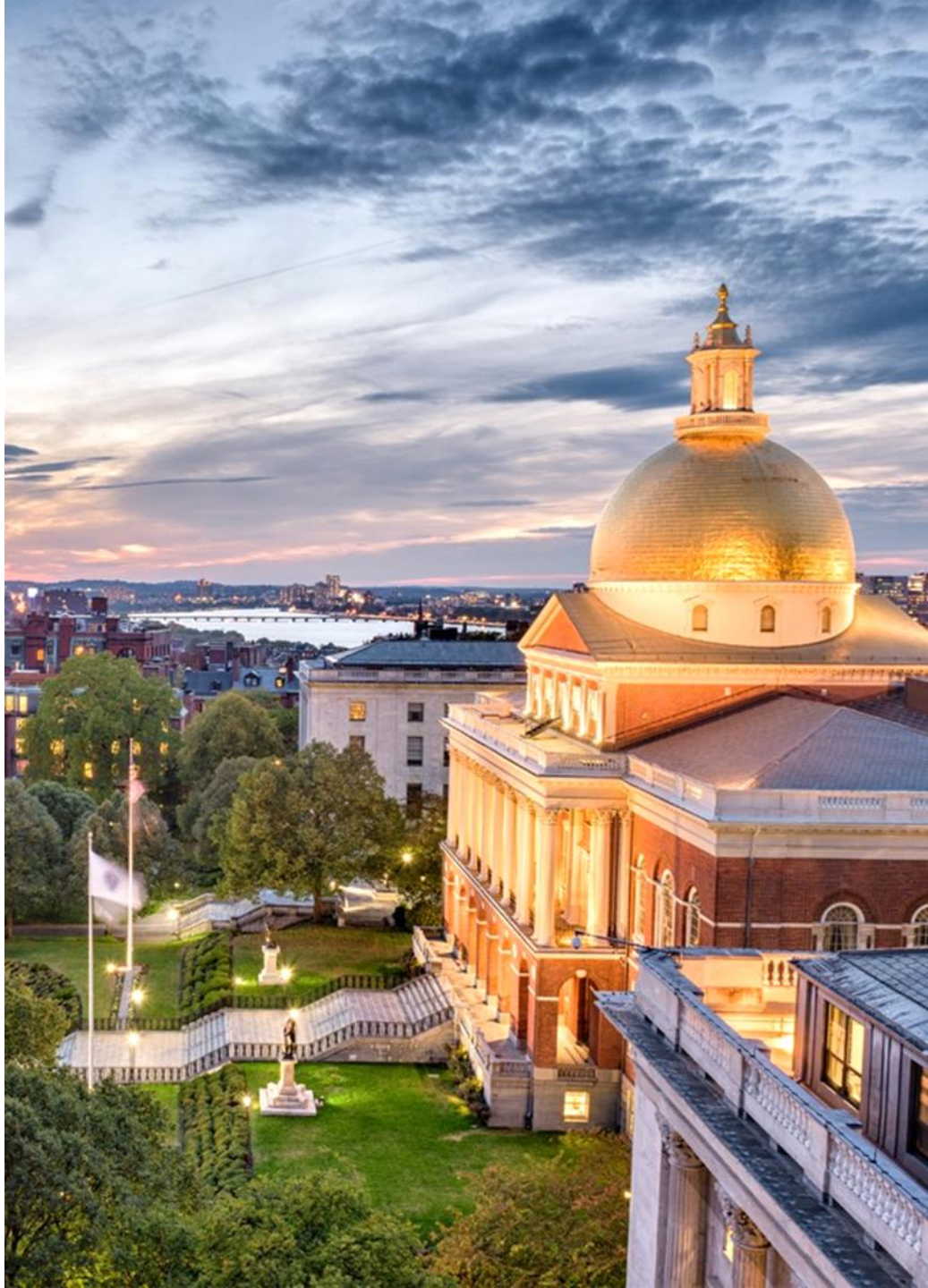
Commonwealth of Massachusetts

Executive Office of
Energy and Environmental Affairs

Overview of Draft Guidance for Site Suitability Assessments and Community Benefit Plans and Agreements

October 9, 2025



Agenda

- **Housekeeping and Agenda**
- **Background on Siting and Permitting Reforms**
- **Overview of Guidelines on Community Benefit Plans and Agreements**
  - Public Comment and Questions
- **Overview of Guidance on Site Suitability Assessments**
- **Demonstration of Site Suitability Criteria Map and MassEnviroScreen Tool**
  - Public Comment and Questions
- **Overview of Public Engagement Opportunities**

Commission on Energy Infrastructure Siting and Permitting

- Commission was established by Executive Order 620
- Required 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.
- Two public listening sessions held and over 1,500 public comments received.
- Recommendations sent to Governor Healey on March 29, 2024.
- The Commission's recommendations were largely passed into law through *An Act promoting a clean energy grid, advancing equity, and protecting ratepayers* (2024 Climate Act), signed by Governor Healey in November 2024.

Consolidated State Permitting

- All state, regional, and local permits for Large Clean Energy Infrastructure Facilities combined into **one consolidated permit** issued by the EFSB.
- All state and local agencies that would otherwise have a permitting role are able to **automatically intervene and participate** by issuing statements of recommended permit conditions.
- All projects must submit cumulative impact analysis as part of application to Energy Facilities Siting Board (EFSB).
- Permit decision must be issued in **less then 15 months** from determination of application completeness.
- EFSB decisions can be appealed directly to the Supreme Judicial Court.

- Applies to generation facilities >25 MW, storage facilities >100 MWh, offshore wind related infrastructure, and large new transmission projects

Consolidated Local Permitting

- Local governments (municipalities and regional commissions such as the Cape Cod and Martha's Vineyard Commissions) **retain all permitting powers for projects not subject to review by the EFSB**.
- Local governments **may continue to run separate approval processes** concurrently (e.g., wetlands, zoning, etc.), but are required to **issue a single permit** that includes individual approvals for clean energy infrastructure.
- Permit decision must be issued in **within 12 months**.
- Local governments can refer permitting review directly to the EFSB if they do not have sufficient resources.
- Permit applications can also be reviewed by EFSB following a local government's final decision if a review is requested by parties that can demonstrate they are substantially and specifically impacted by the decision, then further appealed directly to the Supreme Judicial Court.
- Department of Energy Resources (DOER) is responsible for **creating a standard municipal permit application and a uniform set of baseline health, safety, and environmental standards** to be used by local decision makers when permitting clean energy infrastructure.

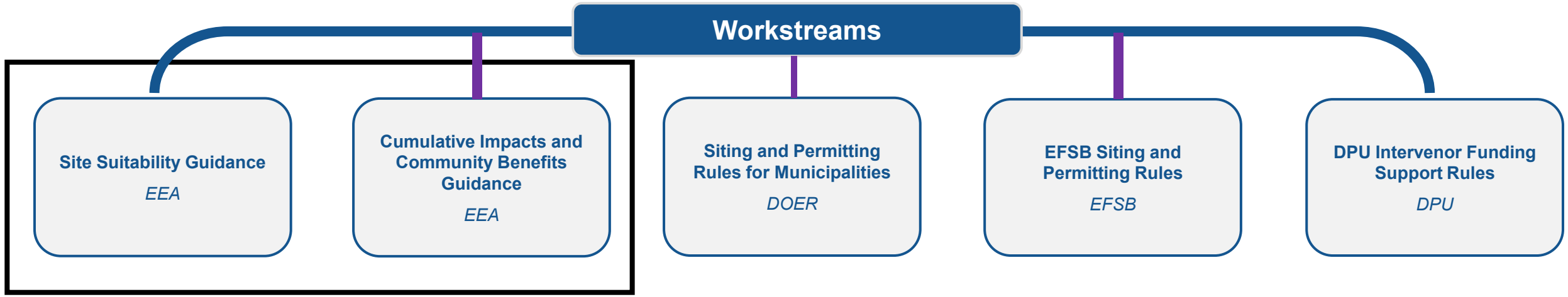
- Applies to generation facilities <25 MW, storage facilities <100 MWh, and non-EFSB jurisdictional transmission and distribution projects

More Meaningful & Just Community Engagement

- Formal establishment of the Office of Environmental Justice and Equity in statute, with a specific mandate to develop guidance regarding community benefits agreement and cumulative impact analyses.
- First-ever mandatory community engagement requirements, including documentation of efforts to involve community organizations and demonstration of efforts to develop community benefit agreements.
- New Division of Public Participation at DPU to assist communities and project applicants with engagement and process questions in DPU and EFSB proceedings.
- New Division of Siting and Permitting at DOER to assist communities and project applicants with engagement and process questions in local permitting.
- Intervenor financial support is available to under-resourced organizations that wish to participate in an EFSB proceeding and are granted intervenor status. Municipalities with a population of 7,500 or less are automatically eligible for financial support.

Roles and Responsibilities

- There are five workstreams that stem from the bill that are being administered by three different agencies: EEA, DPU, and DOER.
- All three agencies are in close communication with each other, and other state agencies that have significant energy permitting roles have also been consulted as proposals are being developed.
- Regulations are required to be promulgated by March 1, 2026.
- In Spring 2025, the agencies held stakeholder sessions to provide information to the public on implementation, receive comments, and take questions on numerous straw proposals. More information is available on the 2024 Climate Act Stakeholder Sessions webpage.



Community Benefit Plans & Agreements

Executive Office of Energy and Environmental Affairs (EEA)
Office of Environmental Justice and Equity (OEJE)
October 9, 2025

Community Benefit Plans & Agreements

- As required by the **2024 Climate Act**, OEJE released standards and guidelines on September 12, governing the potential use and applicability of community benefit plans and agreements.
- **Community Benefit Plan (CBP):** A non-legally binding document which outlines how a project will engage with and benefit local communities during development and operation of an energy facility.
- **Community Benefit Agreement (CBA):** A legally binding, negotiated agreement between a project applicant and a community, often represented by a coalition of community groups or a local government body, which outlines benefits the communities will receive.
- As part of a project's application to the relevant permitting authority, applicant may identify and discuss any efforts enter into a community benefit plan or agreement.

Community Benefit Plans vs. Community Benefit Agreements

While both CBPs and CBAs outline benefits for the community, they differ in purpose, enforceability, and scope.

Community Benefit Plans (CBP)	Community Benefit Agreements (CBA)
• **Non-binding** plan of commitments	• **Legally binding** contract
• Submitted with permit application	• Negotiated between developer and community representatives
• Outlines proposed benefits	• Enforceable obligations
• Guides transparency and accountability	• Provides legal recourse if breached

Community Benefits

- A meaningful CBP and CBA delivers benefits that are tangible, tailored and accountable:
    - Tangible, lasting outcomes that respond to community priorities
    - Vary by project; tailored to project size, local needs, and impacts
    - Identified early through collaboration with impacted communities
    - Include clear commitments, timelines, and measurable results
    - Complement, but do **not replace**, required mitigation measures.

- With these elements in mind, benefits typically fall into four broad categories – EJ & Equity, Economic Development and Workforce Creation, Infrastructure and Community Support, and Environmental and Public Health Protections.

Categories of Community Benefits

1. **EJ and Equity:** Addressing historical harms, reducing environmental burdens, and ensuring that the most burdened communities receive priority access to energy and environmental benefits, clean energy, and public health protections.

2. **Economic Development and Workforce Creation:** Creating good-paying, accessible jobs for local residents, supporting small and minority-owned businesses, and building long-term economic opportunities.

3. **Infrastructure and Community Support:** Investing in the physical and social infrastructure that communities need to thrive - such as affordable housing, transportation access, broadband, or childcare facilities.

4. **Environmental and Public Health Protections:** Protecting people's health and the natural environment through preservation efforts, pollution prevention and controls, land and habitat restoration, and climate resilience measures.

Turning Commitments into Action

A well-structured CBP should:

- Clearly describe each proposed benefit, including what is being delivered and who it is intended to serve.
- Provide a clear timeline for delivery, aligned with project phases (i.e., pre-construction, construction, operations).
- Identify responsible parties for implementation.
- Outline the funding sources and budget for each benefit, providing transparency into how resources are allocated and sustained.
- Include **SMARTIE** milestones for each commitment, ensuring that goals are:

Specific // Measurable // Achievable // Relevant // Time-Bound // Inclusive // Equitable

Step-by-Step: How to Develop a Strong CBP

While every community is different and may require different needs, this structure ensures a consistent approach to transparency, inclusion, and accountability. Each step is intended to be flexible enough to adapt to local context, while rigorous enough to ensure the process leads to real, measurable community benefits.

1. **Stakeholder Mapping and Community Identification**
2. **Develop a Community Engagement Plan**
3. **Conduct Pre-Filing Community Outreach**
4. **Co-Create Benefit Commitments**
5. **Develop a Written, Public CBP**
6. **Formalize Accountability**

Examples of Effective & Meaningful Commitments

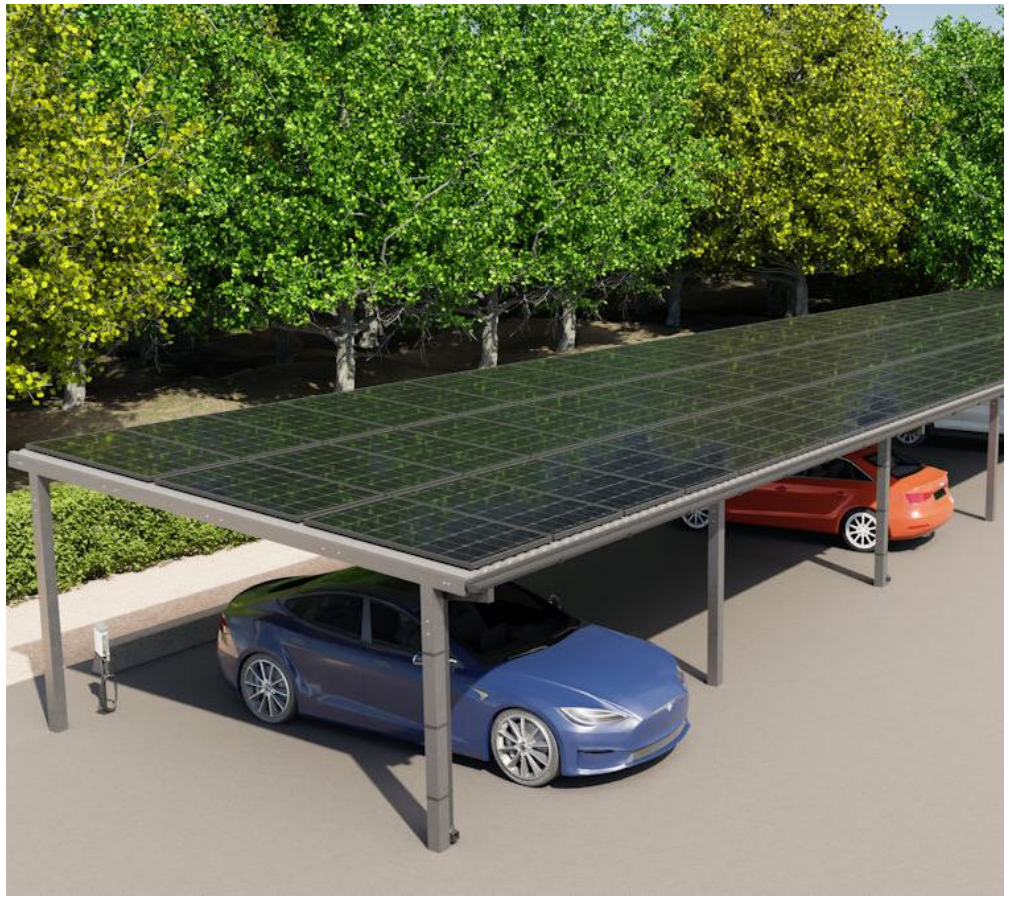
Commitments made will depend on the type and size of the project, the impacts on the community and be adapted to the context of each community's goals and challenges.

Category	Examples
Environmental Justice and Equity	• Funds for the installation of air quality monitors and a community-led environmental health monitoring program. • Create a local liaison role to keep communication open during construction and operation
Economic Development and Workforce	• Implement training and apprenticeship programs • Hire local contractors for construction and maintenance
Infrastructure and Community Support	• Co-invest in road, sidewalk, or port upgrades needed for project logistics that also benefit the community • Incorporate public electric vehicle charging stations, powered by the facility, offered free or at reduced rates for local residents
Environmental and Public Health Protections	• Implement comprehensive habitat restoration or conservation offsets for disturbed land • Provide noise-reducing design features for facilities near homes

Public Comment

Guidance on Site Suitability Assessments

Site Suitability Assessments



- As required by the 2024 Climate Act, on September 12 EEA released guidance including a methodology for determining the suitability of sites for energy infrastructure, and recommendations for using the methodology in the review of applications for consolidated permits by the EFSB and local governments.

- Site suitability assessments are intended to:
  - Encourage energy infrastructure development in desirable areas, including in the existing built environment or previously developed/low conservation value lands;
  - Avoid, minimize, and mitigate impacts to ecologically important natural and working lands; and,
  - Ensure communities who already bear a disproportionate environmental and public health burden do not carry a disproportionate burden of energy infrastructure;
  - Ensure the long-term viability of solar and storage development in the Commonwealth; and,
  - Support the issuance of consolidated state and local permits by serving as a screening tool for developers and a tool that informs the permitting agency's final decision.

- Clean Energy Infrastructure Facilities applying to the EFSB or municipalities for consolidated permits will be required to complete a Site Suitability Assessment, with certain exceptions.

- 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.

Applicable Facilities

Applicable Facilities

- Most clean energy generation and storage facilities applying for a consolidated permit issued by the EFSB or local government
- All transmission and distribution facilities applying for a consolidated permit that are located in a “newly established public right of way”

Non-Applicable Facilities

- All transmission and distribution facilities applying for a consolidated permit that are NOT located in a “newly established public right of way”
- Facilities applying for a consolidated permit issued by the EFSB that are required to complete a Cumulative Impact Analysis (CIA)
- Small clean energy generation facilities that:
  - Have a site footprint of less than one acre
  - Are a solar facility with a nameplate capacity of less than or equal to 25 kW, or;
  - Are a Behind-the-Meter facility with a nameplate capacity of less than or equal to 250 kW.

Offshore linear infrastructure is not required to complete the Site Suitability Assessment scoring framework but should be considered highly unsuitable if passing through Protected Areas identified in state’s Ocean Management Plan.

Methodology

- The Site Suitability Assessment uses a scoring framework that evaluates certain social and environmental criteria using publicly available datasets and tools.

- EEA proposes calculating for each 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 (climate change resilience, carbon, biodiversity, agriculture, social and environmental burdens).
    - Calculated using criteria-specific methods using project footprint, geospatial data, and other information to reflect anticipated impacts or exposure in site footprint.

  - **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).

  - A **Total Site Suitability Score**, which represents how suitable a site is for a given energy infrastructure project across all criteria and score modifiers

Criteria-Specific Suitability Scores

Criteria	Scoring Method Summary	Possible Points
Climate Resilience	Highest exposure ratings for (1) riverine flooding and (2) coastal flooding hazards	0 to 5
Carbon Storage and Sequestration	Total ecosystem carbon storage, plus 50-year sequestration potential.	0 to 5
Biodiversity	Overlap with specific Biomap elements and NHESP Priority Habitat, as well as ecological integrity value	0 to 5
Agricultural Resources	Overlap with areas designated as: (i) Prime Farmland; (ii) Farmland of Statewide Importance; and (iii) Farmland of Unique Importance, with greater weight given to areas under active agricultural use.	0 to 5
Social and Environmental Burdens	Overlap with MassEnviroScreen Score	0 to 5
All	Total:	0 to 25

Lower suitability scores (0-2) = more suitable, lower impact/exposure locations; expect few, modest minimization/mitigation measures
Higher suitability scores (4-5) = less suitable, higher impact/exposure locations; expect more, substantial minimization/mitigation measures

Climate Change Resilience

- Climate change resilience will be assessed based on exposure of the site to two climate hazards: (1) riverine flooding; and (2) coastal flooding from sea level rise and storm surge.
- Exposure will be measured using the ResilientMass *Climate Resilience Design Standards Tool*.
- The *highest exposure rating* derived from the tool for either of the two hazards will be used to determine the suitability score for climate change resilience, according to the following table.

Highest Exposure Rating for riverine flooding and/or coastal flooding hazards	**Suitability Score for Climate Change Resilience**
Not Exposed	0.0
Low Exposure	2.0
Moderate Exposure	3.5
High Exposure	5.0

Carbon Storage and Sequestration

- Carbon storage and sequestration will be assessed based on 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.
- Statewide quantiles of total ecosystem carbon in 2070 from National Forest Carbon Monitoring System data will be used to score for higher carbon areas (forests).
- Annual NLCD land cover data will be used to distinguish land with lower levels of carbon storage.
- Scores are calculated by:
  1. Identifying the ecosystem carbon index values of 30m grid cells centered inside the Site Footprint; and
  2. Calculating the average of these ecosystem carbon index values.

Land Cover (Annual NLCD)	**Total Ecosystem Carbon** (NFCMS *Total Ecosystem Carbon in 2070*)	**Ecosystem Carbon Index**
Developed (excluding Developed Open Space)	Assumed to be minimal	0.0
Undeveloped (including Developed Open Space)	<=200 $MgCO_2e$/acre	1.0
Undeveloped (including Developed Open Space)	>200 $MgCO_2e$/acre	1.0 to 5.0, rescaled from NFCMS *Total Ecosystem Carbon in 2070*

Biodiversity

- Biodiversity will be assessed based on site-specific values of a biodiversity index that integrates Biomap, NHESP Priority Habitat, and UMass CAPS Index of Ecological Integrity (see table). The biodiversity index is mapped to 30m grid cells across the state.

- Scores are calculated by:
  1. Identifying the biodiversity index values of grid cells centered inside the Site Footprint
  2. Calculating the average of the highest 25% of these biodiversity index values.

Biodiversity Criteria	Biodiversity Index / Suitability Score
Not in BioMap elements/components or Priority Habitat	0.0 to 2.0, scaled to CAPS Index of Ecological Integrity
In BioMap Regional Connectivity component and *not* in Critical Natural Landscape, Core Habitat, or Priority Habitat	2.5
In BioMap Critical Natural Landscape and *not* in Core Habitat or Priority Habitat	3.5
In BioMap Core Habitat and *not* in Priority Habitat	4.5
In Priority Habitat	5.0

Agricultural Resources

- Agricultural resources will be assessed based on site-specific values of an agricultural resources index that integrates NRCS farmland soil classes for Massachusetts and agricultural land use estimated from Annual NLCD land cover data (see table). The agricultural resources index is mapped to grid cells across the state.

- Scores are calculated by:
  - Identifying the agricultural resources index values of grid cells centered inside the Site Footprint; and
  - Calculating the average of the highest 50% of these agricultural resources index values.

- Dual-use solar facilities and anaerobic digesters designed to process farm-related organic waste will automatically receive a 0 regardless of agricultural resources index.

Farmland Soils Class	**Land Cover** (Annual NLCD)	**Agricultural Resources Index / Suitability Score**
Any	Developed	0.0
None	Other Undeveloped	0.0
Farmland of Unique Importance	Other Undeveloped	1.0
Farmland of Statewide Importance	Other Undeveloped	2.0
None	Agriculture (Cultivated Crops, Pasture/Hay)	2.5
Prime Farmland Soils	Other Undeveloped	3.0
Farmland of Unique Importance	Agriculture (Cultivated Crops, Pasture/Hay)	3.0
Farmland of Statewide Importance	Agriculture (Cultivated Crops, Pasture/Hay)	4.0
Prime Farmland Soils	Agriculture (Cultivated Crops, Pasture/Hay)	5.0

Social and Environmental Burdens

- The social and environmental burdens criteria will be assessed by examining a facility's site footprint and its intersection with the scores established for each census block group in the MassEnviroScreen tool.
- MassEnviroScreen identifies the most environmentally vulnerable or burdened communities in Massachusetts based on a cumulative impact score that incorporates exposure to pollution and additional public health and income criteria.
- Each census block receives a unique score that corresponds to the percentile in which it falls statewide with respect to the relative scale of social and environmental burdens that the community experiences as compared to other communities.

MassEnviroScreen Score	Suitability Score for Social and Environmental Burdens 0.0 = lowest impact 5.0 = highest impact
Below 10	0.0
10 – 29.9	1.0
30 – 49.9	2.0
50 – 69.9	3.0
70 – 89.9	4.0
90 and above	5.0

Score Modifiers

Site Suitability Criteria	Data Source	Scoring Method
Development potential	Pre-determination letters obtained from DOER (for Solar Canopies, Brownfields, Eligible Landfills, and Previously Developed Lands only)	Automatic Total Site Suitability Score of 25: Located in Protected Open Space 1-point subtraction: Located in a Capital Investment Project (CIP) investment area 0-points for all Criteria-Specific Site Suitability scores (except Climate Change Resilience): Solar Canopies or Applicable Facilities located on a Brownfield, Eligible Landfill, or Previously Developed Lands
Social and environmental benefits	Signed agreements between host municipality and Applicable Facility	Projects can subtract one (1) point from their score for providing certain social and environmental benefits up to a total of five (5) points, if agreed to by the host municipality.

Development Potential

- Development potential will be scored based on whether the site meets the requirements of certain types of highly suitable or highly unsuitable categories of land.

- Solar Canopies and facilities that are located on a Brownfield, Eligible Landfill, or Previously Developed Lands will automatically have five (5) points subtracted from their Total Site Suitability Score.

- Distributed generation projects located in a CIP area will automatically have one (1) point subtracted from their Total Site Suitability Score.

- Facilities that overlap with Protected Open Space will automatically receive a Total Site Suitability Score of 25.
    - Transmission and distribution facilities crossing through Protected Open Space may apply for a waiver if they can demonstrate no other suitable route or location exists.

Social and Environmental Benefits

- A social and environmental benefits score can be calculated to reflect any social and environmental benefits provided by the project. Projects can have one (1) point subtracted from their Total Site Suitability Score, up to a total of five (5) points, for demonstrating each of the following benefits:
  - Improves local habitat;
  - Improves outdoor air quality by displacing emitting source;
  - Creates expanded recreational opportunities;
  - Funds publicly available EV charging stations;
  - Applies community solar bill credits to electric utility customer accounts or otherwise lowers energy costs in the host municipality;
  - Establishes cultural easements, in partnership with tribal and indigenous communities;
  - Creates or maintains local jobs;
  - Has pollinator-friendly design; or
  - Other benefits which improve quality of life, as prioritized by the host community.

- Facilities that wish to apply for a social and environment benefit criteria score subtractor must coordinate with the host municipality. If the host municipality and facility agree upon one or more benefits, they can sign an agreement, which will modify the Total Site Suitability Score and result in binding conditions in the permit.

Score Determination

Initial Pre-Filing Stage

Applicant estimates own score.

Applicant provides estimated score to stakeholders during pre-filing engagement.

Prior to filing permit application

Applicant provides documentation to Site Suitability Score Reviewer, which issues a score determination within 30 days.

If score is disputed

Applicant or affected party may request a score review with EFSB or DOER, depending on type of permit.

Recommendations for Use by EFSB

- Projects that are required to complete a Cumulative Impact Analysis will not be required to complete a Site Suitability Assessment.
- The EFSB should incorporate the elements of the site suitability criteria (e.g., carbon sequestration, habitat, etc.) in its CIA and Route and Site Scoring analyses as feasible.
- The EFSB is recommended to consider the Total Site Suitability Score in its decisions alongside other aspects of the project.
- The Total Site Suitability Score should be considered in the context of the project's design plan and planned mitigation measures.
- The EFSB should use the criteria-specific suitability scores as a resource to determine if minimization or environmental mitigation measures should be required for a project to receive a consolidated permit.

Recommendations for Use by Local Governments

- Municipalities are recommended to consider a project's Total Site Suitability Score and Criteria-Specific Suitability Scores when determining permit conditions.
- Sites with a Total Site Suitability Score below a certain level should be assumed to be highly suitable and require minimal to no mitigation, regardless of Criteria-Specific Suitability Scores.
- Municipalities should use the criteria-specific suitability scores as a resource to determine if minimization or environmental mitigation measures should be required for a project to receive a Consolidated Local Permit.
- The level and type of mitigation measures required should be based on the Criteria-Specific Site Suitability score. Requirements should be relevant to the category in which the score was assessed.
- DOER released its Guideline on Minimization and Mitigation Measures this week to provide guidance regarding qualifying minimization and mitigation measures for impacts identified in site suitability assessments.

Criteria Score Range	Suitability (for specific criteria)	Interpretation (for specific criteria)
1 or less	Highly suitable, minimal impact	No minimization or mitigation measures required
1 to 2	Suitable, low impact	Modest minimization and/or mitigation measures may be required
2 to 3	Moderately suitable, moderate impacts	Minimization and/or mitigation measures likely required
3 to 4	Not very suitable, moderate to high impact	Significant minimization and/or mitigation measures likely required
4 to 5	Unsuitable, high impact	If permitted, will generally require extensive minimization and/or mitigation

Maps Demonstration

Example Project Scoring: Auburn Solar Facility

	Criteria	Project Site Status	Score
Criteria-specific suitability scoring	Climate Resilience	Highest exposure rating: Low Exposure for riverine flooding	2.0
	Carbon Storage and Sequestration	Footprint is mostly Developed land cover class, with minimal ecosystem carbon storage potential	0.3
	Biodiversity	~25% of footprint overlaps with BioMap Critical Natural Landscape; the remainder with BioMap Regional Connectivity	3.5
	Agricultural Resources	Footprint is mostly Developed land cover class, with minimal agricultural potential	0.1
	Social and environmental burdens	Census block group has lower than median pollution burden and sensitive population characteristics, with MassEnviroScreen score = 22.5	1.0
		Sub-Total	6.9
Score modifiers	Development potential	Not Protected Open Space, in a Capital Investment Project area, Solar Canopies, Brownfield, Eligible Landfill, or Previously Developed Land.	
	Social and environmental benefits	Signed agreement between host municipality and applicant agreeing that the project has a pollinator-friendly design	-1.0
		Total Score:	**5.9 / 25**

Public Comment

Siting and Permitting Public Engagement Calendar

OCT/NOV 2025

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
28	29	30	1	2	3	4
5	6 **DOER Info Session (Bourne)**	7 **DOER Info Session (Danvers)**	8 **DOER Info Session (Fitchburg)**	9 **DOER Info Session (Amherst)** **EEA Webinar on Site Suitability and CBA Guidance**	10	11
12	13	14	15 **DOER Public Hearing (Virtual)**	16	17 **DOER Written Comments Deadline**	18
19	20	21	22	23	24 **EEA Written Comments Deadline**	25
26	27 **EFSB/DPU Public Hearing (New Bedford)**	28	29 **EFSB/DPU Public Hearing (Pittsfield)**	30	31	1
2	3 **EFSB/DPU Public Hearing (Boston)**	4	5 **EFSB/DPU Public Hearing (Lynn)**	6	7 **EFSB and DPU Written Comments Deadline**	8

Thank You

- Information on the regulations, process and public engagement opportunities can be found at: www.mass.gov/energypermitting

- Questions can be directed to energypermitting@mass.gov