



August 5th, 2024

Colorado Electric Transmission Authority
165 S. Union Boulevard
Suite 785
Lakewood, CO 80228

RE: Principles of Community Engagement

Dear CETA Board of Directors:

Clean Air Task Force (CATF) is pleased to offer comments in response to the Colorado Electric Transmission Authority's (CETA's) Principles of Community Engagement.

CATF is a nonprofit organization working globally to safeguard against the worst impacts of climate change by catalyzing the rapid development and deployment of low-carbon energy and other climate-protecting technologies. We offer the following comments for consideration:

Introduction

Community engagement is a crucial component of any development process. Siting transmission can be particularly challenging given that a single line can cross public and private land and span multiple communities, land uses, ecosystems, and landowners. The process of siting transmission lines is highly complex, giving rise to challenges in meaningful community engagement. CATF commends CETA for its recognition of the importance of meaningful community engagement and its commitment to a thoughtful set of principles to guide future transmission development in the state.

We recognize the value of the guiding set of principles and appreciate that CETA sets many of the actions identified throughout the document as requirements. As a next step, we encourage CETA to develop additional resources with specific actions developers can take to meet broader requirements as well as metrics project sponsors can use to monitor progress toward effective implementation. For example, CETA can develop a guidebook for developers to follow as they write their community benefits plans, or it can identify specific metrics developers can use to evaluate inclusivity and diversity efforts. Gridworks has already compiled many of these actions and metrics in their literature review prepared for CETA, and we reference additional resources throughout these comments.¹ Providing further guidance through resources will ensure accountability from developers toward the requirements and that the principles are upheld.

In response to each of the categories in the draft principles, we provide the following comments:

¹ Gridworks. (April 2024). *Electric Transmission Development and Community Engagement: Literature review and best practices*. <https://gridworks.org/wp-content/uploads/2024/04/CETA-Community-Engagement-Toolkit-Lit-Review.pdf>

Information Sharing

The requirements presented as part of developing transparent, credible, and open processes cover the essentials of what must be required of project partners. We appreciate CETA's commitment to formalizing these as requirements and encourage CETA to hold project partners accountable. We also recommend CETA create guidance materials on how to implement the requirements, which should be included as part of the additional resources mentioned above. We encourage CETA to consider adding the following items to the required actions or guidance on information sharing.

- **Process Documentation and Public Information Repository:** Public information should be made readily available to communities via centralized and accessible online platforms. These sites should be well socialized with communities and include the comprehensive engagement plans, information on pre-application information sessions, language services, documentation of public input, fair landowner compensation methodology, dispute resolution processes, and other documents identified throughout the draft Community Engagement Principles. These sites should also include non-project specific educational resources for the public, such as FAQs and factsheets on what transmission infrastructure is and general information on the development process.
- **Trusted Third-Party Entities:** To ensure the public trusts the process, encourage project developers to contract with trusted third-party entities who can speak more generally to questions about the infrastructure itself during information sessions and early community engagement. In line with recent research on siting renewable energy projects, the most trusted entities tend to be other communities that have hosted infrastructure that can share their experience or energy advocacy organizations.²
- **Project Points of Contact:** In addition to the proposed requirement to identify points of contact, project developers should ensure that their project contacts are available and willing to meet with community members through various avenues including one-on-one conversations, phone calls, group meetings, site visits, etc. Ideal contacts have a strong presence in the community and a deep knowledge of existing community concerns and issues.

Communication

Meaningful opportunities for community engagement are a well-recognized avenue toward improved outcomes for both communities and infrastructure developers. We support CETA's proposed communication requirements that address actions every developer must take, with the recommended additions noted below. We also encourage CETA and project developers take additional measures beyond the requirements to ensure effective community engagement, which CETA can incorporate in guidance resources.

- **Pre-Application Information Sessions:** We support the requirement that developers hold pre-application listening sessions with communities as an early opportunity for information sharing.
- **Inclusivity and Diversity:** We encourage more specificity on the requirement of inclusive and diverse engagement practices. We recommend that CETA provides guidance on specific actions developers can take in follow-up materials on this topic. While inclusivity and diversity should be central to effective communication, principles of equity and justice should be more strongly incorporated throughout the other principles. We suggest aligning with Justice40 principles and using the metrics developed as part of DOE's Community Benefits Planning Guidance in

² Lawrence Berkeley National Laboratory. (April 2024). *New research yields insights into attitudes and perceptions of large-scale solar project neighbors*. <https://emp.lbl.gov/news/new-research-yields-insights-attitudes-and-perceptions-large-scale-solar-project>

resources and requirements for effective planning, engagement, and monitoring of CETA's projects. These metrics and actions are listed under "Implementing Justice40 Initiative" on DOE's Community Benefits Plans Webpage.³

- **Flexibility in Project Design:** To allow for flexibility in project design, it is most effective to begin outreach early in the design and routing stage when communities may still be able to influence, where feasible, the proposed route, locations of proposed infrastructure on the landscape, and design characteristics. One option is to present several realistic and achievable design options, or alternatives, to communities as a starting point for discussion while still within the feasibility of the project needs. All presented options should be both realistic and achievable to avoid intentionally or unintentionally steering communities toward the only 'good' option.
- **Land Agent Code of Conduct:** In addition to developing a land agent code of conduct, we suggest encouraging developers to hire a locally respected, trained facilitator or community engagement specialist who might better be able to respond to the community concerns as a part of the conversations with impacted landowners. As the first point of contact a landowner may have with the project, it is important to hire someone who understands the local culture, context, and norms and is trusted by the community.
- **Language Services and Accessibility:** In addition to providing language services at events, we also encourage publicly available translations of written materials when the impacted community has significant⁴ non-English speaking populations. These should be made available in the public information repository above. Community engagement events should also be ADA accessible to ensure all community members can fully participate.
- **Documentation of Public Input:** In addition to documenting public input, we encourage project sponsors to document the modifications or changes undertaken in response to engagement with the community. Doing so will help communities see the results of their engagement, while also holding developers accountable.

Community Benefits

Community benefits can mitigate project harms, enhance project benefits, or provide other means to help communities achieve long-term social or economic goals. We suggest a stronger emphasis in the principle statement to be clear that CETA is advocating for developers to deliver meaningful benefits to communities on all projects. We recommend rephrasing the principle statement to 1) clarify that CETA is advocating for meaningful benefits to host communities and 2) advocate for additional resources for communities to fully participate in the decision-making process. CETA should encourage developers to employ a range of means to deliver community benefits including negotiated benefits with community organizations or local governments, workforce agreements, community infrastructure development, service improvements, or direct compensation. Encouraging a wide range of benefits will ensure that benefits materialize beyond the planning phase of a project and more completely address impacts that occur during the project's lifespan through development, construction, maintenance, and potential future upgrades.

We recognize it may not be feasible to require community benefits for every project. Instead, we suggest requiring project sponsors to describe potential community benefits and a plan for determining what benefits will be committed to in their Comprehensive Engagement Plans. This could include an overview of anticipated positive and negative impacts from a project and potential actions the project sponsor could

³ U.S. Department of Energy. *About Community Benefit Plans*. <https://www.energy.gov/infrastructure/about-community-benefits-plans>

⁴ The Department of Justice uses a threshold of 5% or 1,000 persons, whichever is less, of a population speaking a language to determine when documents are translated; <https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/DOJFinLEPFRJun182002.pdf>

take, through community benefits agreements or other means, to mitigate or enhance those impacts. As well, developers should identify community organizations, governments, or other entities with who they will engage to determine benefits.

- **Self-determination of Benefits:** We greatly appreciate the inclusion of community self-determination as part of the principle. Self-determination ensures benefits can have the greatest impact on a community and can drive progress towards long-term community goals. In developing guiding principles for community benefits in California’s San Joaquin Valley, we repeatedly heard from communities and local organizations about the value of community self-determination.⁵ We encourage adding further specificity on the mechanisms project sponsors could employ, such as providing a one-time grant to community foundations in each community along the transmission line, who may then choose how to disburse funds.
- **Third-Party Advisory Resources:** Third-party advisors and trusted entities could be required as part of the “information sharing” principle in addition to providing guidance to communities engaging in community benefits negotiations.

Accountability

Accountability is a critical aspect of community engagement. It is promising that community engagement is increasingly a priority for clean energy development. However, if promised actions are poorly implemented, or if follow-through is lacking, there could be unintended consequences. If community engagement is treated or perceived as a “check the box” exercise, or if efforts fail to make communities feel meaningfully understood and sufficiently integrated into the process and final decision, a project may be more likely to face community opposition. Likewise, community engagement should remain a priority throughout all stages of a project’s lifespan. Clearly defined paths to ensure project sponsors are accountable are therefore crucial.

- **Clear Monitoring Metrics:** CETA should clarify whether CETA or the developer is responsible for developing and evaluating the required monitoring metrics on project commitments. CETA should also clarify what role the Authority will play in monitoring developer progress toward all the requirements in the draft Community Engagement Principles, and what actions will be taken if developers fail to meet requirements. We also encourage CETA to develop clear monitoring metrics to be included in our recommended guidance documents that developers can use to evaluate their implementation.
- **Dispute Resolution Process:** Similarly, we suggest that CETA clarify who is responsible for establishing the dispute resolution process. Information about this process, and contact information for assistance, should be made available to communities along with other information provided at the start of a project.

Conclusion

CATF appreciates CETA’s commitment to developing a robust set of community engagement principles. We strongly encourage CETA to develop additional guidance materials with specific metrics and actions that can support project sponsors in their implementation of these principles. We thank you for your consideration of these comments and look forward to future opportunities to participate in CETA’s process.

⁵Clean Air Task Force. (April, 2024). *An Exploration of Options and Opportunities for the San Joaquin Valley’s Clean Energy Future*. <https://cdn.catf.us/wp-content/uploads/2024/04/22145139/San-Joaquin-Valley-Clean-Energy-Transition.pdf>

Sincerely,

Natalie Manitius

Clean Energy Siting Associate, Clean Air Task Force

nmanitius@catf.us