 1: The Siting Board received approximately 270 from various individuals.

The full list of comments made in this proceeding can be found in the Fileroom:

<https://eeaonline.eea.state.ma.us/dpu/fileroom/#/dockets/docket/12678>