

**Audubon Mississippi, CLIMB Community Development Corporation, Coastal Conservation Association, MS, Ducks Unlimited, Gulf Islands Conservancy, Gulf Restoration Network, Land Trust for the, Mississippi Coastal Plain, Mississippi Urban Forest Council, Mississippi Wildlife Federation, National Wildlife Federation, Ocean Conservancy, Oxfam America, STEPS Coalition, The Corps Network, The Nature Conservancy, Wildlife Mississippi**

February 5, 2016

Mississippi Department of Environmental Quality  
Attention: Ms. Melanie Green  
515 East Amite Street  
Jackson, MS 39201

*Submitted electronically to Melanie\_Green@deq.state.ms.us*

**Re: Comments on Mississippi's Initial Multi-Year Implementation Plan**

Dear Ms. Green,

The Mississippi Environment Focus Group (MEFG) appreciates the Mississippi Department of Environmental Quality's continued leadership to coordinate and implement our state's response to the Deepwater Horizon oil disaster. MEFG views the initial Multi-Year Implementation Plan (MIP) as an important component of Mississippi's comprehensive restoration strategy that ensures the state makes informed choices that maximize recovery investments and result in lasting benefits for our coast, this and future generations.

As MDEQ knows, MEFG is an informal coalition of non-profit organizations that have been actively working in the Gulf of Mexico region for many decades to support comprehensive conservation programs. Our collective advocacy on Gulf recovery is grounded in the vision that recovery fines and penalties should be invested in restoration efforts that support a healthy Mississippi coast, build the resiliency of our communities, and promote a strong economy.

As part of our effort to support a successful recovery process for Mississippi, MEFG identified *14 Guiding Principles for Investing Deepwater Horizon Funds in Mississippi*, which we have shared with MDEQ as well as other local, state, and federal decision-makers (attached). These common-sense principles were developed in the spirit of promoting consistency and coordination across Mississippi's restoration programs – including the initial MIP – and to help make decisions that optimize long-term benefits in a complex, and often competitive, environment.

To that end, we appreciate the opportunity to provide MDEQ with our recommendations on this initial MIP, including particular emphasis on several of our *Guiding Principles*.

***Public Engagement and Transparency***

Throughout the recovery process, Mississippians have urged our local, state, and federal decision-makers to be transparent, accountable, and inclusive. To their credit, MDEQ has made significant efforts to provide meaningful opportunities for public engagement especially through the coast-wide planning effort it has initiated through the National Fish and Wildlife Foundation's (NFWF) Gulf Environmental Benefit Fund (GEBF). The quality and scope reflected in MDEQ's recently released plan is due in large part to the public input opportunities that were built into the planning process.

We acknowledge that the GoCoast 2020 Commission's eight GoTeams involved diverse stakeholder interests from across the Mississippi Coast, including several representatives from MEFG member groups. The initial MIP acknowledges that the GoCoast's final report released in January 2013 is "*a living... plan*" (p.5), and now as the soon-to-be-finalized BP settlement provides more certainty for the recovery process, we urge the state to reconvene the GoCoast 2020 effort in such a way that provides for greater public participation, transparency, and accountability.

Such measures should include providing opportunities for the public to help identify, develop, and provide input on project ideas for future MIPs well in advance of initiating a 45-day public comment period as well as making public the specific criteria being used by decision-makers for project evaluation, prioritization, selection, and identification of measures of success. For example, MDEQ's NFWF planning efforts provide an excellent model for how public outreach through the MIP evaluation and decision-making process could be enhanced. Greater stakeholder input also plays an important role in ensuring restoration priorities are maximizing project coordination opportunities and leveraging other funding sources (i.e. not only RESTORE, GEFB, and NRDA). Finally, the design and implementation of many of these initial (and future) MIP projects could benefit from the diverse expertise and local knowledge of stakeholder interests who live, work, and enjoy coastal Mississippi.

### ***Presentation and Accessibility***

Presentation and accessibility of information in the initial MIP are key elements to understand how projects are being designed, selected, and implemented.

From a language accessibility standpoint, MEFG appreciated that the initial MIP was released in both English and Vietnamese; this reflects MDEQ's commitment to recognize and engage the Mississippi Coast's diverse cultures. We also acknowledge that the later-released Addendum provides more clarity on the initial MIP projects and we appreciate that the comment period deadline was extended by fourteen more days to accommodate this new addition.

However, we urge MDEQ to post future MIPs directly on the [www.restore.ms](http://www.restore.ms) website rather than require interested reviewers to make a specific request. Generally the information on MDEQ's restoration website is presented in a useful and accessible manner for visitors; since the initial (and future) MIPs are important restoration documents, they should be made readily accessible for website visitors (i.e. directly downloadable).

Consequently, future MIPs should reflect the more robust, substantive qualities that MDEQ has demonstrated through the RESTORE Council's Funded Priorities List, NFWF Gulf Environmental Benefit Fund, and Natural Resource Damage Assessment. Specifically, this initial MIP does not discuss or demonstrate how the selected projects fit together in such a way as to support the coast's comprehensive economic and ecological recovery nor do the MIP project descriptions have the same detail and clarity that MDEQ has provided through other Gulf restoration efforts.

### ***Commitment to Do No Harm***

MEFG believes that funds coming through the RESTORE Act and other restoration funding streams should have a positive, lasting benefit for Mississippi's natural resources. Given the unique nature of these recovery funds, this is a particularly important consideration for the Direct Component, which can be used to fund ecological and economic projects, including infrastructure.

The projects or programs being funded through the MIP should identify any possible harmful effects on environmental resources up front. We urge the state to avoid MIP projects that will have direct or indirect adverse environmental impacts, namely degrading or negatively impacting the natural resources that our coastal economy depends upon and/or reducing or conflicting with planned ecological restoration investments. Where minor adverse impacts may occur, projects should identify a plan and set aside funds for compensatory mitigation.

### ***Promote Sustainability***

Since the eligible activities funded through the Direct Component cover both ecological and economic projects, including infrastructure, initial and future MIP projects should be selected, designed, and implemented with sustainability and longevity in mind.

Key considerations include:

- Applying sustainable design and green building techniques and materials to ensure a lighter environmental footprint and lower operating costs such as with the *Mississippi Aquarium* proposal (MIP Activity #4);
- Incorporating green infrastructure and low impact development approaches for stormwater improvements, sewage treatment upgrades, and improvements to septic systems;
- Considering sea level rise, future storm events, and other persistent or sudden environmental or human-induced stressors that may affect the likelihood of success and longevity of the projects.

For example, the initial MIP's *Mississippi Aquarium* proposal (MIP Activity #4), could be further designed as a singular tourism attraction by incorporating a sustainable, raised design with green building techniques and materials that enhance visitor experience, boost marketability, account for potential storm surge, and exemplify the region's treasured values.

For this and future MIPs, MEFG offers our expertise in providing more specific suggestions to strengthen the sustainability of projects as well as our willingness to make connections with knowledgeable local professionals who can lend technical expertise.

### ***Leveraging Resources***

As strong advocates for restoration decision-makers to leverage Gulf recovery funds between the various RESTORE Act components, NRDA and NFWF GEBF, as well monies available outside the restoration process, MEFG was pleased to see several initial MIP projects identify other funding contributions; however the sources of these leveraged funds are unclear in the project descriptions. For better transparency, the MIP should include the sources of leveraged funds.

In particular, MEFG is most supportive of the *Strategic Streams Restoration* proposal (MIP Activity #9) as it builds on the important work already underway through the NFWF GEBF to help address degraded streams across Mississippi's three coastal counties and their associated water quality improvements. Further, as this proposal is the only wholly ecological restoration project included in the initial MIP, we ask that the state increase future MIP investments in a way that prioritizes coastal resources and communities that were impacted by the oil disaster and address historical environmental issues that continue to negatively impact the health of our coast and local economy.

In addition, we encourage future MIPs to seek opportunities to coordinate and leverage proposals and projects in a way that complements and increases the net benefits of ecosystem restoration, as well as potential partnerships with public and private entities, and technical and scientific expertise. This approach will ensure restoration efforts avoid duplication and maximize financial impact.

***Apply Science-Based Decision-making***

Throughout the recovery process, MDEQ has demonstrated a strong commitment to using best available science to guide and inform the state's restoration decision-making. The initial MIP, however, included little, if any, reference to or discussion of science. Since the U.S. Department of Treasury's guidance directs MIP natural resources projects (i.e. environmental restoration and protection) to be based on 'Best Available Science', future MIPs should be include a stronger scientific context and accompanying details, such as:

- All projects should have clear, measurable, and achievable goals.
- Measurements for success for each project should specifically reflect the goal of the project, i.e., the measured benefit to the economy or ecosystem that the project has provided.
- Ecological restoration projects should have clear, measurable, and achievable goals.
- Projects should include robust and consistent monitoring protocols.
- All projects and programs should include plans for research, monitoring and adaptive management.

In closing, we appreciate the chance to support Mississippi's recovery efforts. MEFG offers our assistance to MDEQ as this initial MIP is finalized and in future Multi-Year Implementation Planning efforts. Please contact our coordinator, Elizabeth Barber at (601) 214-3093, in order to further discuss our recommendations or if we can help in any way.

Sincerely yours,

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**Attachment: 14 Guiding Principles for Investing Deepwater Horizon Funds in Mississippi**

Cc: Honorable Phil Bryant, Governor, State of Mississippi  
Laurie McGilvray, Program Director, U.S. Department of Treasury  
Nicole Comisky, Grants Management Specialist, U.S. Department of Treasury  
Jamie Miller, Executive Director, Mississippi Dept. of Marine Resources  
Glenn McCullough Jr., Executive Director, Mississippi Development Authority  
Mark Henry, Executive Director, Mississippi Dept. of Employment Security  
Tom Kelsch, Senior Vice President, GEBF, National Fish and Wildlife Foundation  
GoCoast 2020 Commission

# 14 Guiding Principles for Investing Deepwater Horizon Funds in Mississippi

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The Mississippi Environment Focus Group (MEFG)\* has identified 14 Guiding Principles for local, state, and federal decision-makers to consider in support of a comprehensive, successful recovery process for Mississippi. The MEFG is committed to helping our leaders achieve meaningful restoration by developing a transparent, accountable decision-making process guided by public input and scientific expertise. These *Guiding Principles* are meant to promote consistency and coordination across restoration programs and to help guide decisions to optimize overall long-term benefits in a complex, and often competitive, environment. *Note: The following are not listed in any particular order.*

- 1 Transparency** Ensure decision-making is open and transparent at all restoration levels, including process development, project solicitation and selection, implementation, and monitoring. Tools such as websites, webinars, and open houses should be used to share information and update the public and stakeholders about these efforts.
- 2 Provide for Public Input** Provide meaningful opportunities for public engagement throughout the decision-making process. In addition to public meetings and workshops, other suggestions include webinars, open house-style events, town hall meetings, and social media opportunities. Approaches and tools used for public engagement should incorporate cultural, socio-economic, and geographic needs.
- 3 Utilize Expert Input** Develop a science and technical advisory committee to support local, state and federal efforts to identify and maximize restoration priorities, inform decision-making, and promote a coordinated, comprehensive restoration vision. Possible committee members could include state/federal agency staff, resource managers, trade groups, nonprofits, and community leaders whose livelihoods depend on healthy resources.
- 4 Develop a Clear, United Vision** Mississippi's forward-thinking effort to invest in developing a coast-wide plan through initial NFWF Gulf Environmental Benefit Fund monies should serve as a foundation for guiding environmental restoration across other DWH funding sources. For example, the MS Comprehensive Ecosystem Restoration Tool (MCERT) can be used to identify priority areas for restoration investment and areas with sensitive or impaired resources that may not be appropriate for economic development and infrastructure projects.
- 5 Leverage Resources** Leverage funds from multiple sources – including those focused beyond Gulf recovery – as well as existing projects, potential partnerships with public and private entities, and technical and scientific expertise. Seek opportunities to coordinate and leverage proposals and projects in a way that complements and increases the net benefits of ecosystem restoration. This approach will ensure restoration efforts avoid duplication and maximize financial impact. Restoration funds should prioritize the coastal resources and communities that were impacted by the DWH disaster and address historical environmental issues that continue to negatively impact the health of the coast and local economy.
- 6 Apply Science-based Decision-making** Restoration projects should have clear, measurable, and achievable goals. Research and monitoring are crucial to project success. Projects should include robust and consistent monitoring protocols, and all projects and programs should have adaptive management plans. These efforts should be coordinated across funding programs. Processes for identifying, vetting, prioritizing, and funding economic and environmental projects and programs should be informed by science.
- 7 Build Stewardship and Awareness** Include educational components and outreach opportunities in projects and programs to increase public awareness and stewardship of natural resources.

- 8 Emphasize Feasibility and Cost Effectiveness** Consider the feasibility and cost-effectiveness of projects or programs and require detailed budgets for project proposals that include science-based plans for operation, maintenance and monitoring. Details on how projects are feasible and costs are reasonable for the proposed scope of work should be made available when project announcements are made.
- 9 Promote Sustainability** Projects should be selected and designed with sustainability in mind, considering sea level rise, future storm events, and other persistent or sudden environmental or human-induced stressors that may affect the likelihood of success and longevity of the projects.
- 10 Reconvene GoCoast 2020 Committees** Reconvene the GoCoast 2020 Committees and provide opportunities for public participation throughout the decision-making process on RESTORE Bucket 1 (Direct Component).
- 11 Support Equitable Community Benefits** Seek opportunities for cross-sector collaboration during implementation phases to ensure projects create positive economic impacts (i.e., use local workers and provide workforce training opportunities, employ local businesses, support land management for private landowners, etc.) and community benefits (i.e., flood risk reduction, recreational opportunities, etc.). Investments should benefit socially vulnerable communities that tend to experience disproportionate risks and are often left out of decision-making processes.
- 12 Ensure Environmental Compliance** Where possible, include environmental review documents and permits with each proposal. Require consistency in compliance reporting.
- 13 Work at the Regional Scale** Realizing that our natural resources do not follow political boundaries, coordinate at watershed and eco-regional scales to address cross-border natural resource management opportunities with counties, up-watershed communities, and adjacent states.
- 14 Commitment to Do No Harm** The RESTORE Act and other restoration funds should have a positive, lasting benefit for Mississippi's natural resources. Projects or programs should identify any possible harmful effects on environmental resources up front. Investments should avoid adverse environmental impacts: degrading or negatively impacting the natural resources that our coastal economy depends upon and/or reducing or conflicting with ecological restoration investments. Where minor adverse impacts may occur, investments should identify a plan for compensatory mitigation.



*\*The Mississippi Environment Focus Group (MEFG) is an informal coalition of Non-Government Organizations (NGOs) that have been actively working in the Gulf of Mexico region for many decades to support comprehensive conservation programs. Each of our member groups brings a suite of knowledge and expertise to different aspects of the recovery process, from land conservation planning to advocacy to workforce development to community resiliency. The MEFG advocates for funds and penalties resulting from the 2010 Deepwater Horizon disaster to be invested in Gulf restoration efforts that support a healthy coastal and marine environment, build the resiliency of our communities, and promote a strong economy.*