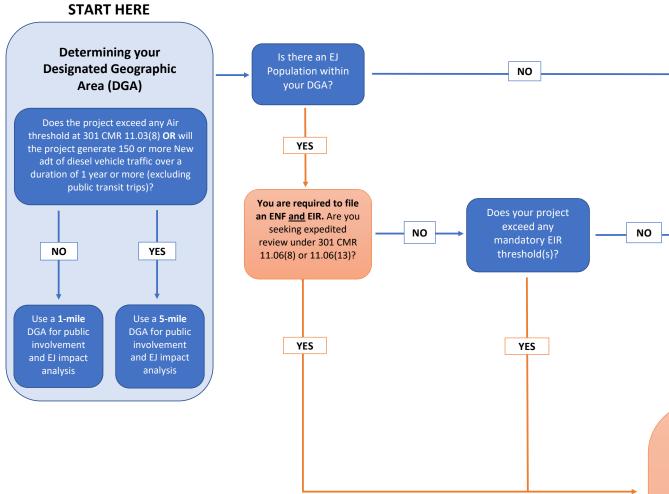
## **Determining the Applicability of EJ Rules and Protocols**



You are required to follow normal MEPA procedure and file an ENF, and an EIR if any mandatory EIR threshold(s) are exceeded. As noted in the ENF form, the ENF must include the following:

- Map of EJ populations within 5 miles of the project site (broken down by 1-mile <u>and</u> 5-mile radius); even if located outside the DGA;
   and
- Completed sections I.A and I.B. of the EJ Section of the ENF Form (even if located outside the DGA). You do not need to complete section III of EJ Section of ENF Form.

In addition to filing an ENF and EIR, you must comply with Part I-III of the MEPA Public Involvement Protocol for EJ Populations. 1\*

Note that the 45-day Advanced Notification described in Section II.A of the Public Involvement Protocol is not required.

The ENF must include the following:

- Completed sections I and II of the EJ Section of the ENF Form (refer to Part I of the EJ Public Involvement Protocol for guidance).
- Completed section III A-C (except III.A.1) of the EJ Section of the ENF form to describe pre-filing outreach conducted to-date (refer to Part II.B of the EJ Public Involvement Protocol for guidance).
- Note that <u>all</u> projects are strongly encouraged to undertake prefiling public engagement activities, <u>independent of</u> providing the 45-day Advanced Notification described in Section II.A of the Public Involvement Protocol is required.
- Additional public involvement requirements will apply after the project is filed with the MEPA Office, including at a minimum, translation of the site visit notice (as described in Section III of the Public Involvement Protocol).

The subsequent EIR must address Part II-IV and Part V (Ecological Restoration, as applicable) of the MEPA Interim Protocol for Analysis of Project Impacts on EJ Populations.<sup>2</sup>

In addition to filing an ENF and EIR, you must comply with Parts I-III of the MEPA Public Involvement Protocol for Environmental Justice Populations.<sup>1\*</sup>

Note that the 45-day Advanced Notification described in Section II.A of the Public Involvement Protocol is required.\*

In addition, the ENF/EENF must include the following:

- Completed sections I-II of the EJ Section of the ENF Form (refer to Part I-II of the EJ Public Involvement Protocol for guidance).
- Completed section III (A-C) of the EJ Section of the ENF form to describe pre-filing outreach (including any community meetings) conducted to-date (refer to Part II.B of the EJ Public Involvement Protocol for guidance).
- Note that <u>all</u> projects are strongly encouraged to undertake prefiling public engagement activities, <u>independent of</u> providing the 45-day Advanced Notification described in Section II.A of the Public Involvement Protocol is required.
- Additional public involvement requirements will apply after the project is filed with the MEPA Office, including at a minimum, translation of
  the site visit notice (as described in Section III of the Public Involvement Protocol).

Additionally, if you are seeking expedited treatment under 301 CMR 11.06(8) or 11.06(13):

If requesting a Single EIR, the EENF must address Part II (Assessment of Existing Unfair or Inequitable Environmental Burden) of the MEPA Interim Protocol for Analysis of Project Impacts on Environmental Justice Populations.<sup>2</sup>

For a Rollover EIR, the proposed EIR must address Part II-IV and Part V (Ecological Restoration, as applicable). The proposed EIR should also include proposed Draft Section 61 Findings for each Agency Action.

- 1. The MEPA Public Involvment Protocol for Environmental Justice Populations can be found at: <a href="https://www.mass.gov/doc/final-mepa-public-involvement-protocol-for-environmental-justice-populations-effective-date-of-january-1-2022/download">https://www.mass.gov/doc/final-mepa-public-involvement-protocol-for-environmental-justice-populations-effective-date-of-january-1-2022/download</a>
- 2. The MEPA Interim Protocol for Analysis of Project Impacts on Environmental Justice Populations can be found at: <a href="https://www.mass.gov/doc/final-mepa-interim-protocol-for-analysis-of-project-impacts-on-environmental-justice-populations-effective-date-of-january-1-2022/download">https://www.mass.gov/doc/final-mepa-interim-protocol-for-analysis-of-project-impacts-on-environmental-justice-populations-effective-date-of-january-1-2022/download</a>

<sup>\*</sup> Any project consisting of one single family home is exempt from the requirements of Part II of the MEPA Public Involvement Protocol for EJ Populations, but must still comply with Part I.