



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

December 23, 2019

Laurie McGilvray, Program Director  
Office of Gulf Coast Restoration  
U.S. Treasury

Sent via e-mail to : [restoreact@treasury.gov](mailto:restoreact@treasury.gov)

Dear Ms. McGilvray:

Thank you for the opportunity to comment on the notice U.S. Treasury published in the October 24 Federal Register entitled **Agency Information Collection Activities; Proposed Collection; Comment Request; RESTORE Act Grants**.

Mississippi joins in the comments submitted by the Texas Commission on Environmental Quality submitted on December 18, 2019. In addition, the Mississippi Department of Environmental Quality provides three additional comments, which are presented on the attached.

If you have any questions or need to discuss these comments, please contact Chris Wells at [cwells@mdeq.ms.gov](mailto:cwells@mdeq.ms.gov), or at 601-961-5545. You may also contact Donna Hodges at [dhodges@mdeq.ms.gov](mailto:dhodges@mdeq.ms.gov), or at 601-961-5369.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Wells", written over a blue line.

Chris Wells  
Director of the Office of Restoration  
Mississippi Department of Environmental Quality

Attachment

**Comments on Agency Information Collection Activities; Proposed Collection; Comment Request; RESTORE Act Grants**

1. Mississippi Department of Environmental Quality ("MDEQ") joins in the comments filed by Texas on December 18, 2019.
2. MDEQ makes three additional comments:
  - a. Under the Applications Section, Direct Component Narrative Supplement, in addition to Texas' comment, it should be noted that some applicants/subrecipients can't provide the requisite proof until after an award is made.
  - b. Under Environmental Checklist, number 8: The use of the word "affect" is too ambiguous. Consider that there are more than 1,000 species of birds on the MBTA list. Determining whether the proposed activity could "affect" any one of those species is overly burdensome. MDEQ suggests using language consistent with DOI Memorandum 37050, which prohibits direct and affirmative purposeful actions which take and kill migratory birds.
  - c. Also under Environmental Checklist, number 11: How is one to know whether the activity will occur either near property listed or eligible for listing in the NRHP or similar State Preservation Act without conducting some an in-depth review? This creates an undue burden at the application phase.