

## **PROCEDURAL REGULATIONS STAFF STRAW PROPOSAL**

### **I. INTRODUCTION**

The 2024 Climate Act (St. 2024, c. 239) requires the Energy Facilities Siting Board (“Siting Board” or “EFSB”) to promulgate regulations to implement the changes to G.L. c. 164, §§ 69G to 69J¼, inclusive, §§ 69O and 69P, §§ 69R and 69S, and §§ 69T to 69W, inclusive. As modified, these sections authorize the Siting Board to issue a single consolidated permit that comprises all state, regional, and local permits that a clean energy infrastructure facility would otherwise need to commence construction and operation. The 2024 Climate Act further requires the Siting Board to promulgate the regulations not later than March 1, 2026, and the regulations will apply to all jurisdictional projects submitted to the Siting Board on and after July 1, 2026. St. 2024, c. 239, § 132.

The 2024 Climate Act requires the Siting Board to consult with various agencies when preparing regulations, including the Department of Public Utilities (“DPU”), the Department of Energy Resources, the Department of Environmental Protection, the Department of Fish and Game, the Department of Conservation and Recreation, the Department of Agricultural Resources, the Massachusetts Environmental Policy Act Office, the Massachusetts Department of Transportation, and the Executive Office of Public Safety and Security. In addition, the 2024 Climate Act requires the Siting Board to consult with all other agencies, authorities, and departments whose approval, order, order of conditions, permit, license, certificate or permission in any form is required prior to or for construction of a facility, small clean energy infrastructure facility or large clean energy infrastructure facility as defined by statute. St. 2024, c. 239, § 132.

This Straw Proposal outlines the regulatory changes required to implement the 2024 Climate Act. In addition, the Siting Board Staff propose revisions to its existing regulations, to promote greater clarity and efficiency in our proceedings.

### **II. OVERVIEW OF KEY STRAW PROPOSAL COMPONENTS**

The Siting Board’s regulations are at 980 CMR 1.00-12.00. In this proposal, the Siting Board Staff propose to revise existing regulations, create new regulations for clean energy infrastructure facilities, and repeal obsolete regulations. Siting Board proceedings to review facilities under G.L. c. 164, §§ 69J, 69J¼; G.L. c. 164, §§ 69K-69O½; G.L. c. 164, §§ 69T-69V; and de novo adjudications<sup>1</sup> by the Siting Board Director under G.L. c. 164, § 69W are adjudicatory proceedings and are, therefore, subject to the Massachusetts Administrative Procedures Act, G.L. c. 30A. Both the Siting Board’s final decisions, and the final decisions of

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<sup>1</sup> De novo adjudication means that the Siting Board Director will make a decision based on the evidence before the Director and is not limited to the documents provided in the municipal review of the permit applications. A party may request that the EFSB include the record from a prior state or local proceeding in the record before the EFSB.

the Director pursuant to G.L. c. 164, § 69W, may be appealed by a party to the Supreme Judicial Court, the highest court in Massachusetts.

The Siting Board's current procedural regulations, Rules for the Conduct of Adjudicatory Proceedings, are at 980 CMR 1.00. The Siting Board's rules governing the operation of the Siting Board, General Information and Conduct of Board Business, are at 980 CMR 2.00. This Straw Proposal proposes significant changes to both sets of regulations.

The Siting Board Staff also proposes several new regulations to address new 2024 Climate Act processes associated with consolidated permits for clean energy infrastructure facilities:

- 980 CMR 13.00 Consolidated Permits for Clean Energy Infrastructure Facilities.
- 980 CMR 14.00 De Novo Adjudications of Consolidated Local Permit Application
- 980 CMR 15.00 Cumulative Impact Analysis and Site Suitability Standards
- 980 CMR 16.00 Pre-filing Consultation and Community Engagement.

The Siting Board Staff notes that the Cumulative Impact Analysis Standards and the Pre-filing Consultation and Community Engagement proposals are detailed in other Straw Proposals that the Siting Board Staff will issue for public comments. The Siting Board Staff also notes that the Executive Office of Energy and Environmental Affairs is separately drafting Cumulative Impact Analysis Guidance and Site Suitability Guidance, which will inform Siting Board proposed regulations. The Siting Board Staff intends to issue complementary detailed guidance to assist an Applicant in complying with the regulatory requirements.

The Siting Board also proposes to repeal the following regulations that are no longer in use:

- 980 CMR 4.00 Freedom of Information; Protection of Trade Secrets
- 980 CMR 5.00 Environmental Assessment and Environmental Impact
- 980 CMR 7.00 Long-range Forecasts and Supplements
- 980 CMR 8.00 Notices of Intention to Construct an Oil Facility
- 980 CMR 9.00 Coastal Zone Facility Site Selection, Evaluation and Assessment
- 980 CMR 11.00 Licensing of Hydropower Generating Facilities

For projects subject to DPU jurisdiction, the Siting Division follows the DPU's procedural regulations at 220 CMR 1.00. The Siting Board Staff notes that after March 1, 2026, all DPU siting and permitting jurisdiction moves to the Siting Board and will be subject to regulations at 980 CMR.

The DPU is also developing regulations to implement the 2024 Climate Act. These regulations are described in other Straw Proposals and are noted here for context.

- 220 CMR XXX EFSB Application Fees
- 220 CMR XXX Division of Public Participation
- 220 CMR XXX Intervenor Support Grant Program

### III. DISCUSSION OF REGULATORY CHANGES

#### A. Revisions to Existing Regulations

Procedural Regulations, 980 CMR 1.00: The Siting Board Staff proposes multiple changes to 980 CMR 1.00 to reflect the new consolidated permitting process. This section would apply to all Siting Board proceedings under G.L. c. 164, §§ 69H-69W, unless otherwise noted. The changes would go into effect March 1, 2026, for projects filed on or after July 1, 2026. The Siting Board would amend the definition section in the regulation to reflect new definitions in the 2024 Climate Act.

The Siting Board would require that a project Applicant file a petition to construct a facility, a petition for a Certificate of Environmental Impact and Public Interest, an Application for a Consolidated Permit, or an application for a de novo adjudication, in the form required by the Board, as updated from time to time. The regulations would identify specific filing requirements, and reference newly developed Application Guidance for specific details to guide Applicants on compliance with the regulations. The regulations would require that Applicants comply with the Cumulative Impact Analysis requirements of the Act, which will be detailed in separate regulations and guidance. The procedural regulations would also require that Applicants provide evidence with their application filing that they have completed pre-filing consultation and community engagement activities prior to filing the petition or application with the Siting Board. A separate set of regulations will define these requirements. The proposed regulations will reflect the ex parte provisions that prohibit the DPU's Division of Public Participation, which oversees Applicant pre-filing activities, from participating in the Siting Board's adjudicatory proceedings.<sup>2</sup>

The Siting Board Staff also proposes to update its procedural regulations to require electronic filings and require that the filings are in a searchable format. The Siting Board Staff proposes to include in regulations its existing mailed notice practices, including requiring mailed notice for the following distances from project boundaries (such as edges of rights-of-way):

- (a) 300 feet from edge of right-of-way for linear projects or linear project components such as transmission lines and gas pipelines;
- (b) one-quarter mile from property line for projects and project components for electrical switching stations, substations, pipeline meter stations, and gas regulators; and
- (c) one-half mile from property line for electric generating facilities, gas storage facilities, energy storage systems, and gas compressor stations.

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<sup>2</sup> The Siting Board's regulations prohibit one party from communicating with decision makers or staff on the merits of an adjudicatory proceeding without allowing all other parties to be part of the communication. 980 CMR 1.03(8) (from the initial filing in an adjudicatory proceeding until the rendering of a final decision, no party or limited participant may communicate ex parte regarding substantive matters of such proceeding with the Presiding Officer, any Board member, or the Siting Board staff involved in the decision process for the adjudicatory proceeding).

The Siting Board Staff proposes to indicate that an individual or entity may file a petition to intervene and are not required to be represented by an attorney, with the exception of corporations which must be represented by an attorney. Additional intervention rules that apply to clean energy infrastructure are referenced in 980 CMR 13.00.

Additionally, the regulations will require the Siting Board to continue to conduct its public comment hearings in hybrid form, as long as it remains practicable. In addition, the proposed regulations would authorize the Presiding Officer for a proceeding to conduct evidentiary hearings virtually.

The Siting Board regulations will require the Board to provide language access consistent with its current Language Access Plan.

The Siting Board Staff proposes regulations that would include several provisions that currently are reflected in the procedural ground rules issued by the Presiding Officer to parties at the start of each proceeding. The regulations would require authentication of documents submitted to the Board in proceedings, and recognize the continuing obligation of parties to update discovery and record request responses, as well as testimony, until the Board issues a Final Decision. In addition, the regulations would recognize that the Siting Board may incorporate certain documents by reference into its evidentiary records.

Staff proposes two new subsections to reflect current practices. The regulations would include sections on compliance filings and project change filings and would specify the processes related to these filings. The Siting Board would include rules on decommissioning and site restoration, which would define what infrastructure must be removed, the time for removal, an estimate of decommissioning and restoration costs, and proposed financial instrument(s) to ensure the funding of decommissioning and restoration activities.

Conduct of Siting Board Business Regulations, 980 CMR 2.00: The Siting Board Staff proposes changes to 980 CMR 2.00 to reflect requirements from the 2024 Climate Act and updates to the Board processes. These changes would go into effect March 1, 2026.

The Siting Board Staff proposes to revise the membership from 9 members, including 6 public and 3 private members, to reflect the new Board composition described in the 2024 Climate Act as 11 members, including 7 public and 4 private members. The changes would update the quorum requirement from 4 to 6. The regulations would also revise the purpose of the Siting Board and add a new scope of review section consistent with the new statutory mandate from the 2024 Climate Act. The Siting Board Staff proposes that the regulations specify that its Final Decisions include required findings as defined in the 2024 Climate Act.

The proposed regulations would incorporate the statutory provision that exempts any action of the Board or any other person pursuant to G.L. c. 164, §§ 69J to 69J¼, inclusive, or G.L. c. 164, §§ 69T to 69W, inclusive, from review under the Massachusetts Environmental Policy Act, G.L. c. 30, §§ 61 to 62L.

The Siting Board Staff proposes to continue its existing practices for conducting public Board meetings, and to have the regulations incorporate updated references to the Massachusetts

Open Meeting Law. The proposal also specifies that Board members may attend a hybrid Board meeting virtually, and that the Board would provide adequate, alternative access for the public to Siting Board meetings by conducting hybrid Board meetings.<sup>3</sup>

The regulations would include a new section reflecting the requirement in the 2024 Climate Act that the Siting Board establish and maintain an online Dashboard that includes information on Siting Board proceedings, and ensures that comprehensive data and information shall be made publicly available in a machine-readable format.<sup>4</sup>

B. New Regulations

980 CMR 13.00: Consolidated Permits for Clean Energy Infrastructure Facilities.

The Siting Board Staff proposes a new section in the Code of Massachusetts Regulations (“CMR”) for applications filed pursuant to the new statutory sections G.L. c. 164, §§ 69T, 69U, 69V. These regulations would apply to applications for consolidated permits for Clean Energy Infrastructure Facilities, unless otherwise noted. The effective date of the regulations would be March 1, 2026, and would apply to projects filed on or after July 1, 2026. The proposed regulations would allow Applicants to file applications with the Siting Board pursuant to G.L. c. 164, §§ 69T, 69U, and pursuant to G.L. c. 164, § 69V upon a showing of good cause.

The proposed regulations would prohibit an Applicant from commencing construction of a large clean energy infrastructure project without first obtaining a consolidated permit from the Siting Board. Where an Applicant has requested a Siting Board consolidated permit for a small clean transmission and distribution infrastructure facility under G.L. c. 164, §§ 69U, the Applicant may not commence construction without first obtaining a consolidated permit from the Siting Board.

The proposed regulations would include the application filing requirements for a Large Clean Transmission and Distribution Infrastructure Facility or a Siting Board consolidated permit for a Small Clean Transmission and Distribution Infrastructure Facility. Separately, the proposed regulations would include the application filing requirements for a large clean energy generation facility or large clean energy storage facility, or a consolidated state permit for a small clean energy generation facility or a small clean energy storage facility.

The 2024 Climate Act requires that the Siting Board review an application and make a determination within 30 days of filing whether an application is complete. The regulations would identify the factors on which the Presiding Officer would make a determination of

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<sup>3</sup> The Attorney General’s rules state that public bodies may continue providing live “adequate, alternative means” of public access to the deliberations of the public body, instead of holding meetings in a public place that is open and physically accessible to the public. The Siting Board conducts its Board meetings as hybrid meetings, with both physical and virtual access.

<sup>4</sup> See <https://www.mass.gov/info-details/executive-office-of-energy-environmental-affairs-ensuring-meaningful-access-for-persons-with-disabilities-policy>.

completeness. Some of the factors in a completeness determination would include whether the application includes: (i) an accurate and complete description of the facility, site, and surrounding areas; (ii) proof of satisfactory completion of pre-filing requirements; (iii) all application requirements, including sufficient information for state and local agencies to provide statements of recommended permit conditions; and (iv) evidence sufficient for the Siting Board to make required findings. The regulations would allow a Presiding Officer the ability to extend the completeness schedule upon a showing of extenuating circumstances or a showing of good cause. In the event that the Presiding Officer determines that an application is incomplete and therefore rejected, the regulations would provide an opportunity for an Applicant to request a review by the Secretary of the rejection of its application.

The Siting Board will develop standard procedural schedules that will provide clarity to parties as to when milestones will occur in a proceeding. The standard schedules will also ensure that the Siting Board will meet its statutory obligations to complete project review in the timeframes prescribed in statute (*i.e.*, between 6 and 15 months). Within these standard schedules, the Presiding Officer may adjust the schedule for a particular proceeding to reflect the specifics of a particular project, or upon request of a party.

The 2024 Climate Act recognizes the expertise and interest of the state, regional, and local permitting agencies in proposed projects. The Siting Board's regulations would reflect this inherent interest and shall deem these agencies to be substantially and specifically affected by the proceeding. An agency or a host municipality may notify the Siting Board of its intent to intervene in the proceeding and the Presiding Officer will then grant the agency intervenor status in the proceeding to review the facility's application. The proposed regulations also allow the permitting agencies to submit statements of recommended permit conditions to the Board relative to the respective permits that each agency would otherwise be responsible for issuing. The statements of recommended permit conditions shall include any recommended conditions that agencies propose to be included with the Siting Board's standard conditions for the permit to be issued. The statement of recommended permit conditions shall include supporting reasoning for the condition, and supporting documentation, where appropriate. Finally, the regulations would designate enforcement of the conditions for the project to the permitting agencies.

#### 980 CMR 14.00: De Novo Adjudications of Consolidated Local Permit Application.

The Siting Board Staff proposes to promulgate regulations that define the process for de novo adjudication before the Director of the Siting Board of consolidated local permit applications for small clean energy infrastructure facilities. G.L. c. 164, §§ 69G, 69W. The regulations would go into effect March 1, 2026, and would apply to projects filed on or after July 1, 2026.

The proposed regulations would identify who may request de novo adjudication of a consolidated local permit application: (1) an owner or proponent of a small clean energy infrastructure facility that has received a final decision on, or a constructive approval of, a consolidated permit application from a local government; and (2) parties substantially and specifically affected by the decision of the local government or the local constructive approval. In addition, the proposed regulations would provide that a local government, upon a showing that its resources, capacity and staffing do not allow for review of a small clean energy infrastructure

facility's permit application within the required maximum 12-month timeframe for local government review, could request a de novo adjudication from the Siting Board Director. The regulations would identify the deadline for requesting a de novo adjudication.

The proposed regulations would provide for notice of a request for a de novo adjudication, and a period for written comments. The 2024 Climate Act does not require the Director to conduct a public comment hearing. However, the regulations will also allow the Director to conduct a public comment hearing, which may occur as a virtual hearing. The regulations would also allow for intervention by an individual or entity that can demonstrate that it is substantially and specifically affected.

The evidentiary record shall include documents produced for the local consolidated permit process, and other relevant documents allowed by the Director. The Director will issue a procedural schedule, which shall include timeframes, and identification of issues to be adjudicated. The Director may schedule a virtual evidentiary hearing.

The Director shall review the de novo adjudication request and the local government's final decision for: (a) consistency with the regulations adopting statewide permitting standards for such facilities established by the Department of Energy Resources pursuant to G.L. c. 25A, § 21; and (b) consistency with G.L. c. 164, § 69H.

After review, the Siting Board Director shall issue a decision on the request from an owner or proponent of a small clean energy infrastructure facility that has received a final decision on, or a constructive approval of, a consolidated permit application from a local government; or from parties substantially and specifically affected by the decision of the local government, within six months of receipt of the application and such decision shall be final. The Director shall issue a decision on the request from a local government upon a showing that its resources, capacity and staffing do not allow for review of a small clean energy infrastructure facility's permit application within the required maximum 12-month timeframe for local government review. The Director's decision shall be made within twelve months of receipt of the application and such decision shall be final. To meet the schedule required by the 2024 Climate Act, the Siting Board's regulations would provide for one final decision by the Director and not provide for a tentative decision or comments on the tentative decision.

#### C. Repeal of Unused Regulations

The Siting Board's regulations contain a number of sections that are obsolete and have not been used by the Board in many years. For clarity, the Board proposes to repeal the following sections:

- 980 CMR 4.00 Freedom of Information; Protection of Trade Secrets
- 980 CMR 5.00 Environmental Assessment and Environmental Impact
- 980 CMR 7.00 Long-range Forecasts and Supplements
- 980 CMR 8.00 Notices of Intention to Construct an Oil Facility
- 980 CMR 9.00 Coastal Zone Facility Site Selection, Evaluation and Assessment
- 980 CMR 11.00 Licensing of Hydropower Generating Facilities

See Appendix 1 for reasons that the Siting Board Staff propose to eliminate these regulations.

#### IV. REQUEST FOR COMMENTS

- Existing Siting Board regulations require newspaper notice of public comment hearings. Should the Siting Board eliminate the requirement for newspaper notice of public comment hearings? What type of notice would be more effective for these hearings?
- Should Siting Board staff site visits to the location of a proposed project be open to the public? How would the Siting Board manage such a process?
- How should the Siting Board reflect decommissioning activities and expectations?
- When local government, upon a showing that its resources, capacity and staffing do not allow for review of a small clean energy infrastructure facility's permit application within the required maximum 12-month timeframe for local government review, could request a de novo adjudication from the Siting Board Director, should the Siting Board establish a 12-month schedule for review, consistent with the 12-month schedule allowed for review at the local level?
- For de novo adjudications, should the Siting Board regulations provide for the opportunity for a motion for reconsideration by the Director of a de novo adjudication final decision?
- Permitting procedures for energy facilities in other states include steps that limit the scope of subject matter that may be explored during adjudication and decided upon in the final permit. This limitation can increase efficiency for issuing permits. Should the Siting Board adopt such practices? What limiting practices should the Siting Board consider? Describe any legal impediments for the Siting Board to adopt similar practices.



## **Appendix 1 – Proposed Repeal of Existing Regulations**

### **980 CMR 4.00 Freedom of Information; Protection of Trade Secrets**

980 CMR 4.00: Freedom of Information; Protection of Trade Secrets was promulgated by the Energy Facilities Siting Council in 1975, and is outdated and no longer used. The EFSB docketed information is publicly available on its website. In addition, responses to public records requests have been centralized, and a public records officer ensures timely responses. The requirements for protection of confidential information are provided in ground rules for each proceeding.

### **980 CMR 5.00 Environmental Assessment and Environmental Impact**

The 2024 Climate Act includes a statutory provision that exempts any action of the Board or any other person pursuant to G.L. c. 164, §§ 69J to 69J¼, inclusive, or G.L. c. 164, §§ 69T to 69W, inclusive, from review under the Massachusetts Environmental Policy Act, G.L. c. 30, §§ 61 to 62L. Therefore, this regulation is no longer necessary.

### **980 CMR 7.00 Long-range Forecasts and Supplements**

980 CMR 7.00: Long-Range Forecasts and Supplements, describes a planning process for gas and electric companies that has not been used by the EFSB since 1991, when the Energy Facilities Siting Council was moved administratively to the DPU, and renamed the EFSB. Long-Range Planning, as practiced under 980 CMR 7.00 for electric companies, ended with the advent of Integrated Resource Management in the early 1990s, and was formally discontinued with electric restructuring in the late 1990s. For gas companies, a forecast and supply planning process is still reviewed by the DPU (but not the EFSB); 980 CMR 7.00 is not used at all in this current process and the DPU has no need for this regulation.

### **980 CMR 8.00 Notices of Intention to Construct an Oil Facility**

980 CMR 8.00: Notices of Intention to Construct an Oil Facility, intended to guide applicants seeking EFSB approval in building large oil storage facilities (over 21 million gallons capacity) and new oil pipelines over one mile in length has never been used since its promulgation in 1975. Fuel oil use in Massachusetts has declined significantly over the past several decades, and the absence of proposed new jurisdictional oil facilities has led to this regulation's lack of use.

In addition, oil storage and pipeline facilities would be subject to federal and state jurisdiction. The United States Department of Transportation's Pipeline Safety and Hazardous Materials Administrations has extensive regulations governing hazardous materials (49 CFR Parts 100 to 185) and extensive pipeline safety regulations (49 CFR Parts 190-199). Additionally, construction of an oil facility or pipeline would be governed by the Massachusetts

Comprehensive Fire Safety Code, 527 CMR 1.01 et seq., and the Massachusetts State Building Code, 780 CMR 101.1 et seq.

### **980 CMR 9.00 Coastal Zone Facility Site Selection, Evaluation and Assessment**

980 CMR 9.00: Coastal Zone Facility Site Selection, Evaluation, and Assessment, was adopted in 1975 following execution of a Memorandum of Understanding (MOU) between the Energy Facilities Siting Council (the predecessor of the EFSB) and the Secretary of the Executive Office of Environmental Affairs. The primary objective of the MOU and the related regulation 980 CMR 9.00 was to ensure that the Siting Board would adopt and apply the principles reflected in the Massachusetts Coastal Zone Management Plan in its decisions. The basic purpose of the MOU and 980 CMR 9.00 is already observed by the Siting Board's core statutory requirement to ensure that its decisions are consistent with the environmental, health, energy, and resource use policies of the Commonwealth.

### **980 CMR 11.00 Licensing of Hydropower Generating Facilities**

Licensing of hydropower facilities has been overseen by the Federal Energy Regulatory Commission since 1977, and by other federal agencies prior to that. While Massachusetts environmental agencies have some permitting roles with respect to hydropower, it is largely the domain of the federal government. G.L. c. 164, § 69H<sup>1/2</sup> established the EFSB as a coordinating (rather than permitting) entity that would work with state agencies and an applicant to intervene in the federal hydropower licensing process. At the time this authority was granted, the federal licensing process was cumbersome and required extensive administrative expertise in FERC practices. The role of the EFSB in playing this coordinating role was available at the request of the facility proponent.

FERC fundamentally redesigned the hydropower licensing process with a Pre-Filing, collaborative process in 1997 that is much more "user-friendly" and conducive to direct involvement by state agencies, the public, and the applicant. With the advent of Pre-Filing, hydropower proponents have consistently declined to make use of the EFSB's coordinating role, and they now engage directly with FERC in its process. It has been well over fifteen years since the EFSB has seen an applicant request involvement of the EFSB in FERC's hydropower licensing matters. The EFSB regulations at 980 CMR 11.00 are largely duplicative of the federal regulatory process used by FERC in its review of hydropower facilities.

# EFSB Procedural Flow Chart

## EFSB 15-MONTH PROCESS

### Applicable to Large Clean Energy Infrastructure Facilities (e.g.):

- New (≥69 kV) Transmission Line in New Corridor (≥1 mile)
- New (≥115 kV) Transmission Line in Existing Corridor (≥10 mile)
- Substations Requiring Exemptions from Local Zoning Ordinances
- Interconnection Lines for Offshore Wind Facilities
- Large Energy Storage Facilities (≥100 MWh)
- Large Clean Energy Generation Facilities (≥25 MW)

## EFSB 12-MONTH PROCESS

### Applicable to Small Clean Transmission and Distribution Infrastructure Facilities (e.g.):

- Transmission Line Reconductoring and Rebuilding Projects
- New/Substantially Altered Transmission Lines in Existing Corridors (<10 mile)
- New/Substantially Altered Transmission Lines in New Corridors (<1 mile)
- Substations Not Requiring Exemptions from Local Zoning Ordinances
- Certain Distribution Level Projects (Threshold to be Determined by DOER)

PROCEDURAL STEPS/MONTHS (M)	PRE-FILING	M0	M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12	M13	M14	M15
Pre-filing Engagement Requirements	→																
Project Application Filed and Completeness Determination (Within 1 Month of Application)	→	→	Other Permitting Agencies Can Make Recommendation on Completeness Determination Public Can View Application materials														
Public Notice of Project and Public Comment Hearing (Within 1 Month of Completeness Determination)			→	Other Permitting Agencies Can Petition to Participate in Proceeding as Intervenor Public Can Attend Hearing, Provide Comments, Petition to Participate in Proceeding as Intervenor													
Intervention and Grant Rulings				→													
Preliminary Procedural Conference and Procedural Order					→												
Statement of Recommended Permit Conditions							→										
EFSB Adjudication and Evidentiary Hearings (Including Written Discovery and Briefing)								→									
EFSB Tentative Decision and Comments (Including Staff Drafting and Review)									→								
Board Meeting to vote on Final Decision													→				→