

# ERR Guide

(Environmental Review Report)

CERT (Conservation and Environment Review Tool)

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**For Locally Sponsored Projects in Nebraska  
Land and Water Conservation Fund**



Nebraska Game and Parks Commission  
Planning and Programming Division

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*FOREWARD*

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This guide provides the project sponsor with the instructions necessary to interpret the Environmental Review Report (ERR) generated from Conservation and Environmental Review Tool (CERT). CERT is the Nebraska Game and Parks Commission's online GIS tool for environmental review and conservation planning. The Environmental Review Report is a required submittal of the LWCF application.

If you have questions about interpreting the ERR or using the CERT program, you may contact the Game and Parks Environmental Review Team (ERT). The team does not create projects in CERT or certify the ERR reports, but can assist with questions and reviews, when needed. Contact information is:

Environmental Review Team  
[ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)  
402-471-5423

If you have general ERR or CERT questions, questions about the application process, or the Land and Water Conservation Fund program, please contact any member of the Game and Parks LWCF team to assist, contact information:

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The Nebraska Game and Parks Commission does not discriminate based upon any protected status. Please see [www.OutdoorNebraska.gov/nondiscrimination](http://www.OutdoorNebraska.gov/nondiscrimination).

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## PART 1 – CREATING AN ACCOUNT IN CERT

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To begin the process, find the CERT program at <https://cert.outdoornebraska.gov>

If this is the first time you have created an ERR, you will need to create an account. See the instructions on the web page or watch the video linked here (<https://www.youtube.com/watch?v=qAmANrSHO5M>) and on the webpage.

If you have created an account before for another project, log in and move to Step 2.

Once you have logged on, you can move to Part 2.

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## PART 2 – CREATING A PROJECT IN CERT

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Watch the video <https://www.youtube.com/watch?v=qAmANrSHO5M>) for a clear guide on how to create your project in CERT.

Here are the general guidelines in written format:

Begin by selecting the background for your map. Click on the **Map** tab, click the **Switch Basemap** button and select “Imagery Hybrid”, then close the pop-up.

Enter the park’s general location in the **Find address or place** box on the upper right-hand corner of the map to zone in on your area. Create a polygon of your project site by clicking on the Create Project button; the Draw/Edit box will pop-up, select the “pencil” and **Draw Polygon**. Draw the boundary of the work area in the park and the hit **Accept** once the polygon has been created. (Please do not upload a shape, we prefer you draw a polygon).

Enter the following criteria in the **Submission Form**. (The submission form is the pop-up window that appears after you’ve drawn your project area, as explained in the video).

### Submission Form Criteria

(any criterion not listed should be answered to the best of your ability)

- 1) Project Title: City (or County) and Park Name
- 2) User Project Number: 31-City-Park Name
- 3) State Nexus: NGPC-Nebraska Game and Parks Commission
- 4) Funding Source: Both state and federal permit or funding
- 5) Project Type: Recreation Areas
- 6) Project Type Activities: typically - Facilities Construction, Maintenance, or Repair of Existing Facilities. Select the most appropriate activity from the available options.
- 7) Project Description: a short description as supplied in question 1 of the application.

- 8) Project Duration: 3 years
- 9) On Behalf Of: project sponsor's name
- 10) Address: project sponsor's address

“Submitted On Behalf Of” commonly applies to consulting firms doing an environmental review on behalf of the project sponsor. Coordination between the consultant and project sponsor to ensure only one report is requested per project is appreciated.

Do not attach any files at this time. Leave in **Draft** form and hit **Submit**. You can log out and log back in a few hours, the next day, or wait for the email that notifies you the draft ERR is ready.

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### *PART 3 - REVIEWING THE DRAFT ERR*

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A draft Environmental Review Report (ERR) is automatically generated once a project has been created within CERT. The project sponsor and the person who created the project in CERT (if different) will receive an email stating the ERR is ready. (The email will also outline some of the next steps).

Log into CERT. You can use the link in the email or in the yellow tool bar at the top of the page, navigate to the **My Projects** tab, then select the project by clicking on the title creating a pop-up. Under **Project Review Results**, the ERR is under the column labeled **Report File**. Click on **Project Report PDF** to open the file. Download and/or print off a copy for review.

#### Action 1 - Confirm the project information

Underneath the **Project Information** section of the draft ERR, verify the information you entered is correct, including contact information. (If a correction is needed, log back in, go to **Project Review Results** and select **Edit Details** at the top to bring up the form; hit **Save** when done).

#### Action 2 – Determine Results

To determine what your project's overall result is, find the **Overall Results** section in the ERR. The Overall Results section will generate **one of three result statements**. The most common type for LWCF projects is Result 2.

Note the following:

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

The Nebraska Nongame and Endangered Species Conservation Act (NESCA) Section provides information on Nebraska's state laws and regulations concerning threatened & endangered species. In the context of LWCF projects, this information does not require any action.

#### **Disclaimer Section**

The Disclaimer section contains information on federal laws and regulations concerning threatened & endangered species and migratory birds. In the context of LWCF projects, this information does not require any action.

The following pages give the directions for next steps depending on the type of result.

RESULT 1

**Result 1**

Below is a screen shot of the first paragraph in Result 1.

**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. Upload the signed document under the Edit Details tab using the File Attachments feature and change the Edit Status to Final. Once, these steps are completed, no additional correspondence with the Nebraska Game and Parks Commission is required.

**Action Required:**

Step 1: Sign and date under **Certification** (within the Conservation Measures Agreement/Certification section).

The Additional Considerations Section requires no action during the application period but includes information on the federal laws protecting threatened and endangered species, migratory birds, and other fish and wildlife and their habitats that you must abide by during construction.

RESULT 2

**Result 2**

Below is a screen shot of the first paragraph in Result 2.

**Overall Results**

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

- More information needed, please answer the questions under the Question and Conservation Conditions section. If conservation conditions are required, review the Conservation Conditions Agreement section. Additional consultation with the Nebraska Game and Parks Commission may or may not be required; please review all the information provided in this document.

**Action Required:**

Step 1: Read the **Questions and Conservation Conditions**. This section appeared because your project may impact threatened or endangered species within your project's area or those species' habitat. Often there are actions that can be taken to avoid impacts. You will need to carefully read the information to see how it may apply to your project and the action you can take.

Step 2: Select the most applicable answer for the **bolded** habitat suitability questions under the species.

Step 3: The answer(s) you checked will determine which **Conservation Measures Agreement** applies, where you sign, and if there are additional steps.

A) If all answers were No: Under **Certification**, sign and date.

B) If all answers were Yes and if the project sponsor agrees to the conservation measures as noted: Under **Conservation Measures Agreement**, check **Option 1**, sign and date and then under **Certification**, sign and date.

C) If all answers were Yes and the project sponsor has concerns or feel the steps cannot be implemented as noted: Under **Conservation Measures Agreement**, check **Option 2**, sign and date and then under **Certification**, sign and date. Then, in a separate document, write up your concerns or inability to implement the conservation measures as noted. This will need to be included with your ERR when emailing the ERT to request a consultation.

D) If any habitat questions were answered with Unknown, you will need to contact the ERT via email to request a consultation. Note your concerns or questions in the email and attach the ERR.

In Step 3, if either C or D applies, you are not done with the CERT process until you consult with the ERT and/or receive a concurrence letter.

*Note for any consultations with ERT: During the spring season, the ERT has a longer que for environmental reviews requests as projects all over the state are preparing for construction. The ERT is typically able to respond with 30 days or less to requests for reviews.*

Step 4: If applicable, notify the LWCF team via email that the project required a consultation with the ERT.

The Additional Considerations section requires no action during the application period but includes information on the federal laws that protect threatened and endangered species, migratory birds, and other fish and wildlife and their habitats that you must abide by during construction.

**The following pages show 2 examples of common Questions and Conservation Conditions that appear on Nebraska LWCF projects: the Northern Long-eared Bat and the Whooping Crane.**

**EXAMPLE 1**  
**Northern Long-eared Bat**

This project is within the range of the state and federally listed endangered Northern long-eared bat (NLEB) (*Myotis septentrionalis*).

**Suitable** summer roosting habitat for NLEB consist of forests or woodlots which contain suitable roost trees. In Nebraska, suitable roost trees consist of deciduous and/or pine live or dead trees or snags that are greater than or equal to 3 dbh (diameter at breast height) that exhibit peeling bark or have cracks, crevices or cavities. Linear features such as fencerows, riparian forests, and other wooded corridors are suitable for NLEB if they contain potential roost trees. Individual trees may be considered suitable habitat when they exhibit characteristics of suitable

roost trees and are within 1,000 feet of other forested/wooded habitat. NLEB have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat when they are within 1000 feet of suitable forested habitat (see above).

Examples of **UN-SUITABLE** habitat for the NLEB include:

- Individual trees that are greater than 1,000 feet from forested/wooded areas;
- Trees found in highly developed urban areas (e.g., street trees, downtown areas) – but note that NLEBs sometimes use relatively extensive forested natural areas within urban areas for summer roosting habitat;
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees.

Habitat Questions for Northern Long-eared Bat:

**Is suitable summer habitat, as defined above, located within 1000 feet of the project activities?**

Unknown.

No. Conservation measures are not needed for this species unless otherwise indicated.

**Additional habitat questions for this species are not applicable if suitable habitat is not present.**

Yes. The following conservation measures must be implemented in order to avoid adverse impacts on Northern long-eared bat.

**NLEB CM-2:** No removal of suitable trees or roosting structures between May 15 and July 31 (maternity roosting season).

**Does the action include temporary or permanent lighting of roadways, commercial buildings, facilities, and/or parking lots?**

No. Lighting conservation measures are not necessary.

Yes. The following lighting conservation measure must be implemented:

**NLEB CM-7** Use downward-facing, full cut-off lens lights\* (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights.

*\*Full cut-off lens lights are fixtures or luminaires constructed and installed in such a manner that all light emitted from the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is protected below the horizontal plane through the fixture's lowest light-emitting part.*

**EXAMPLE 2**

**Whooping Crane and Whooping Crane Critical Habitat**

This project is within the range of the state and federally listed endangered whooping crane (*Grus americana*) and MAY also be within federally designated critical habitat for whooping crane (Central Platte River corridor between Lexington and Shelton, Nebraska)

Habitat Questions for Whooping Crane and Whooping Crane Critical Habitat:

**Is the Action Area or area of potential effect outside of densely populated residential, commercial, or industrial areas?**

**AND**

**Does the Action Area or area of potential effect (within 1/2 mile of) include suitable habitat, which includes but is not limited to, sub-irrigated grasslands, meadows, shallow wetland habitat, farm ponds, or major rivers?**

Unknown for EITHER question.

No for EITHER question. Conservation measures are not needed for this species unless otherwise indicated.

RESULT 2 (continued)

\_\_\_ Yes for BOTH questions. The following conservation measures must be implemented in order to avoid adverse impacts on whooping crane and/or critical habitat for whooping crane:

Unless otherwise indicated, conservation measure WC CM-2 or WC CM-3 is required (not both), in addition to any other conservation measures listed for this species:

**WC CM-2:** If project or management actions/activities must occur during the spring (March 6 - April 29) or fall (October 9 - November 15) migration periods, then a survey must be conducted according to the standard protocol. Take note of the worktime restrictions as stated in the protocol.

OR

**WC CM-3:** Project or management actions/activities will not be implemented during the spring (March 6 - April 29) or fall (October 9 - November 15) whooping crane migration periods.

**Please Note:**

If, after attempting to figure out the best answer for any species listed under the Questions and Conservation Conditions section, you still do not feel comfortable selecting an answer, please call or send an email to the ERT. Depending on the time of year, the team may not be able to answer your call immediately and a follow-up email to ERT is recommended to expedite a response to your inquiry.

RESULT 3

**Result 3**

Below is a screen shot of the first paragraph for Result 3.

**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, further consultation with the Nebraska Game and Parks Commission is required. Please review all the information provided in this document, then sign and date the Certification section. Upload the report under the Edit Details tab using the File Attachments feature and change the Edit Status to Final. Email a copy of your certified (i.e., signed and dated) report with a request for further review to the Commission ([ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)). Attach supporting documentation that may aid in the review such as designs, survey reports, site photos. etc.

**Action Required:**

Step 1: Sign and date the **Certification** section in the Conservation Measures Agreement/Certification section.

Step 2: Contact the ERT via email ([ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)) with your ERR attached and supporting document for further review. Supporting documentation could include designs plans, site photos, etc. Until you receive a concurrence letter from the ERT, you are not done.

*Note: During the spring season, the ERT has a longer que for environmental reviews requests as projects all over the state are preparing for construction. The ERT is typically able to respond with 30 days or less to requests for reviews.*



## RESULT 3

Step 3: Notify the LWCF team via email that the project required a consultation with the ERT.

The Additional Considerations section requires no action during the application period but includes information on the federal laws that protect threatened and endangered species, migratory birds, and other fish and wildlife and their habitats that you must abide by during construction.

Note-An ERR is not complete until the project sponsor does the following:

- Reads the report, determines the overall result the project received, checks off any necessary and required boxes, certifies the report with a signature/date stamp, consults with ERT if needed, uploads a copy of the ERR into CERT under the appropriate project, and selects “Final” for the edit status. Then a pdf of the signed ERR will need to be uploaded in the online LWCF application. If the ERR report requires consultation with the ERT, you will have the additional step of notifying the LWCF team of the status.

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### *PART 4 – CREATING A FINAL ERR*

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For all projects, you will need to upload the ERR into CERT, however, when and what additional documentation is needed depends on whether a consultation with ERT is required.

If no ERT consultation is required: log back into your CERT account and navigate to the **My Projects** tab on the yellow tool bar on the top of the page to find the project. Click on the project title to select and within the pop-up window, select **Edit Details** for a new window. Scroll down to **File Attachments** to upload the signed and dated ERR using the **Browse** and **Upload** buttons. Below the File Attachments section, change the status to **Final** and then hit **Save**.

Under **My Projects** tab, you should see the project with a Final Status. You are done with CERT. Proceed to Part 5.

If an ERT consultation is required, once completed, you will need to include your letter/email of concern and the concurrence letter (if applicable) with your ERR in one pdf document before uploading the document in CERT and marking as Final. The process for uploading the document and marking as final are the same as above and you can proceed to Part 5

Once the ERR is uploaded and the status is changed from Draft to Final, the Project and the ERR cannot be edited. If you accidentally selected Final and the project still needs to be in draft form, please contact the ERT.

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### *PART 5 – UPLOADING THE ERR IN THE APPLICATION*

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All projects will be required to submit a signed ERR in the application after uploading the signed ERR into CERT. A submitted ERR must include any communications with the ERT and letter of

concurrence if applicable. If a consultation with ERT is required, the LWCF team must be notified when the project sponsor requests a consultation in order to assess impact.

If a project is recommended by the Game and Parks Board of Commissioners, all ERR information and documents will be submitted with the National Park Service application and further review may be requested.

All project sponsors are required to comply with all terms of the ERR report and/or letter of concurrence if awarded.

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*ERT CONTACT INFORMATION*

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ERT (Environmental Review Team)

[ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)

402-471-5423

Thank you for utilizing the Nebraska Game and Parks Commission's Conservation and Environmental Review Tool (CERT). Please note that there is additional help documents found on the NGPC Environmental Review website (<https://outdoornebraska.gov/conservation/environmental-review/>) and the CERT website (<https://cert.outdoornebraska.gov/help-documents>).