

MEPA Advisory Committee

October 1, 2021, 2:00PM-4:00PM

Remote Meeting

Organizations Represented/In Attendance

- Air, Inc.
- Alternatives for Community & Environment
- American Council of Engineering Companies of MA
- Berkshire Regional Planning Commission
- Boston Harbor Now
- Cape Cod Commission
- Conservation Law Foundation
- Environmental Business Council
- Eversource
- Home Builders & Remodelers Association of Massachusetts (HBRAMA)
- MassAudubon
- Massachusetts Association of Conservation Commissioners
- Massachusetts Municipal Association
- Mystic River Watershed Association
- NAIOP Commercial Real Estate Development Association of MA
- National Grid
- VHB

State agency/authority attendees

- EEA EJ Director
- MassPort
- MBTA
- MassDEP
- MassDOT
- CZM
- EOHEd

Meeting Summary

This meeting continued last week's discussion regarding potential public involvement requirements for MEPA projects located near environmental justice (EJ) populations (as set forth in Section 60 of St. 2021, c. 8). MassPort and MBTA provided an overview of the outreach strategies these authorities use for projects in or affecting environmental justice communities. VHB provided an overview of the process required by the City of Boston.

The MEPA office requested input on whether existing MEPA thresholds (at 301 CMR 11.03) could be used to define project impacts that would warrant enhanced outreach and public involvement. Alternatively, NEPA guidance could be used as model to require enhanced outreach for every project, but tailor the scale of the outreach to the size and complexity of the project. Some committee members expressed support for use of MEPA thresholds to narrow the types of projects that would be required to provide outreach to communities located 1 mile from the project site. However, others expressed a preference for taking a broad approach at the pre-filing stage to require a minimum level of outreach out to a 1 mile radius. Additional outreach could be required based on a more detailed review of project impacts through the EIR process.

The potential to require outreach and engagement based on the level of existing environmental burden in a community was discussed. The lack of an effective screening tool was raised as a potential barrier to implementing this strategy. Some members raised the potential for a standing committee within EOEEA to oversee and provide feedback on the level of outreach needed for particular projects. Similar models in Oakland, CA, and Rhode Island were noted.

As for specific forms of outreach and engagement, committee members emphasized the importance of meaningful involvement by environmental justice communities. It was suggested that the MEPA guidance document provide a menu of options and best practices. Possible methods for identifying specific languages for translation (beyond relying on census tract data) were discussed.

Next Steps

For the October 8, 2021 meeting, the MEPA Office requests that committee members provide specific, written ideas as to the outreach and engagement strategies that could be required through the MEPA process. Committee members are encouraged to consider the wide variety of projects that are reviewed through MEPA (and the varying level of sophistication of project proponents). The goal is to revise the draft MEPA Public Involvement Protocol for EJ Populations by early November and release it for additional public comment. **Written input on the topics above should be provided 24 hours prior to the October 8 meeting.**

The next meeting will focus on the new “EIR requirement” set forth in Section 58 of St. 2021, c. 8, and potential guidance to be issued by the MEPA Office relative to analysis of project impacts on environmental justice populations. An agenda and key questions will be distributed in advance of the meeting.