

# Nebraska’s Conservation and Environmental Review Tool (CERT) Interpret an Environmental Review Report

Environmental Review Team  
Nebraska Natural Heritage Program  
Nebraska Game and Parks Commission  
2023



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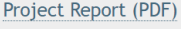
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## Navigate to My Projects

A notification email is automatically sent to the email address connected with the registered CERT Account. Receiving the email notification does not complete the CERT review and is an **alert** that the CERT created a report for the account user's review. (Check your Junk folder if the notification did not go to your Inbox.)

1. Log back into your CERT account and click on **My Projects**  in the orange toolbar.
  - a. A table with your projects will appear. (You can also use the link in the notification email if your web browser is open and you are already logged into the CERT.)
2. Click on the project title to open the Project Review Results page.
 


3. Under Report File, click on **Project Report (PDF)**  to open the Environmental Review Report.
4. **Download** and save the report as a PDF to your computer or **print** off a copy.
5. Open the Project Report to review its contents.

## Introduction Section

### The Nongame and Endangered Species Conservation Act (NESCA)

6. Please review this section for information on Nebraska's state laws and regulations regarding informal and formal consultation with the Nebraska Game and Parks Commission.

The Nebraska Game and Parks Commission has responsibility for protecting state-listed endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). Pursuant to § 37-807 (3) of NESCA, **all state agencies shall, in consultation with the Commission, ensure projects they authorize (i.e., issue a permit for), fund or carry out** do not jeopardize the continued existence of state-listed endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Commission to be critical.

**Informal consultation pursuant to NESCA can be completed by using the Conservation and Environmental Review Tool (CERT).** If a proposed project may affect state-listed species or designated critical habitat, further consultation with the Commission is required.

### Technical Assistance and consultation pursuant to the Endangered Species Act (ESA)

7. Please review this section for information regarding technical assistance and consultation pursuant to the federal laws and regulations regarding fish and wildlife.

The Fish & Wildlife Service (FWS) has responsibility for conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973 (ESA); 2) Fish and Wildlife Coordination Act; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act.

The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations. Pursuant to section 7(a)(2) of ESA, every federal agency, shall in consultation with the Service, ensure that an

action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

The information generated in an environmental review report **DOES NOT** satisfy consultation obligations between the lead federal agency and the FWS pursuant to ESA. For the purposes of ESA, the information in this report should be considered as technical assistance, and does not serve as the Service's concurrence letter, even if the user signs and agrees to implement conservation conditions in order to satisfy the consultation requirements of NESCA.

## Overall Results Section

8. One of the three determinations will appear in the Overall Results section. The potential determinations are as follows. Based on your report's determination, review the appropriate Result 1, 2, or 3 section on the next page(s).

Result 1: Unlikely this project will negatively impact listed species or their designated critical habitat.

### Overall Results

The following result is based on a detailed analysis of your project.

- It is unlikely this project will negatively impact listed species or their designated critical habitat. Please review all the information provided in this document. Then, sign and date the "Certification" section and upload the signed document as "Final" in CERT. No additional correspondence with the Nebraska Game and Parks Commission is required unless otherwise indicated in the "Additional Information" section below. If the project involves a federal permit, action or funding, the lead federal agency should review the information provided in this report and make an "effect determination" pursuant to their obligations under ESA. Depending on the determination made by the lead federal agency, further consultation with the U.S. Fish and Wildlife Service may or may not be required.

Result 2: More information needed – refer to the following sections.

### Overall Results

The following result is based on a detailed analysis of your project.

- More information needed - refer to the following sections. Answer the habitat question(s) in the section below. Additional consultation with the Nebraska Game and Parks Commission and/or the U.S. Fish and Wildlife Service may or may not be required. Refer to the "Conservation Conditions Agreement" section for additional information.

Result 3: Potential impacts on listed species may occur.

### Overall Results


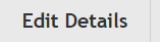
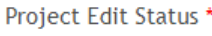


The following result is based on a detailed analysis of your project.

- Potential impacts on listed species may occur as a result of this project. Please proceed with the following: Sign and date the certification section. Upload the document as "final." Email a copy of the report with a request for review to the Nebraska Game and Parks Commission ([ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)) and copy the U.S. Fish and Wildlife Service ([nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)) for further consultation.

## Result 1: Unlikely the Project will Negatively Impact

A project with this result is unlikely to have an adverse impact on listed species and specific conservation conditions for listed species are not required. Other best management practices for certain projects and/or information to help the project proponent/applicant comply with other state and federal regulations may still be included.

*Assuming the project has not changed from when it was initially submitted, follow these steps:*

1. Verify that ALL the project information provided is correct by inserting your signature and the date in the spaces provided under the **Certification** paragraph.
2. Save the updated PDF (with signature & date) to your computer.
3. Open the **My Projects** tab  and click on the project title.
4. Click the **Edit Details** tab . Scroll to the bottom of the page.
5. Under **Project Edit Status**,  select **Final**.
6. **Browse** to  and **Upload**  the Environmental Review Report PDF containing your signature and date.
7. Click **Save**. This will complete the file upload process and will rerun the analysis and generate a final report. The Environmental Review Report PDF with your signature and date is the official environmental review that should be submitted to appropriate agencies when applying for permits. No further consultation with the Nebraska Game and Parks Commission is required.

## Result 2: More Information is Needed

A section titled **Questions and Conservation Conditions** has generated questions that need to be answered prior to any signatures or dates. This section appeared because the project could impact the threatened or endangered species within the project's area or those species' habitat.

- Please review these next steps carefully, and if you have any questions, please contact the ERT at the contact information listed within the ERR.

*Assuming the project has not changed from when it was initially submitted, follow these steps:*

1. Answer all the habitat questions by placing an **"X"** next to the appropriate answer. Select only one answer per question.
2. Review the **Conservation Measures Agreement** section. Refer to sections A), B), or C) as it applies to your project.
  - a. Section A)
    - i. Option 1. If you answered **"Yes"** to any habitat questions in the **Questions and Conservation Conditions** section, review the required conservation conditions/measures. A **conservation measure** will be bolded with an ID number (example: **NLEB CM-2**) below the answers. **Note:** Conservation measures are subject to change and must be reviewed to see if the project can follow the conservation measure

to aid in the protection of Nebraska’s threatened and endangered species and their habitat.

1. If the project proponent/contractor can agree to implement the conservation measure, you will be required to sign and date under the **Conservation Measures Agreement**. Insert a signature and date in the spaces provided.
2. **Proceed to Number 3 within the Results 2: More Information Needed section.**
- ii. Option 2. If you have **concerns** regarding if the project can implement the conservation measures shown, within a separate document explain your concerns and why they cannot be implemented. Then, contact NGPC **by email** at the contact information provided in the report for further instruction.

1. **Disregard the remaining steps of Result 2: More Information Needed.**


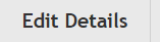
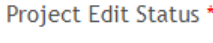
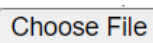

#### b. Section B)

- i. If you answered **“Unknown”** to any habitat questions, contact NGPC **by email** at the contact information provided in the report for further instruction.

1. **Disregard the remaining steps of Result 2: More Information Needed.**

#### c. Section C)


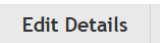

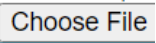

- i. If you answered **“No”** to any habitat questions, it is likely that conservation measures are not needed unless otherwise indicated. Therefore, a signature/date is not required under the **Conservation Conditions Agreement** section.

3. Verify that ALL the project information provided is correct by inserting your signature and the date in the spaces provided under the **Certification** paragraph.
4. Save the updated PDF (with signature(s) & date(s)) to your computer.
5. Open the **My Projects** tab  and click on the project title.
6. Click the **Edit Details** tab . Scroll to the bottom of the page.
7. Under **Project Edit Status**,  select **Final**.
8. **Browse** to  and **Upload**  the Environmental Review Report PDF containing your signature and date.
9. Click **Save**. This will complete the file upload process and will rerun the analysis and generate a final report. The Environmental Review Report PDF with your signature and date is the official environmental review that should be submitted to appropriate agencies when applying for permits. No further consultation with the Nebraska Game and Parks Commission is required.

### Result 3: Potential Impacts, Contact NGPC for Further Information

A potential impact determination means that the project or activity may potentially adversely affect one or more state or federally listed species. Further consultation with the Nebraska Game and Parks Commission Environmental Review Team (ERT) is required.

*Assuming the project has not changed from when it was initially submitted, follow these steps:*

1. Verify that ALL the project information provided is correct by inserting your signature and the date in the spaces provided under the **Certification** paragraph.
2. Save the updated PDF (with signature & date) to your computer.
3. Open the **My Projects** tab  and click on the project title.
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8. Contact NGPC **by email** at the contact information provided in the report to request further consultation. **The project will not be reviewed until NGPC receives your email.**