



**Data for Progress Response to Request for Public Comment from Colorado Electric Transmission Authority on Draft Principles for Community Engagement on Transmission Development**

August 2, 2024

Dear Maury Galbraith,

Data for Progress submits these comments to the Colorado Electric Transmission Authority (CETA) on its request for public comment on its draft principles for community engagement on transmission development. Data for Progress (DFP) is a national think tank and polling firm which utilizes quantitative and qualitative research methods to analyze public opinion around elections, issues, and policies. DFP has a wealth of experience studying the public understanding and response toward community engagement in the development climate and energy projects, offering key insights about community perspectives and needs on the ground.

Our comments build on our work at the intersection of climate policy and community engagement, including published [reports and articles on community benefits](#) and [community engagement within climate infrastructure development](#), as well as ongoing research efforts. In the comments below, we lay out recommendations for CETA's principles for community engagement.

We greatly appreciate CETA's efforts and intentional engagement with the public throughout the design of these draft principles, and we believe they take great strides in moving the needle forward for community engagement and benefits in the transmission sector. These principles will undoubtedly shape future efforts to embed community engagement and input at the heart of social and economic development. Thank you again for the opportunity to share feedback.

Sincerely,  
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## INFORMATION SHARING

**Principle 1: Require a transparent, credible, and open process.** To build a credible stakeholder and community engagement process, CETA will require its partners to engage in open communication about projects and their impacts, provide access to fact-based educational materials and other resources, and provide an open and transparent exchange of information.

CETA's minimum requirements include:

- **Process Documentation:** Maintain thorough documentation of all steps leading to project decisions, including meeting notices, agendas, summaries, public input opportunities, and supporting technical information.
- **Public Information Repository:** Create and maintain a publicly accessible repository of project information, including a project timeline with highlighted public engagement opportunities.
  - *DFP comment:* CETA should ensure all information included in the public information repository is translated into relevant languages spoken by Coloradans to ensure language accessibility. This publicly-accessible repository should be updated with timely, clear information about relevant projects, as well as CETA's principles for community engagement on transmission development, so communities are informed about what is included within these principles and what engagement they should expect throughout the project process.
- **Timely Updates:** Provide regular and timely updates on project status to local communities and affected stakeholders.
  - *DFP comment:* CETA should specify what mediums project developers should use to share project updates, including, but not limited to web, newspaper and popular media sources, flyers, and more. CETA should ensure such updates are language accessible. For any public events, requests for comment, or other opportunities for public input, CETA should require developers to offer as much advance notice as is feasible to impacted Coloradans so that meetings are as inclusive of all community members as possible, particularly those who may have childcare needs, work, or other obligations that impede their ability to participate in public processes.

- **Project Points of Contact:** Clearly identify project points of contact for community questions and stakeholder feedback.
  - *DFP comment:* CETA should consider requiring developers not only to identify and provide a clear point of contact for community questions and stakeholder feedback about a project within their own offices, but also to identify who can serve as an external point of reference for any concerns raised about the developer or project itself, such as a community engagement contact within CETA or the Colorado Public Utilities Commission.
  
- **Transparency about Other Infrastructure Projects:** Inform the public about other facilities project sponsors build, own, or operate.

## COMMUNICATION

**Principle 2: Require meaningful engagement with local communities.** To ensure that local input is integrated into the decision-making process, CETA will require its partners to conduct early, responsive, and inclusive communication with local communities and stakeholders.

CETA's minimum requirements include:

- **Comprehensive Engagement Plans:** Develop community engagement plans detailing public outreach goals, budgets, staffing requirements, pre-application community engagement schedules, and strategies to reach diverse community interest groups.
  - *DFP comment:* CETA should encourage developers to proactively define the community members and stakeholders affected by their project in their community engagement plans, including specifying whether affected communities are classified as [energy communities](#) by the U.S. Department of Energy or as disadvantaged according to the Council on Environmental Quality's [Climate and Economic Justice Screening Tool \(CEJST\)](#). CETA should evaluate such community engagement plans and the community as defined by developers in order to assess and remediate any gaps.
  
- **Pre-Application Information Sessions:** Hold information sessions in local communities before filing applications with permitting authorities, scheduling these sessions at times and places convenient for the community.

- DFP comment: CETA should ensure information sessions offer both in-person and virtual options for attendance, as well as ASL interpreters and language accessibility. CETA should encourage developers to record and share these information sessions, as well as any presentations, reports, or information covered in them, through the same public information repository highlighted under Principle 1.
- **Private Tribal Meetings**: Conduct private meetings with Tribal governments to share and discuss sensitive information respectfully.
  - DFP comment: CETA should ensure the developers respect Tribal sovereignty and engage meaningfully with Tribal groups, with targeted information and input sessions for these stakeholders. In addition, Tribal groups should be empowered to lead and own transmission projects as they wish.
- **Inclusivity and Diversity**: Ensure that engagement efforts identify all affected interests and actively seek out marginalized or underrepresented groups within the community to provide a truly inclusive process.
  - DFP comment: Dialogue between developers and community members must in fact be two way. Past projects have seen developers [cherry-pick](#) the community organizations with whom they engage, thwarting opportunities for meaningful engagement with a diversity of community organizations, while being accused of astroturfing support for their project. Robust and effective community engagement starts with outreach to a representative and diverse group of stakeholders, including labor unions, environmental groups, community members, faith organizations, community groups, local businesses, landowners, and more, which can be facilitated by CETA. Where possible, CETA should encourage developers to target environmental justice, disadvantaged, and energy communities in the impact area of the project for specific outreach and inclusion, particularly if there are limited or no local groups that represent these specific constituencies.

## COMMUNITY BENEFITS

**Principle 3: Advocate for public resources and both financial and non-financial benefits that support local communities.** CETA recognizes that local communities

should benefit from hosting transmission projects in their community and may need additional resources to effectively evaluate proposed transmission projects and influence project design and siting decisions.

CETA will advocate for:

- **Fair Landowner Compensation:** Establish a consistent methodology for determining landowner compensation to ensure that all landowners receive fair and equitable compensation, regardless of when they sign an easement agreement. While this consistent methodology should be applied as uniformly as possible for a project, there should also be limited flexibility for unique circumstances.
  - *DFP comment:* Beyond fair landowner compensation, CETA should encourage developers to consider partially or fully publicly-owned transmission lines, so that landowners and community members can directly benefit from lines. CETA should also urge developers to consider various models for landowner compensation, from one-time payments to yearly payments tied to inflation or company profits, based upon the identified needs of the landowners in the project's potential footprint.
  
- **Tangible Community Benefits:** Ensure transmission projects contribute to local community improvements, such as better roads, enhanced local workforce, improved emergency services, or upgraded public spaces.
  - *DFP comment:* CETA should strongly urge developers to sign formal and legally binding community benefits, project labor, and other agreements with communities, organized labor, and other stakeholders. These agreements can ensure any community or labor benefits offered by a developer are backed up by an enforceable contract with clear measures. Moreover, CETA should encourage companies to use union labor and ensure construction and operation jobs are high-road jobs that exceed local prevailing wages and provide wrap-around benefits, like healthcare, parental leave, and more. CETA should consider adding to these principles a requirement that developers should sign a union neutrality agreement, ensuring workers have a free and fair chance to join a union if they so choose. Additionally, CETA should consider adding local hiring and training provisions to the tangible community benefits listed in these principles. Developers should aim to hire locally where possible and hire from groups traditionally underrepresented in the electric power industry. CETA should

press developers to establish pre-apprenticeship, apprenticeship, and other workforce training programs with local educational institutions to train the workforce of the future from the communities impacted most by these project developments. All such provisions should be encouraged to be incorporated into a legally binding community benefits or project labor agreement.

Finally, community benefits should be targeted to marginalized communities and used as a means of restorative justice. As an example, Jobs to Move America and Greater Birmingham Ministries' [prioritized](#) historically marginalized groups in their community and workforce engagement during the community engagement process for a project developed by the electric bus manufacturer, New Flyer. In their community benefits agreement, they created specific and enforceable hiring and promotion goals to increase diversity and equity in the New Flyer workforce and hiring process. Specifically, these provisions required 45% of new hires and 20% of promotions to be from historically disadvantaged groups, as well as the development of a pre-apprenticeship program.

- **Self-Determination of Benefits:** Provide mechanisms for local communities to determine the allocation of community benefits.
  - *DFP comment:* Robust and effective community benefits are created by a representative and diverse group of stakeholders, including labor unions, environmental groups, community members, faith organizations, community groups, local businesses, landowners, and more. CETA should encourage developers to engage with a wide array of stakeholders in individual meetings and public events to understand community needs and concerns and hear desired benefits, as laid out in DFP's comments on Principle 1.

Additionally, in interviews with organizers in communities across the nation, Data for Progress has consistently heard that communities are largely unfamiliar with what potential community benefits can be gained from project discussions and negotiations with developers. CETA should consider sharing resources with communities on community benefits that have been delivered as part of past projects either in transmission or other sectors that might inform and empower communities to find common

ground and win community benefits from developers, while advancing transmission deployment.

- **Third-Party Advisory Resources:** Offer resources for local communities to hire third-party consultants to advise on the proposed project and the permitting process.
  - *DFP comment:* Third-Party Advisory resources should include transmission subject matter experts, trusted local community leaders, and legal experts who can advise and shepherd communities through project negotiation and permitting. Hiring third-party experts and local, trusted community members to serve as consultants and liaisons [can help to build trust](#) between project developers and communities while educating community members on the intricacies of projects. These experts can translate and explain complex, technical information, and thus empower community members to make informed decisions and effectively shape projects.
- **Mediation Services:** Offer mediation services to help facilitate discussions and resolve issues between the community and project developers.
  - *DFP comment:* Beyond offering mediation, CETA should *encourage* developers to seek out legally binding agreements with communities impacted by projects, like community benefits or project labor agreements, which can and should offer more defined pathways for communities and project developers to resolve disputes, which may include undergoing arbitration or other mediation processes as required.

## ACCOUNTABILITY

**Principle 4: Require long-term commitments to host communities.** Transmission infrastructure is used for decades; a similar commitment should be enforced for local communities hosting that infrastructure.

CETA's minimum requirements include:

- **Construction Stage Engagement:** During the construction stage, designate a point of contact or community liaison to hear concerns, take action to address them, ensure safety, and minimize adverse unintended consequences.
  - *DFP Comment:* This can be the same contact(s) identified in DFP's comments on Principle 1, recommending that developers identify who can

serve as an external point of reference (having high familiarity with the project and its developers) for any concerns raised about the developer or project itself, such as a community engagement contact within CETA or the Colorado Public Utilities Commission.

- **Restoration Commitments:** Ensure roads and public facilities are returned to their pre-construction status.
- **Clear Monitoring Metrics:** Establish clear metrics to monitor and enforce project commitments to local communities.
  - *DFP comment:* CETA should ensure that developers, communities, and other stakeholders clearly specify who will monitor and enforce local commitments. Ideally, a committee representative of affected community and stakeholder groups would be empowered to monitor any commitments and trigger enforcement, dispute, and punitive processes in the event of noncompliance.
- **Dispute Resolution Processes:** Establish and implement processes to resolve disputes regarding project commitments.
  - *DFP comment:* As mentioned in DFP's comments on Principle 3, formal arbitration processes can and should be established within any legal community benefits or project labor agreements adopted as part of these engagement processes to offer communities and workers the direct means to settle disputes with developers on a level playing field.
- **Operation Stage Engagement:** During the project's operation stage, foster long-term engagement with communities through locally based efforts and activities. These can include site visits, monitoring, research and educational programs, and regular information updates on the project's effects on the community.