

Congress of the United States
Washington, DC 20515

December 7, 2020

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
100 Cambridge St.
Suite 900
Boston, MA 02114

RE: Energy Facilities Siting Board Final Decision on NSTAR Electric Company d/b/a Eversource Energy, in EFSB 14-04/D.P.U. 14-153/14-154, the facility approved by the Energy Facilities Siting Board in its Final Decision dated December 1, 2017

Dear Secretary Theoharides,

We write to request that the Energy Facilities Siting Board (EFSB) postpone the upcoming virtual public hearings on the proposed Eversource electrical substation in East Boston and reopen the determination of need for the project. We have serious concerns about the accessibility of these hearings — currently scheduled for December 16-17, 2020 — to members of the affected community, which the COVID-19 pandemic has hit especially hard.

The community of East Boston has experienced one of the highest rates of COVID-19 infection in the state of Massachusetts. Over the course of the pandemic, more than 14% of its tested residents have tested positive for the virus. This high positivity rate has led to stark economic fallout, including unemployment, food insecurity, and homelessness. At a time when the number of COVID-19 cases in Massachusetts is sharply rising and so many community residents must focus on maintaining their own and others' physical and economic wellbeing, it is unfair to ask them to engage — virtually — on a highly technical project.

Furthermore, the proposed site of the new substation, on the banks of Chelsea Creek, is already an area of industry overuse. Chelsea Creek is home to hundreds of millions of gallons of jet fuel and heating fuel; road salt piles used in hundreds of Massachusetts cities and towns; a wastewater treatment facility; warehouses; and parking lots. If approved, the Eversource electrical substation would have decades-long effects on an extremely vulnerable and disproportionately impacted population. Residents in and around this congested area must be given the opportunity for meaningful involvement, which the currently scheduled meetings do not provide.

Secretary Kathleen A. Theoharides
December 7, 2020
Page 2

Additionally, community members and advocates have highlighted concerns about the EFSB's inadequate language access since the project's inception over six years ago. There are multiple Title VI Civil Rights complaints filed with federal agencies, which have yet to render a decision. Steamrolling ahead despite these concerns shows an utter disregard for those with limited English proficiency — who comprise a high percentage of East Boston residents and who may be excluded from this critical and complex process. To ensure that civil rights are upheld and the full and meaningful engagement of all persons is protected, the EFSB must comply with any directives resulting from those complaints before it holds any public hearings.

The neighborhood of East Boston is one of the most racially and ethnically diverse communities in Massachusetts. More than 60% of its population are people of color and more than 45% are immigrants, which is why the state has designated almost every part of East Boston as an Environmental Justice population. For far too long, black, brown, and immigrant communities have been excluded from the decision-making processes that directly affect their quality of life. We must address the inequities that intersect race, class, and public health, and that begins with ensuring that the residents of East Boston have a full say in the evolution of their neighborhood.

Finally, we urge the EFSB to require the proponent to release its own outdated and proprietary data upon which the justification for this electrical substation is based. It is the EFSB's mission to ensure that proposed projects provide a reliable energy supply, with a minimum impact on the environment, at the lowest possible cost. To best assess whether the determination of public need should be reconsidered, we believe that the only responsible and fair course of action is to provide the most up to date and accurate data in a way that is transparent to the affected public.

The siting of any new significant energy project requires the full and informed input of the surrounding public, especially in this instance as this planned industrial infrastructure is in an already disproportionately overburdened Environmental Justice community. Participation in the approval process must not be in name only. The community of East Boston is entitled to have its voice heard here. We therefore urge the EFSB to postpone these public hearings until it is safe to hold them in person and the residents of East Boston can meaningfully participate, and that the EFSB implement any language-access measures that the pending Title VI complaints ultimately require. Thank you for your full and fair consideration to these requests.

Sincerely,



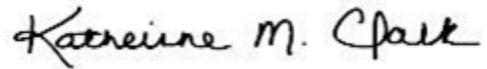
Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator



Ayanna Pressley
Member of Congress



Katherine Clark
Member of Congress



Joseph P. Kennedy, III
Member of Congress



Adrian C. Madaro
State Representative, 1st Suffolk



Joseph A. Boncore
State Senator, 1st Suffolk and Middlesex



Sal N. DiDomenico
State Senator, Middlesex and Suffolk



Jamie B. Eldridge
State Senator, Middlesex and Worcester

Secretary Kathleen A. Theoharides
December 7, 2020
Page 4



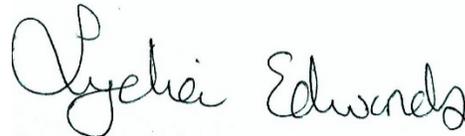
Daniel J. Ryan
State Representative, 2nd Suffolk



Liz Miranda
State Representative, 5th Suffolk



Michelle DuBois
State Representative, 10th Plymouth



Lydia Edwards
Boston City Councilor, District 1



Julia Mejia
Boston City Councilor, At-Large



Michelle Wu
Boston City Councilor, At-Large



Annissa Essaibi-George
Boston City Councilor, At-Large