

AGENDA

Nebraska Environmental Trust Board
Second Quarter Meeting
Thursday, May 4, 2023
1:00 PM CST

Fallbrook State Office Building
LL Room 031, 245 Fallbrook Blvd, Lincoln, NE

1. Call to Order
 - a. Roll call
 - b. Verify Quorum
 - c. Notice of Meeting; Published Monday, April 22, 2023
 - d. Notification of Open Meetings Act Posting
2. Consent Agenda
 - a. Approval of February 2, 2023, Board Meeting Minutes
 - b. Financial Reports
 - c. Approval to set aside Financials for Audit
 - d. Grant Administration Report
3. Public Comment
4. UN-L Senior Design Team Update on Grants Portal Inspections
5. Board Development – Legislative informational reviews
6. Title 137 Committee Report and Amendments to Title 137 for consideration
7. Public Hearing on Proposed Ranking Systems for Grant applications
8. Consideration of Project Ranking Systems for Grant applications for adoption
9. Grant application cycle 2023/2024
 - a. Point Allocation for Geographic Distribution
 - b. Annual Priorities within Funding Categories
10. Grants Portal annual Grants Management System Service Agreement
11. Grant Modification Requests: 19-146-3, 20-103-3, 21-173, 23-156, 22-174, 20-174-3, 20-123-2, 20-139-3, 19-104-3, 20-153-3, 22-173, 20-175-3, 21-205-2, 20-189-3, 19-162-3, 20-127-3, 19-123-3, 20-104, 21-133, and 20-150-3
12. Closeout Report of Grants
13. Sale of property with conservation easement from Grant 09-134-3

14. Nebraska Environmental Trust Policy Amendments
 - a. Section II: Committees, C. Grants Committee, amend/delete
 - b. Section V: Grant Applications, A. Duplication of Grant Awards, amend
 - c. Section V: Grant Applications, G. Public Notice of Applications Received and Rank Order List, amend/delete
 - d. Section V: Grant Applications, H. Comment Process on Grant Applications and Rank Order List, amend/delete
 - e. Section V: Grant Applications, I. Recognition Grant, amend/delete
 - f. Section V: Grant Applications, J. Statement of Intent, amend
 - g. Section V: Grant Applications, L. Application Submission Requirements, amend
 - h. Section VI: Grantee Conditions, F. Payment of Tax on Real Property, amend
 - i. Section IX: Trust Staff, B. Staff Supervision, amend
15. Directors Report
16. Next Meeting; Thursday, August 3, 2023, Location TBA, 1:30 p.m.
17. Adjourn

**This agenda contains a list of subjects known at the time of its distribution on April 24, 2023. A current copy is kept on file at the office of the Nebraska Environmental Trust, 700 S 16th Street, Lincoln, NE 68508. Except for items of an emergency nature, the agenda will not be altered later than 24 hours before the scheduled commencement of the meeting. Public comment may be offered on topics within the purview of the Board on any item before the Board by completing the sign-in sheet available at the meeting. Time for each speaker should not exceed 3 minutes.

Consent Agenda

NET Board Agenda Materials

Item #: 2

Object: To implement a consent agenda

Contact Person: Karl Elmshaeuser

For: ACTION

Attachment: 40 pages

BACKGROUND

The consent agenda includes a list of routine, uncontroversial items that can be approved in a single motion, with no discussion and one vote.

EXPLANATION

A consent agenda streamlines the approval of regular and routine agenda items and allows the Board to focus on more substantive issues. For a consent agenda to work, it is essential that all members review the consent documents before the meeting. Although a member may request a consent agenda item to be moved to the regular agenda for discussion during a meeting, it is best to bring issues to the attention of the Executive Director prior to the meeting. The item can be placed on the regular agenda if further discussion is needed.

Consent Agenda Items:

a. February 2, 2023, Board Meeting Minutes

Members may ask in advance of a meeting for a correction to unapproved minutes. If a revision is made, the draft minutes will be recirculated to the Board before the scheduled meeting.

b. Financial Reports (Informational)

FY 2022-23 NET Budget Report, as of March 31, 2023 – Budgeted amount and year-to-date fiscal expenditures from the Environmental Trust and Ferguson House Funds. The total expenditures cannot exceed the total authority (appropriation) for operating expenses. The “Remaining” and “% Spent” columns show the relation of the line-item expense to the planned budget amount as of March 31, 2023, for the fiscal year ending on June 30, 2023.

FY 2022-23 Ferguson House Fund Report, as of March 31, 2023 – Quarterly expenditures and revenue and fiscal year-to-date Ferguson House expenditures for the fiscal year ending June 30, 2023.

January 2023 – March 2023 Budget Status Reports - Monthly reports generated from the state financial system providing detailed information for expenditures and revenue for the Environmental Trust and the Ferguson House Funds.

Grant Disbursement Report - Disbursement for open grants as of April 4, 2023.

Nebraska Lottery Proceeds Allocation Report – Quarterly report through March 29, 2023, showing the allocation proceeds distribution from the Nebraska Lottery to individual funds.

c. Approval to set aside Financials for Audit

As revenue and expenditures have already occurred, setting aside financials for an audit more accurately describes the Boards approval of the financial reports.

d. Grant Administration Report

Includes late reports, modifications approved by staff, and additional updates by the Grants Administrator.

PROPOSAL

To use a consent agenda to assist in making meetings more productive, members more engaged, and allow more time for strategic issues requiring debate and deliberation.

Recommended motion, “I move that the Board approves the Consent Agenda.”

MINUTES

Nebraska Environmental Trust Board
First Quarter Meeting
Thursday, February 2, 2023
1:30 p.m.

1. Call to Order

Chairman Quandahl called the first quarter meeting of the Nebraska Environmental Trust Board to order at 1:32 p.m. in LL Room 031 at 245 Fallbrook Blvd, Lincoln, Nebraska.

Advanced notice of the meeting and public hearing was published in the Lincoln Journal Star on January 23, 2023. The agenda and documents to be considered at the meeting were provided. The Open Meetings Act was posted near the entrance of the meeting room and on the Nebraska Environmental Trust (NET) website.

Roll call was conducted, and a quorum was present.

Members present (11):

District I: Mr. James Hellbusch, Columbus; Mr. Jeff Kanger, Lincoln; Mr. John Orr, Blair.

District II: Mr. Paul Dunn, Omaha; Chairman Mark Quandahl, Omaha.

District III: Josh Andersen, Edgar; Mr. Quentin Bowen, Humboldt; Mr. Rod Christen, Steinauer.

State Agency Representatives: Mr. Tim McCoy, Director, Nebraska Game & Parks Commission; Ms. Charity Menefee, Director, Nebraska Department of Health and Human Services; Ms. Sherry Vinton, Director, Nebraska Department of Agriculture.

Members absent (3):

State Agency Representative: Mr. Felix Davidson, Valley; Vice Chairman Jim Macy, Director, Nebraska Department of Environment and Energy; Mr. Tom Riley, P.E., Director, Nebraska Department of Natural Resources.

Staff present:

Mr. Karl Elmshaeuser, Executive Director; Ms. Holly Adams, Grants Administrator; and Ms. Sandra Weaver, Administrative Specialist.

2. Consent Agenda

Background on consent agenda items

The consent agenda included the January 10, 2023, Board meeting minutes, financial reports and approval to set financials aside for audit, the Grant Disbursement Report, Nebraska Lottery Proceeds Allocation Report, and the Grant Administration Report.

Motion by Mr. Orr, seconded by Mr. Christen, "I move to approve the consent agenda."

Voting Aye: Hellbusch, Orr, Dunn, Andersen, Christen, Bowen, McCoy, Menefee, Vinton, Kanger, Quandahl

Absent: Davidson, Macy, Riley

11 Voted Aye. Motion carried.

3. Public Comment

Mr. Jerry Bucy, Lower Big Blue NRD, explained the reasons for the extension request for grant project 20-162-3.

Mr. John Bender, Friends of the Nebraska Environmental Trust, provided his opinion as to whether specific projects were regulatory and therefore ineligible for funding in response to discussion held at the previous NET Board meeting.

4. Board Development

a. Recognition of Board Representation in Congressional Districts

Chairman Quandahl recognized the public service of Board members John Orr, Congressional District 1; Quentin Bowen, Congressional District 3; and Paul Dunn, Congressional District 2, whose terms expire in March 2023. John Orr and Quentin Bowen have each served one six-year term, and Paul Dunn has served four six-year terms.

b. Accountability and Disclosure – Conflicts of Interest Statement & Reporting

Executive Director Elmshaeuser noted members of the Nebraska Environmental Trust Board are bound by the Nebraska Accountability and Disclosure Act. Members are required to file a Statement of Financial Interests form by March 1 and file a Potential Conflict of Interest Statement whenever any potential conflict of interest arises. Board members were encouraged to sign a NET Conflict of Interest form to acknowledge avoiding or disclosing potential conflicts of interest or any perceptions of them.

5. Legislative Committee Report

Executive Director Elmshaeuser reported 812 bills were introduced in the Nebraska Legislature. No bills or constitutional amendment proposals were identified that directly impact the NET. Legislative bills that may affect board activities include:

- LB302 – concerns accountability and disclosure laws and how conflicts of interest are reported
- LB513 – changes proof of publication requirements for legal notices and requirements for published notices and virtual conferencing under the Open Meetings Act
- LB637 – would require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act

6. Rescind Nebraska Environmental Trust Policy Section VI: G. Defense Funds on Easements

Background on Agenda item 6

In July 2015, the NET Board implemented a policy to require a defense of easements fund by grantees if a conservation easement was part of a grant request. Defense Funds are not held by the NET and are set aside by the grantee after NET funds are provided for the awarded grant. The NET does not monitor these funds. Survivability clauses require the grantee in their grant contract to report the funds annually. In most cases, the NET staff request and track the information. NET Board discussions during 2022 involved the NET's State APA Audit issued on July 21, 2021, and the similarities of a revolving fund situation. The Defense Funds on Easements policy sets a position in which the NET Board is at risk of delegating its authority to fund activities without ensuring outside oversight by either the Board or any other independent entity. Under the current policy, interest gained from the funds may be expended by the grantee for monitoring. The funds are to be tracked

for each funded property. In most cases, the grantee has blended the funds into one investment fund. If there is a conflict concerning the easement, the grantee could use the funds provided by the NET to counter NET challenges.

Motion by Mr. Andersen, seconded by Mr. Orr, "I move that the Nebraska Environmental Trust Board rescinds the Nebraska Environmental Trust Policy Section VI: G. Defense Funds on Easements effective February 3, 2023, and that all surviving contractual obligations by previous grantees continue to report the status of defense fund on easements, interest, and allowed expenditures."

Discussion: None.

Voting Aye: Orr, Andersen, Christen, Bowen, McCoy, Menefee, Vinton, Kanger, Hellbusch, Quandahl

Voting Nay: Dunn

Absent: Davidson, Macy, Riley

10 Voted Aye. 1 Voted Nay. Motion carried.

7. Amend Nebraska Environmental Trust Policy Section VII: A. Post-Completion Procedure and Report to align with Grant Modification Request Policy

Background on Agenda Item 7

NET policy Section VII: A. Post-Completion Procedure and Report was adopted on February 13, 1996, and last revised on April 5, 2007. NET policy Section VI: Grantee Conditions, I. Grant modification Requests was adopted on November 13, 2006, and later amended on April 8, 2021. Conflicting language must be deleted in Section VII to match the updated Section VI.

Motion by Mr. Andersen, seconded by Mr. Orr, "I move that the NET Policy Section VII: Post-Completion Procedure and Report, A. be amended by removing the language that is struck through and read as follows:

A grant contract is considered to have expired when the termination date specified in that contract is reached. ~~The Board authorizes the Executive Director to extend the termination date of any grant, provided that the grantee supplies reasonable cause for the extension and the extension will allow the project to be completed as authorized by the Board in the grant award."~~

Discussion: Mr. Orr stated he supported the policy change since it clarifies authority, holds the Board accountable, and is more transparent.

Voting Aye: Dunn, Andersen, Christen, Bowen, McCoy, Menefee, Vinton, Kanger, Hellbusch, Orr, Quandahl

Absent: Davidson, Macy, Riley

11 Voted Aye. Motion carried.

8. Discussion on limiting survivability terms for insurance, property tax, and easements on grant-funded projects

Background on Agenda Item 8

The continued payment of real property tax is included in Title 137. The NET policy on payment of taxes on real property originated in 1999 and was updated in 2005. Initially drafted in 1996, the equipment insurance policy was revised in 2002 and 2022. These policies create survivability provisions in the grant contracts. Depreciation timelines and monitoring of personal and real property create accountability issues.

Executive Director Karl Elmshaeuser stated input from the NET Board is being sought to create recommendations to the Title 137 Committee and NET Board to update rules, regulations, and policies. Decisions could enable the incorporation of language into grant contracts and separate contractual agreements beyond the grant contract for specific items. As a result, clearer tracking and accountability of expended public funds can be provided. Examples of cases with accountability issues were outlined for the Board. Personal property is easier to track than real property. Questions for the NET Board’s consideration include the following:

- What is the term for an environmental benefit to the general public from the public funds invested?
- How do we handle real property, and what is the length of the term for real property?
- How long after the Trust provides funds are the obligations fulfilled, and how long should strings be attached to a grant?
- Does the Trust care if the property doubles in value over time?
- What is the general public’s benefit, and how is it quantified?

Part of the Title 137 Committee’s challenge will be defining whether a program is regulatory. Currently, there are no provisions in Title 137 to track funds once they go back to the grantee.

9. Grant Modification Requests

a. Extension Requests: 20-162-3, 20-183-3, 21-162-2, 22-141, 21-118

Motion by Mr. McCoy, seconded by Mr. Hellbusch, “I move to approve Lower Big Blue NRD’s request to extend project 20-162-3 for one year.”

Discussion: Mr. Andersen expressed concern about what the extension would produce for the grant and whether it would finish spending the funds or finish the project. Mr. Kanger questioned whether it is best to surrender the funds, return to the Trust, and reapply when timing and other funding source challenges exist on a project.

Voting Aye: Christen, McCoy, Menefee, Orr, Dunn

Voting Nay: Andersen, Bowen, Vinton, Kanger, Hellbusch, Quandahl

Absent: Davidson, Macy, Riley

5 Voted Aye. 6 Voted Nay. Motion failed.

Motion by Mr. Andersen, seconded by Mr. Dunn, “I move to approve UN-L’s request to extend project 20-183-3 for one year.”

Discussion: Mr. Andersen requested a review of the modification request before considering the extension request. Grants Administrator Adams noted the modification request was due to burglary and vandalism at one of the sites. Excess money in the Benefits budget category due to the revised eligibility policy could be moved to the Materials and Supplies and Equipment categories. Equipment insurance is required for items worth \$1,000 or more. Since the individual pieces were considered materials, service life was not added to the equipment. Issues with receiving equipment and materials caused the project’s timeline delay.

Voting Aye: Andersen, Christen, Bowen, McCoy, Menefee, Vinton, Kanger, Hellbusch, Orr, Dunn, Quandahl

Absent: Davidson, Macy, Riley

11 Voted Aye. Motion carried.

Motion by Mr. Andersen, seconded by Mr. Christen, “I move to approve UN-L’s request to extend project 21-162-2 for one year only.”

Discussion: None.

Voting Aye: Christen, Bowen, McCoy, Menefee, Vinton, Kanger, Hellbusch, Orr, Dunn, Andersen, Quandahl

Absent: Davidson, Macy, Riley

11 Voted Aye. Motion carried.

Motion by Mr. Andersen, “I move to deny Central Platte NRD’s request to extend project 22-141 for one year.”

The motion failed due to lack of a second.

Motion by Mr. Dunn, seconded by Mr. McCoy, “I move to approve Central Platte NRD’s request to extend project 22-141 for one year.”

Discussion: Bidding and construction on the project cannot proceed until NEPA regulatory and FHWA approvals are received. Pending progress with NGPC and FWHS, the current estimate for completion is November 2023.

Voting Aye: Bowen, McCoy, Menefee, Vinton, Kanger, Hellbusch, Orr, Dunn, Andersen, Christen, Quandahl

Absent: Davidson, Macy, Riley

11 Voted Aye. Motion carried.

Motion by Mr. Dunn, seconded by Mr. Orr, “I move to approve Snake Falls Preservation Group’s request to extend project 21-118 for six months.”

Discussion: It was clarified that there was an agreement in the project to allow public access for a term of five years after the completion of the project. Due to severe drought, a permit could not be obtained for mechanical cedar clearing unless fire equipment and personnel were on-site. As the requirement was cost prohibitive, the project was delayed until a snowfall occurred. A subsequent snowstorm resulted in drifts four to six feet deep, making work impossible. NET policy does not prohibit a second extension on a project.

Voting Aye: McCoy, Menefee, Vinton, Kanger, Hellbusch, Orr, Dunn, Andersen, Christen, Bowen, Quandahl

Absent: Davidson, Macy, Riley

11 Voted Aye. Motion carried.

b. Modification Requests: 20-183-3, 22-130

Motion by Mr. Dunn, seconded by Mr. Christen, “I move to approve UN-L’s request to move funds from the Benefits category into the Equipment and Materials categories for project 20-183-3.”

Discussion: As per NET Board policy, requests for budget changes within a grant must be approved by the Board if the total amount is \$10,000 or more. An excess amount remains in the Benefits category due to the new contract limitations and is ineligible for recapturing unless an eligible request is made.

Voting Aye: Menefee, Vinton, Kanger, Hellbusch, Orr, Dunn, Christen, McCoy
Voting Nay: Andersen, Bowen, Quandahl
Absent: Davidson, Macy, Riley
8 Voted Aye. 3 Voted Nay. Motion carried.

Motion by Mr. Dunn, seconded by Mr. Orr, “I move to approve Nebraska Recycling Council’s request to increase the Recycling Equipment mini-grant maximum award amount from \$20,000 to \$25,000 per individual project for NET grant 22-130.”

Discussion: Executive Director Elmshaeuser clarified the mini-grant maximum award amount is internal and that no additional grant funds will be given to the grantee. Mr. Dunn noted the request provided good examples of how Pro-Bin Trailer prices are increasing.

Voting Aye: Vinton, Kanger, Hellbusch, Orr, Dunn, Andersen, Christen, Bowen, McCoy, Menefee, Quandahl
Absent: Davidson, Macy, Riley
11 Voted Aye. Motion carried.

10. Title 137 Committee Report

Chairman Josh Andersen of the Title 137 Committee reported public listening sessions for proposed changes to Title 137 were held in Lincoln, Omaha, Kearney, and a virtual Zoom session was made available. The Committee is reviewing the report of compiled comments. After the review, the Committee will bring ideas to the NET Board for consideration. Title 137 Committee members include Committee Chairman Josh Andersen, Jeff Kanger, Mark Quandahl, Jim Macy, and Sherry Vinton.

Executive Director Elmshaeuser reported the Committee met on February 1, 2023, and will continue to meet every two weeks. Board members were encouraged to submit ideas to the Title 137 Committee for consideration.

11. Directors Report

Executive Director Elmshaeuser reported that ten grant project audits had been conducted in the last eight months, including four in-person and four ongoing audits. Eighteen 15-day notices were sent to grantees for a breach of their grant contract. Fifteen of the eighteen notices have been cleared, and three are ongoing. One grantee in the audit process is under federal indictment. On another issue, a grantee has been criminally charged and is still pending investigation. Two other grant projects are still being researched. Internally, tracking processes for grants have been improved. The office is in the process of updating contracts for the next grant round. Language will be added to the grant contract stating that invoices not submitted by a specified date will not be paid.

Other items in the report included:

- The Appropriations Hearing with the Game and Parks Commission, which includes the Governor’s proposed biennial budget recommendations for the NET in LB814, will be held at the State Capitol, Room 1524, on Tuesday, February 28.
- At the next quarterly meeting, UN-L’s School of Computing students will present their Grants Portal improvements to the NET Board.

Executive Director Elmshaeuser formally recognized Holly Adams and Sandra Weaver for their service to the State of Nebraska and for carrying the load while the office remains understaffed. Both employees were awarded a \$1,000 bonus for their service.

Board Member Comment

Mr. Christen asked to clarify his comments on regulatory programs at the NET Board meeting on January 10, 2023. He noted the comments were based on his impression that Trust-funded grants in the past were not allowed to be used on CRP acres when related to burn equipment and evasive species control. Participants already received payments for management practices on their CRP acres through FSA.

12. Next Meeting

Thursday, May 4, 2023, LL Room 031, 245 Fallbrook Blvd, Lincoln, Nebraska, 1:30 p.m.

13. Adjourn

Chairman Quandahl adjourned the meeting at 3:11 p.m.

Karl L. Elmshaeuser
Executive Director

DRAFT

Month of the fiscal year (As of 3/31/22)

75% of Fiscal Year

FUND	ACCT	DESCRIPTION	AUTHORITY	SPENT YTD	OUTSTANDING	REMAINING	% SPENT	NOTE
510000 PERSONAL SERVICES								
	511100	Permanent Salaries - Wages	\$ 302,159.01	\$ 146,199.04	\$ -	\$ 155,959.97	48%	
	511200	Temporary Salaries - Wages	\$ 6,079.00	\$ -	\$ -	\$ 6,079.00	0%	
	511300	Overtime Payments - Bonuses	\$ -	\$ -	\$ -	\$ -	0%	
	511700	Employee Bonuses	\$ -	\$ 2,000.00	\$ -	\$ (2,000.00)	NOTE	5*
	511800	Compensatory Time Paid	\$ -	\$ -	\$ -	\$ -	0%	
	512100	Vacation Leave Expense	\$ 137.72	\$ 7,982.81	\$ -	\$ (7,845.09)	5796%	*4
	512200	Sick Leave Expense	\$ 207.22	\$ 6,422.53	\$ -	\$ (6,215.31)	3099%	*4
	512300	Holiday Leave Expense	\$ 687.30	\$ 9,772.02	\$ -	\$ (9,084.72)	1422%	*4
	512400	Military Leave Expense	\$ -	\$ -	\$ -	\$ -	0%	
	512500	Funeral Leave Expense	\$ -	\$ 573.72	\$ -	\$ (573.72)	NOTE	*4
	512600	Civil Leave Expense	\$ -	\$ -	\$ -	\$ -	0%	
	512700	Injury Leave Expense	\$ -	\$ -	\$ -	\$ -	0%	
	515100	Retirement Plans Expense	\$ 22,708.25	\$ 12,800.77	\$ -	\$ 9,907.48	56%	
	515200	FICA Expense	\$ 23,651.02	\$ 12,977.78	\$ -	\$ 10,673.24	55%	
	515400	Life & Accident Ins Expense	\$ -	\$ -	\$ -	\$ -	0%	
	515500	Health Insurance Expense	\$ 51,558.00	\$ 7,073.46	\$ -	\$ 44,484.54	14%	
	516300	Employee Assistance Program	\$ 63.00	\$ -	\$ -	\$ 63.00	0%	
	516500	Worker's Compensation	\$ 4,745.00	\$ 2,615.04	\$ -	\$ 2,129.96	55%	
PERSONAL SERVICES TOTAL			\$ 411,995.52	\$ 208,417.17	\$ -	\$ 203,578.35	51%	*1

520000 OPERATING EXPENSES								
G	521100	Postage Expense	\$ 500.00	\$ 341.69	\$ -	\$ 158.31	68%	
G	521300	Freight Expense	\$ 150.00	\$ -	\$ -	\$ 150.00	0%	
G	521400	CIO Charges	\$ 10,233.26	\$ 7,836.68	\$ -	\$ 2,396.58	77%	
G	521412	Com Expense - Voice/Data (previously 521200)	\$ 4,710.67	\$ 3,315.36	\$ -	\$ 1,395.31	70%	
P	521500	Publication & Print Expense	\$ 3,500.00	\$ 1,991.30	\$ -	\$ 1,508.70	57%	
P	521501	Publication	\$ -	\$ -	\$ -	\$ -	0%	
P	521502	Printing	\$ 1,500.00	\$ -	\$ -	\$ 1,500.00	0%	
P	521503	Advertising	\$ 2,100.00	\$ 148.65	\$ -	\$ 1,951.35	7%	
P	521900	Awards Expense	\$ 250.00	\$ 69.55	\$ -	\$ 180.45	28%	
G	522100	Dues & Subscription Expense	\$ 749.90	\$ 249.90	\$ -	\$ 500.00	33%	
G	522200	Conference Registration	\$ 1,000.00	\$ 337.24	\$ -	\$ 662.76	34%	
G	522900	Employee Parking Expense	\$ -	\$ -	\$ -	\$ -	0%	
G	523000	Volunteer Expenses	\$ -	\$ -	\$ -	\$ -	0%	
F	523201	Gas and Heating Fuels	\$ 5,562.45	\$ 3,567.06	\$ -	\$ 1,995.39	64%	
F	523202	Electricity (523202-132)	\$ 3,188.84	\$ 1,539.18	\$ -	\$ 1,649.66	48%	
F	523203	Water (523203-133)	\$ 801.01	\$ 356.17	\$ -	\$ 444.84	44%	
F	523204	Sewer	\$ 540.64	\$ 237.08	\$ -	\$ 303.56	44%	
F	523219	Other Utility	\$ -	\$ -	\$ -	\$ -	0%	
G	524600	Rent Expense - Buildings	\$ -	\$ -	\$ -	\$ -	0%	
G	524700	Rent Expense - Other Real Property	\$ 1,053.04	\$ 450.33	\$ -	\$ 602.71	43%	
G	524900	Rent Expense - Depreciation Surch	\$ 8,500.00	\$ 9,171.30	\$ -	\$ (671.30)	108%	*2
G	525100	Rent Expense - Office Equipment	\$ 500.00	\$ -	\$ -	\$ 500.00	0%	
G	525200	Rent Expense - Data Proc Equip	\$ -	\$ -	\$ -	\$ -	0%	
G	525400	Rent Expense - Communication Equip	\$ -	\$ -	\$ -	\$ -	0%	
F	525500	Rental Expense - Other Per Prop	\$ 157.95	\$ 71.55	\$ -	\$ 86.40	45%	
F	525556	Construction Equipment	\$ -	\$ -	\$ -	\$ -	0%	
F	526100	Rep & Maint - Real Property	\$ 9,150.09	\$ 5,161.01	\$ -	\$ 3,989.08	56%	
F	526101	Building Structure - Maint & Repair	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	0%	
F	526102	Land Maint and Repair	\$ 250.00	\$ -	\$ -	\$ 250.00	0%	
G	527100	Rep & Maint - Office Equipment	\$ -	\$ -	\$ -	\$ -	0%	
G	527200	Rep & Maint - Motor Vehicle	\$ 1,296.52	\$ 604.30	\$ -	\$ 692.22	47%	
G	527400	Rep & Maint - Data Proc Equip	\$ -	\$ -	\$ -	\$ -	0%	
G	527500	Rep & Maint - Comm Equip	\$ -	\$ -	\$ -	\$ -	0%	
F	527600	Repair & Maint - House Inst Equip	\$ -	\$ -	\$ -	\$ -	0%	
G	527700	Repair & Maint - Photo/Media	\$ -	\$ -	\$ -	\$ -	0%	
G	527800	Repair & Maint - Other Property	\$ -	\$ -	\$ -	\$ -	0%	
G	531100	Office Supplies Expense	\$ 4,000.00	\$ 879.91	\$ -	\$ 3,120.09	22%	
G	531101	IT Supplies	\$ 300.00	\$ -	\$ -	\$ 300.00	0%	
G	532100	Non-Capitalized Equip Pur (Non-Expend)	\$ 1,000.00	\$ 591.48	\$ 21,050.00	\$ (20,641.48)	59%	
G	532200	Personal Computing Equipment	\$ 500.00	\$ -	\$ -	\$ 500.00	0%	
P	533101	Clothing	\$ -	\$ -	\$ -	\$ -	0%	
F	533132	Sanitation - Janitorial	\$ 893.72	\$ 187.92	\$ -	\$ 705.80	21%	
G	533133	Food Service Institutional	\$ 100.00	\$ -	\$ -	\$ 100.00	0%	
G	533900	Food Expense	\$ 1,500.00	\$ 111.20	\$ -	\$ 1,388.80	7%	
F	534500	Agricultural Supplies	\$ 25.00	\$ -	\$ -	\$ 25.00	0%	
P	534600	Ed & Recreational Supplies	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	0%	
G	534700	Eng Tech & Comm Sup Exp	\$ -	\$ -	\$ -	\$ -	0%	
F	534800	Const & Maint Supp Expense	\$ 650.00	\$ -	\$ -	\$ 650.00	0%	
F	534900	Miscellaneous Supplies Expense	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0%	
G	534950	Computer Hardware <\$1,500	\$ -	\$ -	\$ -	\$ -	0%	
G	538100	Gas and Oil (Veh & Equip)	\$ 2,244.83	\$ 165.98	\$ -	\$ 2,078.85	7%	
G	538182	Licensed Motor Vehicle Supplies	\$ 100.00	\$ -	\$ -	\$ 100.00	0%	
G	539100	Indirect Cost Allowance	\$ -	\$ -	\$ -	\$ -	0%	
G	541100	Accounting & Auditing Services	\$ 57,445.00	\$ 34,609.83	\$ -	\$ 22,835.17	60%	*2
G	541200	Purchasing Assessment	\$ 270.00	\$ 16.39	\$ -	\$ 253.61	6%	*2
G	541700	Legal Related Expenses	\$ 10,000.00	\$ 150.00	\$ -	\$ 9,850.00	2%	
G	542100	SOS Temporary Services - Personnel	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0%	
F	542500	Eng & Arch Services	\$ -	\$ -	\$ -	\$ -	0%	
G	543100	IT Consulting - Applications	\$ 64,040.00	\$ 69,340.00	\$ -	\$ (5,300.00)	108%	
G	543200	IT Consulting - HW/SW Supp	\$ 400.00	\$ -	\$ -	\$ 400.00	0%	
G	543300	IT Consulting - Other	\$ 5,186.26	\$ 3,477.12	\$ -	\$ 1,709.14	67%	
G	543500	Management Consultant Services	\$ -	\$ -	\$ -	\$ -	0%	
G	547100	Educational Services	\$ -	\$ -	\$ -	\$ -	0%	
P	547101	Media/Advertising Services	\$ 12,000.00	\$ 43.90	\$ -	\$ 11,956.10	0%	
F	548500	Lawn/Landscape/Snow Removal	\$ -	\$ 600.00	\$ -	\$ (600.00)	NOTE	*5
F	548600	Pest Control	\$ 150.00	\$ -	\$ -	\$ 150.00	0%	
F	548700	Refuse/Recycling	\$ 638.88	\$ 458.62	\$ -	\$ 180.26	72%	
F	548800	Fire Extinguishers	\$ 100.00	\$ -	\$ -	\$ 100.00	0%	

FUND	ACCT	DESCRIPTION	AUTHORITY	SPENT YTD	OUTSTANDING	REMAINING	% SPENT	NOTE
F	549100	Laundry Services	\$ -	\$ -	\$ -	\$ -	0%	
F	549200	Janitorial/Security Services	\$ 5,102.70	\$ 2,795.38	\$ -	\$ 2,307.32	55%	
F	549500	Hazardous Waste Disposal	\$ -	\$ -	\$ -	\$ -	0%	
F	549600	Construction Services	\$ -	\$ -	\$ -	\$ -	0%	
G	554900	Other Contractual Services	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	0%	
F	554901	Mgmt Consultant Services (Security)	\$ 2,000.00	\$ 1,560.00	\$ -	\$ 440.00	78%	*2
P	555100	Date Proc Softw Lic Fee	\$ 300.00	\$ -	\$ -	\$ 300.00	0%	
G	555200	Software - New Purchases	\$ 250.00	\$ -	\$ -	\$ 250.00	0%	
G	555340	Software - COTS Maintenance	\$ 2,799.80	\$ 2,719.80	\$ -	\$ 80.00	97%	
G	555540	Software - SAAS Maintenance	\$ 2,328.07	\$ 1,128.07	\$ -	\$ 1,200.00	48%	
F	556100	Insurance Expense (Ferguson House)	\$ 1,700.00	\$ -	\$ -	\$ 1,700.00	0%	
G	556100-1	Insurance Expense (Vehicle, Contents & Inland Marine)	\$ 900.00	\$ 332.70	\$ -	\$ 567.30	37%	
G	556300	Surety & Notary Bonds	\$ 50.00	\$ 39.31	\$ -	\$ 10.69	79%	*2
F	557100	Alley Assessment	\$ 2,726.82	\$ 1,326.82	\$ -	\$ 1,400.00	49%	*2
G	559100	Other Operating Expense	\$ 143,718.64	\$ -	\$ -	\$ 143,718.64	0%	
OPERATING EXPENSES TOTAL			\$ 437,114.09	\$ 155,982.78	\$ 21,050.00	\$ 260,081.31	36%	

570000 TRAVEL EXPENSES								
T	571100	Lodging	\$ 3,000.00	\$ 96.00	\$ -	\$ 2,904.00	3%	
T	571600	Meals - Not Travel Status	\$ 600.00	\$ -	\$ -	\$ 600.00	0%	
T	571800	Meals - Travel Status	\$ -	\$ -	\$ -	\$ -	0%	
T	571900	Meals - One Day Travel	\$ -	\$ -	\$ -	\$ -	0%	
T	572100	Commercial Transportation	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0%	
T	573100	State Owned Transportation	\$ 250.00	\$ -	\$ -	\$ 250.00	0%	
T	574500	Personal Vehicle Mileage	\$ 3,500.00	\$ 1,329.09	\$ -	\$ 2,170.91	38%	
T	574600	Contractual Serv - Travel Expense	\$ -	\$ -	\$ -	\$ -	0%	
T	574700	Volunteer Travel Expense	\$ -	\$ -	\$ -	\$ -	0%	
T	575100	Miscellaneous Travel Expense	\$ 150.00	\$ -	\$ -	\$ 150.00	0%	
TRAVEL EXPENSES TOTAL			\$ 8,500.00	\$ 1,425.09	\$ -	\$ 7,074.91	17%	

580000 CAPITOL OUTLAY								
F	581200	Buildings	\$ 17,100.00	\$ -	\$ -	\$ 17,100.00	0%	
F	583000	Furniture & Office Equipment	\$ -	\$ -	\$ -	\$ -	0%	
P	583300	Computer Hardware Equipment	\$ -	\$ -	\$ -	\$ -	0%	
G	583470	Personal Computing Equipment	\$ 1,200.00	\$ -	\$ -	\$ 1,200.00	0%	
G	584200	Vehicles & Vehicle Equipment	\$ -	\$ -	\$ -	\$ -	0%	
G	584800	Libraries & Museums	\$ -	\$ -	\$ -	\$ -	0%	
P	586901	Photo/Media Equipment	\$ -	\$ -	\$ -	\$ -	0%	
F	586902	Household/Institution Equip	\$ -	\$ -	\$ -	\$ -	0%	
CAPITOL OUTLAY TOTAL			\$ 18,300.00	\$ -	\$ -	\$ 18,300.00	0%	

SUB-TOTAL: 51, 52-55, 57, & 58			\$ 875,909.61	\$ 365,825.04	\$ 21,050.00	\$ 489,034.57	42%	
---	--	--	----------------------	----------------------	---------------------	----------------------	------------	--

TRANSFER TO ENDOWMENT								
Title 137: 1-002 & 3-003.03			\$ -	\$ -	\$ -	\$ -	0%	
ENDOWMENT TRANSFER TOTAL			\$ -	\$ -	\$ -	\$ -	0%	

590000 GOVERNMENT AID								
	599161	Distribution of Aid	\$ 61,455,148.02	\$ 16,392,953.72	\$ -	\$ 45,062,194.30	27%	*3
	599300	1099-AID-INCOME	\$ -	\$ -	\$ -	\$ -	0%	*3
GOVERNMENT AID TOTAL			\$ 61,455,148.02	\$ 16,392,953.72	\$ -	\$ 45,062,194.30	27%	

BUDGETED EXPENDITURES ALL CATEGORY TOTAL			\$ 62,331,057.63	\$ 16,758,778.76	\$ 21,050.00	\$ 45,551,228.87	27%	
---	--	--	-------------------------	-------------------------	---------------------	-------------------------	------------	--

Board Summary								
Primary	Sub	DESCRIPTION	AUTHORITY	SPENT YTD	OUTSTANDING	REMAINING	% SPENT	NOTE
Personnel		Direct Personnel & Benefits	\$ 411,995.52	\$ 208,417.17	\$ -	\$ 203,578.35	51%	
Operating								
G	Grant	Operation Costs for Grant Making	\$ 376,825.99	\$ 135,868.59	\$ 21,050.00	\$ 219,907.40	36%	
P	PR	Public Relations primarily Grant Making	\$ 22,650.00	\$ 2,253.40	\$ -	\$ 20,396.60	10%	
F	Ferg	Operation Costs for Ferguson	\$ 37,638.10	\$ 17,860.79	\$ -	\$ 19,777.31	47%	
T	Travel	Travel Costs for Grant Making	\$ 8,500.00	\$ 1,425.09	\$ -	\$ 7,074.91	17%	
Capital								
G	Grant	Capital Costs for Grant Making	\$ 1,200.00	\$ -	\$ -	\$ 1,200.00	0%	
P	PR	Public Relations primarily Grant Making	\$ -	\$ -	\$ -	\$ -	0%	
F	Ferg	Capital Costs for Ferguson	\$ 17,100.00	\$ -	\$ -	\$ 17,100.00	0%	
Sub Total Categories Above			\$ 875,909.61	\$ 365,825.04	\$ 21,050.00	\$ 489,034.57	42%	

Endowment	Transfer to Endowment Fund	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Gov Aid	Grants	\$ 61,455,148.02	\$ 16,392,953.72	\$ -	\$ -	\$ 45,062,194.30	27%	
BUDGETED EXPENDITURES ALL CATEGORY TOTAL			\$ 62,331,057.63	\$ 16,758,778.76	\$ 21,050.00	\$ 45,551,228.87	27%	

All expenses were as expected with the following notes.

- *1 The salary expenditure limit in Personal Services is set by a legislative appropriations bill. Expenditures for 515100-516500 are operating expenses.
- *2 Expenses for the entire fiscal year are paid up front.
- *3 Grant funds are appropriated under Acct. Code 599161. Reimbursements to "for-profit organizations" are paid using Acct. Code 599300 1099-AID-INCOME.
- *4 Leave is budgeted under Permanent Salaries as part of PSL. Amounts in "Authority" column are certified encumbrances from the prior FY. See "SpentYTD" column.
- *5 Not included in budget request

Ferguson House P/L Report

Month 9 of the fiscal year. Fiscal Year Q3 _ As of 3/31/22

75% of Fiscal Yr.

Income						
		FY 22/23			FY 21/22	
Office Rent	% Occupied				% Occupied	
January	68%	\$	625.00		68%	\$ 625.00
February	68%	\$	625.00		68%	\$ 625.00
March	68%	\$	625.00		68%	\$ 625.00
SubTotal	68%	\$	1,875.00		68%	\$ 1,875.00
Charge Point			\$ 51.77			\$ 65.18
Other						
Interest			\$ 1,372.72			\$ 1,030.51
Total			\$ 3,299.49			\$ 2,970.69
Q3						\$ 2,784.53
Q4						\$ 2,784.53
Q1			\$ 2,978.43			\$ 2,655.81
Q2			\$ 3,214.98			\$ 2,757.78
Total Year to Date			\$ 9,492.90			\$ 11,168.81

Expenses	AUTHORITY	SPENT YTD	OUTSTANDING	REMAINING	% SPENT	NOTE
Cleaning	\$ 6,146.42	\$ 2,983.30	\$ -	\$ 3,163.12	49%	
Grounds	\$ -	\$ 600.00	\$ -	\$ (600.00)	NOTE	
Maintenance	\$ 30,275.09	\$ 5,161.01	\$ -	\$ 25,114.08	17%	
Personnel	\$ 2,000.00	\$ 1,560.00	\$ -	\$ 440.00	78%	
Rent	\$ 157.95	\$ 71.55	\$ -	\$ 86.40	45%	
Supplies	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0%	
Utilities & Insurance (Ferg. House)	\$ 15,158.64	\$ 7,484.93	\$ -	\$ 7,673.71	49%	
Total	\$ 54,738.10	\$ 17,860.79	\$ -	\$ 36,877.31	33%	

NET	
Profit / Loss Year to Date	\$ (8,367.89)

ACCT	DESCRIPTION	AUTHORITY	SPENT YTD	OUTSTANDING	REMAINING	% SPENT	NOTE
c	533132 Sanitation - Janitorial	\$ 893.72	\$ 187.92	\$ -	\$ 705.80	21%	
c	548600 Pest Control	\$ 150.00	\$ -	\$ -	\$ 150.00	0%	
c	549200 Janitorial/Security Services	\$ 5,102.70	\$ 2,795.38	\$ -	\$ 2,307.32	55%	
c	549500 Hazardous Waste Disposal	\$ -	\$ -	\$ -	\$ -	0%	
g	548500 Lawn/Landscape/Snow Removal	\$ -	\$ 600.00	\$ -	\$ (600.00)	NOTE	*2
m	525556 Construction Equipment	\$ -	\$ -	\$ -	\$ -	0%	
m	526100 Rep & Maint - Real Property	\$ 9,150.09	\$ 5,161.01	\$ -	\$ 3,989.08	56%	
m	526101 Building Structure - Maint & Repair	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	0%	
m	526102 Land Maint and Repair	\$ 250.00	\$ -	\$ -	\$ 250.00	0%	
m	527600 Repair & Maint - House Inst Equip	\$ -	\$ -	\$ -	\$ -	0%	
m	534500 Agricultural Supplies	\$ 25.00	\$ -	\$ -	\$ 25.00	0%	
m	534800 Const & Maint Supp Expense	\$ 650.00	\$ -	\$ -	\$ 650.00	0%	
m	542500 Eng & Arch Services	\$ -	\$ -	\$ -	\$ -	0%	
m	548800 Fire Extinguishers	\$ 100.00	\$ -	\$ -	\$ 100.00	0%	
m	549600 Construction Services	\$ -	\$ -	\$ -	\$ -	0%	
m	581200 Buildings	\$ 17,100.00	\$ -	\$ -	\$ 17,100.00	0%	
m	586902 Household/Institution Equip	\$ -	\$ -	\$ -	\$ -	0%	
p	554901 Mgmt Consultant Services (Security)	\$ 2,000.00	\$ 1,560.00	\$ -	\$ 440.00	78%	*1
r	525500 Rental Expense - Other Per Prop	\$ 157.95	\$ 71.55	\$ -	\$ 86.40	45%	
s	534900 Miscellaneous Supplies Expense	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0%	
s	549100 Laundry Services	\$ -	\$ -	\$ -	\$ -	0%	
u	523201 Gas and Heating Fuels	\$ 5,562.45	\$ 3,567.06	\$ -	\$ 1,995.39	64%	
u	523202 Electricity (523202-132)	\$ 3,188.84	\$ 1,539.18	\$ -	\$ 1,649.66	48%	
u	523203 Water (523203-133)	\$ 801.01	\$ 356.17	\$ -	\$ 444.84	44%	
u	523204 Sewer	\$ 540.64	\$ 237.08	\$ -	\$ 303.56	44%	
u	523219 Other Utility	\$ -	\$ -	\$ -	\$ -	0%	
u	548700 Refuse/Recycling	\$ 638.88	\$ 458.62	\$ -	\$ 180.26	72%	
u	557100 Alley Assessment	\$ 2,726.82	\$ 1,326.82	\$ -	\$ 1,400.00	49%	*1
u	556100 Insurance Expense	\$ 1,700.00	\$ -	\$ -	\$ 1,700.00	0%	

Expenditures reflect current fiscal year to date. Income reflects current quarter

NOTES for Income Section

All expenses were expected with the following notes.

- *1 Expense for the entire fiscal year was paid up front
- *2 Building Division had a service remove broken tree limbs and trim bushes at Ferguson House

"NOTE" in % SPENT column means line item was not included in the budget request

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 000 Game & Parks Comm
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
<u>BUDGETED FUND TYPES - EXPENDITURES</u>						
520000 OPERATING EXPENSES						
559100 OTHER OPERATING EXP		92.68	1,398.80	0.00		1,398.80-
Major Account 520000 Total	0.00	92.68	1,398.80	0.00	0.00	1,398.80-
BUDGETED EXPENDITURES TOTAL	<u>0.00</u>	<u>92.68</u>	<u>1,398.80</u>	<u>0.00</u>	<u>0.00</u>	<u>1,398.80-</u>
<u>Summary By Fund Type- Expenditures</u>						
2 CASH FUNDS		92.68	1,398.80	0.00		1,398.80-
BUDGETED EXPENDITURES TOTAL	<u>0.00</u>	<u>92.68</u>	<u>1,398.80</u>	<u>0.00</u>	<u>0.00</u>	<u>1,398.80-</u>
<u>BUDGETED FUND TYPES - REVENUES</u>						
470000 REVENUE - SALES AND CHARGES						
474104 PCARD REBATE			.99-	0.00		.99
Major Account 470000 Total	0.00	0.00	.99-	0.00	0.00	.99
480000 REVENUE - MISCELLANEOUS						
481100 INVESTMENT INCOME		89,129.38-	554,081.31-	0.00		554,081.31
481200 GAIN OR LOSS-SALE OF INV		86,923.84-	122,729.90	0.00		122,729.90-
483200 BUILDING & SPACE RENTAL		625.00-	4,585.62-	0.00		4,585.62
484100 OPERATING DONATIONS & CO			89,825.07-	0.00		89,825.07
Major Account 480000 Total	0.00	176,678.22-	525,762.10-	0.00	0.00	525,762.10
490000 REVENUE - OTHER FINANCIAL SOURCES/U						

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 000 Game & Parks Comm
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
493100 OPERATING TRANSFER IN			12,423,185.00-	0.00		12,423,185.00
Major Account 490000 Total	0.00	0.00	12,423,185.00-	0.00	0.00	12,423,185.00
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>176,678.22-</u>	<u>12,948,948.09-</u>	<u>0.00</u>	<u>0.00</u>	<u>12,948,948.09</u>
<u>SUMMARY BY FUND TYPE - REVENUE</u>						
2 CASH FUNDS		<u>176,678.22-</u>	<u>12,948,948.09-</u>	<u>0.00</u>		<u>12,948,948.09</u>
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>176,678.22-</u>	<u>12,948,948.09-</u>	<u>0.00</u>	<u>0.00</u>	<u>12,948,948.09</u>

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
<u>BUDGETED FUND TYPES - REVENUES</u>						
490000 REVENUE - OTHER FINANCIAL SOURCES/U						
491300 SALE - SURP PROP/FIXED ASSET			151.81-	0.00		151.81
Major Account 490000 Total	0.00	0.00	151.81-	0.00	0.00	151.81
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>0.00</u>	<u>151.81-</u>	<u>0.00</u>	<u>0.00</u>	<u>151.81</u>
<u>SUMMARY BY FUND TYPE - REVENUE</u>						
2 CASH FUNDS			151.81-	0.00		151.81
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>0.00</u>	<u>151.81-</u>	<u>0.00</u>	<u>0.00</u>	<u>151.81</u>

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED FUND TYPES - EXPENDITURES						
510000 PERSONAL SERVICES						
511100 PERMANENT SALARIES-WAGES	302,159.01	12,728.38	114,217.09	37.80		187,941.92
511200 TEMPORARY SALARIES-WAGES	6,079.00			0.00		6,079.00
512100 VACATION LEAVE EXPENSE	137.72	1,244.16	7,255.12	5268.02		7,117.40-
512200 SICK LEAVE EXPENSE	207.22	464.82	6,363.67	3070.97		6,156.45-
512300 HOLIDAY LEAVE EXPENSE	687.30	1,652.14	8,119.88	1181.42		7,432.58-
512500 FUNERAL LEAVE EXPENSE		431.80	431.80	0.00		431.80-
Personal Services Subtotal	309,270.25	16,521.30	136,387.56	44.10	0.00	172,882.69
515100 RETIREMENT PLANS EXPENSE	22,708.25	1,237.12	10,212.71	44.97		12,495.54
515200 FICA EXPENSE	23,651.02	1,245.23	10,218.05	43.20		13,432.97
515500 HEALTH INSURANCE EXPENSE	51,558.00	523.96	6,025.54	11.69		45,532.46
516300 EMPLOYEE ASSISTANCE PRO	63.00			0.00		63.00
516500 WORKERS COMP PREMIUMS	4,745.00		1,743.36	36.74		3,001.64
Major Account 510000 Total	411,995.52	19,527.61	164,587.22	39.95	0.00	247,408.30
520000 OPERATING EXPENSES						
521100 POSTAGE EXPENSE	500.00	.93	270.33	54.07		229.67
521300 FREIGHT	150.00			0.00		150.00
521400 DATA PROCESSING EXPENSE	10,233.26	442.26	5,033.82	49.19		5,199.44
521412 Com Expense - Voice/Data	4,710.67	361.52	2,560.24	54.35		2,150.43
521500 PUBLICATION & PRINT EXPENSE	3,500.00		1,419.09	40.55		2,080.91
521502 PRINTING	1,500.00			0.00		1,500.00
521503 ADVERTISING	2,100.00	18.65	106.82	5.09		1,993.18
521900 AWARDS EXPENSE	250.00		49.55	19.82		200.45
522100 DUES & SUBSCRIPTION EXPENSE	749.90		249.90	33.32		500.00
522200 CONFERENCE REGISTRATION	1,000.00		337.24	33.72		662.76
523201 NATURAL GAS	5,562.45	331.47	766.41	13.78		4,796.04
523202 ELECTRICITY	3,188.84		1,305.97	40.95		1,882.87
523203 WATER	801.01	56.01	297.36	37.12		503.65

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

ACCOUNT CODE DESCRIPTION	BUDGETED AMOUNT	CURRENT MONTH ACTIVITY	YEAR-TO-DATE ACTUALS	PERCENT OF BUDGET	ENCUMBRANCES	VARIANCE
523204 SEWER	540.64	47.29	186.95	34.58		353.69
524700 RENT EXP-OTHER REAL PROP	1,053.04	62.22	398.31	37.82		654.73
524900 RENT EXP-DUPR SURCHARGE	8,500.00		9,171.30	107.90		671.30-
525100 RENT EXP-OFFICE EQUIP	500.00			0.00		500.00
525500 RENT EXP-OTHER PERS PROP	157.95	7.95	55.65	35.23		102.30
526100 REPAIRS & MAINT-REAL PROPERTY	9,150.09	617.50	1,711.01	18.70		7,439.08
526101 BLDG-STRUC MAINT AND REPAIR	3,000.00			0.00		3,000.00
526102 LAND MAINT AND REPAIR	250.00			0.00		250.00
527200 REP & MAINT-MOTOR VEHICL	1,296.52		103.37	7.97		1,193.15
531100 OFFICE SUPPLIES EXPENSE	4,000.00	116.47	879.91	22.00		3,120.09
531101 IT SUPPLIES	300.00			0.00		300.00
532100 NON CAPITALIZED EQUIP PU	1,000.00	163.48	591.48	59.15		408.52
532200 PERSONAL COMPUTING EQUIP	500.00			0.00		500.00
533132 SANITATION JANITORIAL	893.72		187.92	21.03		705.80
533133 FOOD SERV INSTITUTIONAL	100.00			0.00		100.00
533900 FOOD EXPENSE	1,500.00		82.20	5.48		1,417.80
534500 AGRICULTURAL SUPPLIES EXP	25.00			0.00		25.00
534600 ED & RECREATIONAL SUP EX	3,000.00			0.00		3,000.00
534800 CONSTRUCTION & MAINT SUPPLIES	650.00			0.00		650.00
534900 MISCELLANEOUS SUPPLIES EXPENSE	1,000.00			0.00		1,000.00
538100 VEHICLE & EQUIP SUPP EXP	2,244.83		151.45	6.75		2,093.38
538182 LICENSED MOTOR VEHICLE SUPPLIE	100.00			0.00		100.00
541100 ACCTG & AUDITING SERVICES	57,445.00		34,609.83	60.25		22,835.17
541200 PURCHASING ASSESSMENT	270.00		16.39	6.07		253.61
541700 LEGAL RELATED EXPENSE	10,000.00	150.00	150.00	1.50		9,850.00
542100 SOS TEMP SERV-PERSONNEL	1,000.00			0.00		1,000.00
543100 IT CONSULTING-APPLICATIONS	64,040.00	3,800.00	46,540.00	72.67	17,500.00	
543200 IT CONSULTING-HW/SW SUPP	400.00			0.00		400.00
543300 IT CONSULTING-OTHER	5,186.26	378.85	2,684.23	51.76		2,502.03
547101 MEDIA/ADVERTISING SERVICES	12,000.00		43.90	.37		11,956.10
548500 LAWN/LANDSCAPE/SNOW REMOVAL		600.00	600.00	0.00		600.00-
548600 PEST CONTROL	150.00			0.00		150.00
548700 REFUSE/RECYCLING	638.88	100.54	441.40	69.09		197.48
548800 FIRE EXTINGUISHERS	100.00			0.00		100.00
549200 JANITORIAL/SECURITY SERVICES	5,102.70	915.86	2,795.38	54.78		2,307.32
554900 OTHER CONTRACTUAL SERVICE	50,000.00			0.00		50,000.00
554901 MGMT CONSULTANT SVS	2,000.00		1,560.00	78.00		440.00

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

ACCOUNT CODE DESCRIPTION	BUDGETED AMOUNT	CURRENT MONTH ACTIVITY	YEAR-TO-DATE ACTUALS	PERCENT OF		VARIANCE
				BUDGET	ENCUMBRANCES	
555100 SOFTWARE RENEWAL/MAINT FEE	300.00			0.00		300.00
555200 SOFTWARE - NEW PURCHASES	250.00			0.00		250.00
555340 COTS MAINTENANCE	2,799.80		1,774.80	63.39		1,025.00
555540 SAAS MAINTENANCE	2,328.07		1,128.07	48.46		1,200.00
556100 INSURANCE EXPENSE	2,600.00	49.74	332.70	12.80		2,267.30
556300 SURETY & NOTARY BONDS	50.00		39.31	78.62		10.69
557100 PROPERTY TAX EXPENSE	2,726.82		1,326.82	48.66		1,400.00
559100 OTHER OPERATING EXP	143,718.64			0.00		143,718.64
Major Account 520000 Total	437,114.09	8,220.74	119,959.11	27.44	17,500.00	299,654.98
570000 TRAVEL EXPENSES						
571100 BOARD & LODGING	3,000.00		96.00	3.20		2,904.00
571600 MEALS-NOT TRAVEL STATUS	600.00			0.00		600.00
572100 COMMERCIAL TRANSPORTATION	1,000.00			0.00		1,000.00
573100 STATE-OWNED TRANSPORT	250.00			0.00		250.00
574500 PERSONAL VEHICLE MILEAGE	3,500.00	349.78	1,050.05	30.00		2,449.95
575100 MISC TRAVEL EXPENSES	150.00			0.00		150.00
Major Account 570000 Total	8,500.00	349.78	1,146.05	13.48	0.00	7,353.95
580000 CAPITAL OUTLAY						
581200 BUILDINGS	17,100.00			0.00		17,100.00
583470 PERSONAL COMPUTING EQUIPMENT	1,200.00			0.00		1,200.00
Major Account 580000 Total	18,300.00	0.00	0.00	0.00	0.00	18,300.00
590000 GOVERNMENT AID						
599161 DIST OF AID	61,455,148.02	1,069,093.73	15,006,607.29	24.42		46,448,540.73
Major Account 590000 Total	61,455,148.02	1,069,093.73	15,006,607.29	24.42	0.00	46,448,540.73

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 01/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED EXPENDITURES TOTAL	62,331,057.63	1,097,191.86	15,292,299.67	24.53	17,500.00	47,021,257.96
Summary By Fund Type- Expenditures						
2 CASH FUNDS	62,331,057.63	1,097,191.86	15,292,299.67	24.53	17,500.00	47,021,257.96
BUDGETED EXPENDITURES TOTAL	62,331,057.63	1,097,191.86	15,292,299.67	24.53	17,500.00	47,021,257.96
BUDGETED FUND TYPES - REVENUES						
490000 REVENUE - OTHER FINANCIAL SOURCES/U						
493100 OPERATING TRANSFER IN		28,773.75-	134,596.00-	0.00		134,596.00
Major Account 490000 Total	0.00	28,773.75-	134,596.00-	0.00	0.00	134,596.00
BUDGETED REVENUE TOTAL	0.00	28,773.75-	134,596.00-	0.00	0.00	134,596.00
SUMMARY BY FUND TYPE - REVENUE						
2 CASH FUNDS		28,773.75-	134,596.00-	0.00		134,596.00
BUDGETED REVENUE TOTAL	0.00	28,773.75-	134,596.00-	0.00	0.00	134,596.00

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 000 Game & Parks Comm
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED FUND TYPES - EXPENDITURES						
520000 OPERATING EXPENSES						
559100 OTHER OPERATING EXP		434.15	1,832.95	0.00		1,832.95-
Major Account 520000 Total	0.00	434.15	1,832.95	0.00	0.00	1,832.95-
BUDGETED EXPENDITURES TOTAL	<u>0.00</u>	<u>434.15</u>	<u>1,832.95</u>	<u>0.00</u>	<u>0.00</u>	<u>1,832.95-</u>
Summary By Fund Type- Expenditures						
2 CASH FUNDS		434.15	1,832.95	0.00		1,832.95-
BUDGETED EXPENDITURES TOTAL	<u>0.00</u>	<u>434.15</u>	<u>1,832.95</u>	<u>0.00</u>	<u>0.00</u>	<u>1,832.95-</u>
BUDGETED FUND TYPES - REVENUES						
470000 REVENUE - SALES AND CHARGES						
474104 PCARD REBATE			.99-	0.00		.99
Major Account 470000 Total	0.00	0.00	.99-	0.00	0.00	.99
480000 REVENUE - MISCELLANEOUS						
481100 INVESTMENT INCOME		110,663.81-	664,745.12-	0.00		664,745.12
481200 GAIN OR LOSS-SALE OF INV		41,443.01	164,172.91	0.00		164,172.91-
483200 BUILDING & SPACE RENTAL		676.77-	5,262.39-	0.00		5,262.39
484100 OPERATING DONATIONS & CO			89,825.07-	0.00		89,825.07
Major Account 480000 Total	0.00	69,897.57-	595,659.67-	0.00	0.00	595,659.67
490000 REVENUE - OTHER FINANCIAL SOURCES/U						

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 000 Game & Parks Comm
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
493100 OPERATING TRANSFER IN			12,423,185.00-	0.00		12,423,185.00
Major Account 490000 Total	0.00	0.00	12,423,185.00-	0.00	0.00	12,423,185.00
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>69,897.57-</u>	<u>13,018,845.66-</u>	<u>0.00</u>	<u>0.00</u>	<u>13,018,845.66</u>
<u>SUMMARY BY FUND TYPE - REVENUE</u>						
2 CASH FUNDS		<u>69,897.57-</u>	<u>13,018,845.66-</u>	<u>0.00</u>		<u>13,018,845.66</u>
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>69,897.57-</u>	<u>13,018,845.66-</u>	<u>0.00</u>	<u>0.00</u>	<u>13,018,845.66</u>

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
<u>BUDGETED FUND TYPES - REVENUES</u>						
490000 REVENUE - OTHER FINANCIAL SOURCES/U						
491300 SALE - SURP PROP/FIXED ASSET			151.81-	0.00		151.81
Major Account 490000 Total	0.00	0.00	151.81-	0.00	0.00	151.81
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>0.00</u>	<u>151.81-</u>	<u>0.00</u>	<u>0.00</u>	<u>151.81</u>
<u>SUMMARY BY FUND TYPE - REVENUE</u>						
2 CASH FUNDS			151.81-	0.00		151.81
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>0.00</u>	<u>151.81-</u>	<u>0.00</u>	<u>0.00</u>	<u>151.81</u>

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED FUND TYPES - EXPENDITURES						
510000 PERSONAL SERVICES						
511100 PERMANENT SALARIES-WAGES	302,159.01	15,470.64	129,687.73	42.92		172,471.28
511200 TEMPORARY SALARIES-WAGES	6,079.00			0.00		6,079.00
511700 EMPLOYEE BONUSES		2,000.00	2,000.00	0.00		2,000.00-
512100 VACATION LEAVE EXPENSE	137.72	44.35	7,299.47	5300.23		7,161.75-
512200 SICK LEAVE EXPENSE	207.22	38.30	6,401.97	3089.46		6,194.75-
512300 HOLIDAY LEAVE EXPENSE	687.30	826.07	8,945.95	1301.61		8,258.65-
512500 FUNERAL LEAVE EXPENSE		141.92	573.72	0.00		573.72-
Personal Services Subtotal	309,270.25	18,521.28	154,908.84	50.09	0.00	154,361.41
515100 RETIREMENT PLANS EXPENSE	22,708.25	1,237.12	11,449.83	50.42		11,258.42
515200 FICA EXPENSE	23,651.02	1,398.21	11,616.26	49.12		12,034.76
515500 HEALTH INSURANCE EXPENSE	51,558.00	523.96	6,549.50	12.70		45,008.50
516300 EMPLOYEE ASSISTANCE PRO	63.00			0.00		63.00
516500 WORKERS COMP PREMIUMS	4,745.00	871.68	2,615.04	55.11		2,129.96
Major Account 510000 Total	411,995.52	22,552.25	187,139.47	45.42	0.00	224,856.05
520000 OPERATING EXPENSES						
521100 POSTAGE EXPENSE	500.00	71.36	341.69	68.34		158.31
521300 FREIGHT	150.00			0.00		150.00
521400 DATA PROCESSING EXPENSE	10,233.26	784.26	5,818.08	56.85		4,415.18
521412 Com Expense - Voice/Data	4,710.67	377.56	2,937.80	62.36		1,772.87
521500 PUBLICATION & PRINT EXPENSE	3,500.00	572.21	1,991.30	56.89		1,508.70
521502 PRINTING	1,500.00			0.00		1,500.00
521503 ADVERTISING	2,100.00	41.83	148.65	7.08		1,951.35
521900 AWARDS EXPENSE	250.00	20.00	69.55	27.82		180.45
522100 DUES & SUBSCRIPTION EXPENSE	749.90		249.90	33.32		500.00
522200 CONFERENCE REGISTRATION	1,000.00		337.24	33.72		662.76
523201 NATURAL GAS	5,562.45	2,649.60	3,416.01	61.41		2,146.44
523202 ELECTRICITY	3,188.84	115.61	1,421.58	44.58		1,767.26

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

ACCOUNT CODE DESCRIPTION	BUDGETED	CURRENT MONTH	YEAR-TO-DATE	PERCENT OF		VARIANCE
	AMOUNT	ACTIVITY	ACTUALS	BUDGET	ENCUMBRANCES	
523203 WATER	801.01		297.36	37.12		503.65
523204 SEWER	540.64		186.95	34.58		353.69
524700 RENT EXP-OTHER REAL PROP	1,053.04	52.02	450.33	42.76		602.71
524900 RENT EXP-DUPR SURCHARGE	8,500.00		9,171.30	107.90		671.30-
525100 RENT EXP-OFFICE EQUIP	500.00			0.00		500.00
525500 RENT EXP-OTHER PERS PROP	157.95	7.95	63.60	40.27		94.35
526100 REPAIRS & MAINT-REAL PROPERTY	9,150.09	3,450.00	5,161.01	56.40		3,989.08
526101 BLDG-STRUC MAINT AND REPAIR	3,000.00			0.00		3,000.00
526102 LAND MAINT AND REPAIR	250.00			0.00		250.00
527200 REP & MAINT-MOTOR VEHICL	1,296.52		103.37	7.97		1,193.15
531100 OFFICE SUPPLIES EXPENSE	4,000.00		879.91	22.00		3,120.09
531101 IT SUPPLIES	300.00			0.00		300.00
532100 NON CAPITALIZED EQUIP PU	1,000.00		591.48	59.15		408.52
532200 PERSONAL COMPUTING EQUIP	500.00			0.00		500.00
533132 SANITATION JANITORIAL	893.72		187.92	21.03		705.80
533133 FOOD SERV INSTITUTIONAL	100.00			0.00		100.00
533900 FOOD EXPENSE	1,500.00		82.20	5.48		1,417.80
534500 AGRICULTURAL SUPPLIES EXP	25.00			0.00		25.00
534600 ED & RECREATIONAL SUP EX	3,000.00			0.00		3,000.00
534800 CONSTRUCTION & MAINT SUPPLIES	650.00			0.00		650.00
534900 MISCELLANEOUS SUPPLIES EXPENSE	1,000.00			0.00		1,000.00
538100 VEHICLE & EQUIP SUPP EXP	2,244.83	14.53	165.98	7.39		2,078.85
538182 LICENSED MOTOR VEHICLE SUPPLIE	100.00			0.00		100.00
541100 ACCTG & AUDITING SERVICES	57,445.00		34,609.83	60.25		22,835.17
541200 PURCHASING ASSESSMENT	270.00		16.39	6.07		253.61
541700 LEGAL RELATED EXPENSE	10,000.00		150.00	1.50		9,850.00
542100 SOS TEMP SERV-PERSONNEL	1,000.00			0.00		1,000.00
543100 IT CONSULTING-APPLICATIONS	64,040.00	19,800.00	66,340.00	103.59	1,500.00	3,800.00-
543200 IT CONSULTING-HW/SW SUPP	400.00			0.00		400.00
543300 IT CONSULTING-OTHER	5,186.26	390.49	3,074.72	59.29		2,111.54
547101 MEDIA/ADVERTISING	12,000.00		43.90	.37		11,956.10
548500 LAWN/LANDSCAPE/SNOW REMOVAL			600.00	0.00		600.00-
548600 PEST CONTROL	150.00			0.00		150.00
548700 REFUSE/RECYCLING	638.88	17.22	458.62	71.78		180.26
548800 FIRE EXTINGUISHERS	100.00			0.00		100.00
549200 JANITORIAL/SECURITY SERVICES	5,102.70		2,795.38	54.78		2,307.32
554900 OTHER CONTRACTUAL SERVICE	50,000.00			0.00		50,000.00

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

ACCOUNT CODE DESCRIPTION	BUDGETED	CURRENT MONTH	YEAR-TO-DATE	PERCENT OF		VARIANCE
	AMOUNT	ACTIVITY	ACTUALS	BUDGET	ENCUMBRANCES	
554901 MGMT CONSULTANT SVS	2,000.00		1,560.00	78.00		440.00
555100 SOFTWARE RENEWAL/MAINT FEE	300.00			0.00		300.00
555200 SOFTWARE - NEW PURCHASES	250.00			0.00		250.00
555340 COTS MAINTENANCE	2,799.80	315.00	2,089.80	74.64		710.00
555540 SAAS MAINTENANCE	2,328.07		1,128.07	48.46		1,200.00
556100 INSURANCE EXPENSE	2,600.00		332.70	12.80		2,267.30
556300 SURETY & NOTARY BONDS	50.00		39.31	78.62		10.69
557100 PROPERTY TAX EXPENSE	2,726.82		1,326.82	48.66		1,400.00
559100 OTHER OPERATING EXP	143,718.64			0.00		143,718.64
Major Account 520000 Total	437,114.09	28,679.64	148,638.75	34.00	1,500.00	286,975.34
570000 TRAVEL EXPENSES						
571100 BOARD & LODGING	3,000.00		96.00	3.20		2,904.00
571600 MEALS-NOT TRAVEL STATUS	600.00			0.00		600.00
572100 COMMERCIAL TRANSPORTATION	1,000.00			0.00		1,000.00
573100 STATE-OWNED TRANSPORT	250.00			0.00		250.00
574500 PERSONAL VEHICLE MILEAGE	3,500.00	279.04	1,329.09	37.97		2,170.91
575100 MISC TRAVEL EXPENSES	150.00			0.00		150.00
Major Account 570000 Total	8,500.00	279.04	1,425.09	16.77	0.00	7,074.91
580000 CAPITAL OUTLAY						
581200 BUILDINGS	17,100.00			0.00		17,100.00
583470 PERSONAL COMPUTING EQUIPMENT	1,200.00			0.00		1,200.00
Major Account 580000 Total	18,300.00	0.00	0.00	0.00	0.00	18,300.00
590000 GOVERNMENT AID						
599161 DIST OF AID	61,455,148.02	997,193.65	16,003,800.94	26.04		45,451,347.08
Major Account 590000 Total	61,455,148.02	997,193.65	16,003,800.94	26.04	0.00	45,451,347.08

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 02/28/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED EXPENDITURES TOTAL	62,331,057.63	1,048,704.58	16,341,004.25	26.22	1,500.00	45,988,553.38
Summary By Fund Type- Expenditures						
2 CASH FUNDS	62,331,057.63	1,048,704.58	16,341,004.25	26.22	1,500.00	45,988,553.38
BUDGETED EXPENDITURES TOTAL	62,331,057.63	1,048,704.58	16,341,004.25	26.22	1,500.00	45,988,553.38
BUDGETED FUND TYPES - REVENUES						
490000 REVENUE - OTHER FINANCIAL SOURCES/U						
493100 OPERATING TRANSFER IN		29,197.82-	163,793.82-	0.00		163,793.82
Major Account 490000 Total	0.00	29,197.82-	163,793.82-	0.00	0.00	163,793.82
BUDGETED REVENUE TOTAL	0.00	29,197.82-	163,793.82-	0.00	0.00	163,793.82
SUMMARY BY FUND TYPE - REVENUE						
2 CASH FUNDS		29,197.82-	163,793.82-	0.00		163,793.82
BUDGETED REVENUE TOTAL	0.00	29,197.82-	163,793.82-	0.00	0.00	163,793.82

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 000 Game & Parks Comm
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
<u>BUDGETED FUND TYPES - EXPENDITURES</u>						
520000 OPERATING EXPENSES						
559100 OTHER OPERATING EXP		82.57	1,915.52	0.00		1,915.52-
Major Account 520000 Total	0.00	82.57	1,915.52	0.00	0.00	1,915.52-
BUDGETED EXPENDITURES TOTAL	<u>0.00</u>	<u>82.57</u>	<u>1,915.52</u>	<u>0.00</u>	<u>0.00</u>	<u>1,915.52-</u>
<u>Summary By Fund Type- Expenditures</u>						
2 CASH FUNDS		82.57	1,915.52	0.00		1,915.52-
BUDGETED EXPENDITURES TOTAL	<u>0.00</u>	<u>82.57</u>	<u>1,915.52</u>	<u>0.00</u>	<u>0.00</u>	<u>1,915.52-</u>
<u>BUDGETED FUND TYPES - REVENUES</u>						
470000 REVENUE - SALES AND CHARGES						
474104 PCARD REBATE		40.76-	41.75-	0.00		41.75
Major Account 470000 Total	0.00	40.76-	41.75-	0.00	0.00	41.75
480000 REVENUE - MISCELLANEOUS						
481100 INVESTMENT INCOME		97,883.92-	762,629.04-	0.00		762,629.04
481200 GAIN OR LOSS-SALE OF INV		80,329.86-	83,843.05	0.00		83,843.05-
483200 BUILDING & SPACE RENTAL		625.00-	5,887.39-	0.00		5,887.39
484100 OPERATING DONATIONS & CO			89,825.07-	0.00		89,825.07
Major Account 480000 Total	0.00	178,838.78-	774,498.45-	0.00	0.00	774,498.45
490000 REVENUE - OTHER FINANCIAL SOURCES/U						

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 000 Game & Parks Comm
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
493100 OPERATING TRANSFER IN		6,532,401.00-	18,955,586.00-	0.00		18,955,586.00
Major Account 490000 Total	0.00	6,532,401.00-	18,955,586.00-	0.00	0.00	18,955,586.00
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>6,711,280.54-</u>	<u>19,730,126.20-</u>	<u>0.00</u>	<u>0.00</u>	<u>19,730,126.20</u>
<u>SUMMARY BY FUND TYPE - REVENUE</u>						
2 CASH FUNDS		<u>6,711,280.54-</u>	<u>19,730,126.20-</u>	<u>0.00</u>		<u>19,730,126.20</u>
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>6,711,280.54-</u>	<u>19,730,126.20-</u>	<u>0.00</u>	<u>0.00</u>	<u>19,730,126.20</u>

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 000 PROGRAM 162 REVENUE

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
<u>BUDGETED FUND TYPES - REVENUES</u>						
490000 REVENUE - OTHER FINANCIAL SOURCES/U						
491300 SALE - SURP PROP/FIXED ASSET			151.81-	0.00		151.81
Major Account 490000 Total	0.00	0.00	151.81-	0.00	0.00	151.81
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>0.00</u>	<u>151.81-</u>	<u>0.00</u>	<u>0.00</u>	<u>151.81</u>
<u>SUMMARY BY FUND TYPE - REVENUE</u>						
2 CASH FUNDS			151.81-	0.00		151.81
BUDGETED REVENUE TOTAL	<u>0.00</u>	<u>0.00</u>	<u>151.81-</u>	<u>0.00</u>	<u>0.00</u>	<u>151.81</u>

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED FUND TYPES - EXPENDITURES						
510000 PERSONAL SERVICES						
511100 PERMANENT SALARIES-WAGES	302,159.01	16,511.31	146,199.04	48.38		155,959.97
511200 TEMPORARY SALARIES-WAGES	6,079.00			0.00		6,079.00
511700 EMPLOYEE BONUSES			2,000.00	0.00		2,000.00-
512100 VACATION LEAVE EXPENSE	137.72	683.34	7,982.81	5796.41		7,845.09-
512200 SICK LEAVE EXPENSE	207.22	20.56	6,422.53	3099.38		6,215.31-
512300 HOLIDAY LEAVE EXPENSE	687.30	826.07	9,772.02	1421.80		9,084.72-
512500 FUNERAL LEAVE EXPENSE			573.72	0.00		573.72-
Personal Services Subtotal	309,270.25	18,041.28	172,950.12	55.92	0.00	136,320.13
515100 RETIREMENT PLANS EXPENSE	22,708.25	1,350.94	12,800.77	56.37		9,907.48
515200 FICA EXPENSE	23,651.02	1,361.52	12,977.78	54.87		10,673.24
515500 HEALTH INSURANCE EXPENSE	51,558.00	523.96	7,073.46	13.72		44,484.54
516300 EMPLOYEE ASSISTANCE PRO	63.00			0.00		63.00
516500 WORKERS COMP PREMIUMS	4,745.00		2,615.04	55.11		2,129.96
Major Account 510000 Total	411,995.52	21,277.70	208,417.17	50.59	0.00	203,578.35
520000 OPERATING EXPENSES						
521100 POSTAGE EXPENSE	500.00		341.69	68.34		158.31
521300 FREIGHT	150.00			0.00		150.00
521400 DATA PROCESSING EXPENSE	10,233.26	2,018.60	7,836.68	76.58		2,396.58
521412 Com Expense - Voice/Data	4,710.67	377.56	3,315.36	70.38		1,395.31
521500 PUBLICATION & PRINT EXPENSE	3,500.00		1,991.30	56.89		1,508.70
521502 PRINTING	1,500.00			0.00		1,500.00
521503 ADVERTISING	2,100.00		148.65	7.08		1,951.35
521900 AWARDS EXPENSE	250.00		69.55	27.82		180.45
522100 DUES & SUBSCRIPTION EXPENSE	749.90		249.90	33.32		500.00
522200 CONFERENCE REGISTRATION	1,000.00		337.24	33.72		662.76
523201 NATURAL GAS	5,562.45	151.05	3,567.06	64.13		1,995.39
523202 ELECTRICITY	3,188.84	117.60	1,539.18	48.27		1,649.66

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
523203 WATER	801.01	58.81	356.17	44.47		444.84
523204 SEWER	540.64	50.13	237.08	43.85		303.56
524700 RENT EXP-OTHER REAL PROP	1,053.04		450.33	42.76		602.71
524900 RENT EXP-DUPR SURCHARGE	8,500.00		9,171.30	107.90		671.30-
525100 RENT EXP-OFFICE EQUIP	500.00			0.00		500.00
525500 RENT EXP-OTHER PERS PROP	157.95	7.95	71.55	45.30		86.40
526100 REPAIRS & MAINT-REAL PROPERTY	9,150.09		5,161.01	56.40		3,989.08
526101 BLDG-STRUC MAINT AND REPAIR	3,000.00			0.00		3,000.00
526102 LAND MAINT AND REPAIR	250.00			0.00		250.00
527200 REP & MAINT-MOTOR VEHICL	1,296.52	500.93	604.30	46.61		692.22
531100 OFFICE SUPPLIES EXPENSE	4,000.00		879.91	22.00		3,120.09
531101 IT SUPPLIES	300.00			0.00		300.00
532100 NON CAPITALIZED EQUIP PU	1,000.00		591.48	59.15	21,050.00	20,641.48-
532200 PERSONAL COMPUTING EQUIP	500.00			0.00		500.00
533132 SANITATION JANITORIAL	893.72		187.92	21.03		705.80
533133 FOOD SERV INSTITUTIONAL	100.00			0.00		100.00
533900 FOOD EXPENSE	1,500.00	29.00	111.20	7.41		1,388.80
534500 AGRICULTURAL SUPPLIES EXP	25.00			0.00		25.00
534600 ED & RECREATIONAL SUP EX	3,000.00			0.00		3,000.00
534800 CONSTRUCTION & MAINT SUPPLIES	650.00			0.00		650.00
534900 MISCELLANEOUS SUPPLIES EXPENSE	1,000.00			0.00		1,000.00
538100 VEHICLE & EQUIP SUPP EXP	2,244.83		165.98	7.39		2,078.85
538182 LICENSED MOTOR VEHICLE SUPPLIE	100.00			0.00		100.00
541100 ACCTG & AUDITING SERVICES	57,445.00		34,609.83	60.25		22,835.17
541200 PURCHASING ASSESSMENT	270.00		16.39	6.07		253.61
541700 LEGAL RELATED EXPENSE	10,000.00		150.00	1.50		9,850.00
542100 SOS TEMP SERV-PERSONNEL	1,000.00			0.00		1,000.00
543100 IT CONSULTING-APPLICATIONS	64,040.00	3,000.00	69,340.00	108.28		5,300.00-
543200 IT CONSULTING-HW/SW SUPP	400.00			0.00		400.00
543300 IT CONSULTING-OTHER	5,186.26	402.40	3,477.12	67.04		1,709.14
547101 MEDIA/ADVERTISING	12,000.00		43.90	.37		11,956.10
548500 LAWN/LANDSCAPE/SNOW REMOVAL			600.00	0.00		600.00-
548600 PEST CONTROL	150.00			0.00		150.00
548700 REFUSE/RECYCLING	638.88		458.62	71.78		180.26
548800 FIRE EXTINGUISHERS	100.00			0.00		100.00
549200 JANITORIAL/SECURITY SERVICES	5,102.70		2,795.38	54.78		2,307.32
554900 OTHER CONTRACTUAL SERVICE	50,000.00			0.00		50,000.00

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

ACCOUNT CODE DESCRIPTION	BUDGETED	CURRENT MONTH	YEAR-TO-DATE	PERCENT OF		VARIANCE
	AMOUNT	ACTIVITY	ACTUALS	BUDGET	ENCUMBRANCES	
554901 MGMT CONSULTANT SVS	2,000.00		1,560.00	78.00		440.00
555100 SOFTWARE RENEWAL/MAINT FEE	300.00			0.00		300.00
555200 SOFTWARE - NEW PURCHASES	250.00			0.00		250.00
555340 COTS MAINTENANCE	2,799.80	630.00	2,719.80	97.14		80.00
555540 SAAS MAINTENANCE	2,328.07		1,128.07	48.46		1,200.00
556100 INSURANCE EXPENSE	2,600.00		332.70	12.80		2,267.30
556300 SURETY & NOTARY BONDS	50.00		39.31	78.62		10.69
557100 PROPERTY TAX EXPENSE	2,726.82		1,326.82	48.66		1,400.00
559100 OTHER OPERATING EXP	143,718.64			0.00		143,718.64
Major Account 520000 Total	437,114.09	7,344.03	155,982.78	35.68	21,050.00	260,081.31
570000 TRAVEL EXPENSES						
571100 BOARD & LODGING	3,000.00		96.00	3.20		2,904.00
571600 MEALS-NOT TRAVEL STATUS	600.00			0.00		600.00
572100 COMMERCIAL TRANSPORTATION	1,000.00			0.00		1,000.00
573100 STATE-OWNED TRANSPORT	250.00			0.00		250.00
574500 PERSONAL VEHICLE MILEAGE	3,500.00		1,329.09	37.97		2,170.91
575100 MISC TRAVEL EXPENSES	150.00			0.00		150.00
Major Account 570000 Total	8,500.00	0.00	1,425.09	16.77	0.00	7,074.91
580000 CAPITAL OUTLAY						
581200 BUILDINGS	17,100.00			0.00		17,100.00
583470 PERSONAL COMPUTING EQUIPMENT	1,200.00			0.00		1,200.00
Major Account 580000 Total	18,300.00	0.00	0.00	0.00	0.00	18,300.00
590000 GOVERNMENT AID						
599161 DIST OF AID	61,455,148.02	389,152.78	16,392,953.72	26.67		45,062,194.30
Major Account 590000 Total	61,455,148.02	389,152.78	16,392,953.72	26.67	0.00	45,062,194.30

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 03/31/23

Agency 033 GAME & PARKS COMMISSION
Division 180
Program 162 ENVIRONMENTAL TRUST
Subprogram 018 NEBRASKA ENVIRONMENTAL TRUST

<u>ACCOUNT CODE DESCRIPTION</u>	<u>BUDGETED AMOUNT</u>	<u>CURRENT MONTH ACTIVITY</u>	<u>YEAR-TO-DATE ACTUALS</u>	<u>PERCENT OF BUDGET</u>	<u>ENCUMBRANCES</u>	<u>VARIANCE</u>
BUDGETED EXPENDITURES TOTAL	62,331,057.63	417,774.51	16,758,778.76	26.89	21,050.00	45,551,228.87
Summary By Fund Type- Expenditures						
2 CASH FUNDS	62,331,057.63	417,774.51	16,758,778.76	26.89	21,050.00	45,551,228.87
BUDGETED EXPENDITURES TOTAL	62,331,057.63	417,774.51	16,758,778.76	26.89	21,050.00	45,551,228.87
BUDGETED FUND TYPES - REVENUES						
490000 REVENUE - OTHER FINANCIAL SOURCES/U						
493100 OPERATING TRANSFER IN		28,535.97-	192,329.79-	0.00		192,329.79
Major Account 490000 Total	0.00	28,535.97-	192,329.79-	0.00	0.00	192,329.79
BUDGETED REVENUE TOTAL	0.00	28,535.97-	192,329.79-	0.00	0.00	192,329.79
SUMMARY BY FUND TYPE - REVENUE						
2 CASH FUNDS		28,535.97-	192,329.79-	0.00		192,329.79
BUDGETED REVENUE TOTAL	0.00	28,535.97-	192,329.79-	0.00	0.00	192,329.79

**Nebraska Environmental Trust
Grant Disbursement Report
As of 4/4/23**

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Transfer In	Transfer In Reference	Prev Disbursement	Prev Quarter (Q1)	Cur Quarter (Q2)	Balance
16-130	Community Investments Opportunities, LLC	Environmental Improvement Demonstration Project	6/30/2021	\$ 37,500.00	\$ -		\$ (30,486.60)	\$ (7,013.40)	\$ -	\$ -
16-189-3	Board of Regents, University of Nebraska	Enhancing Soil Ecosystem Services with Cover Crops	6/30/2022	\$ 84,825.00	\$ 107,949.40	16-189-2	\$ (83,500.85)	\$ (76,662.87)	\$ -	\$ 32,610.68
18-114-2	Nebraska Game and Parks Commission	Sustaining Water and Wildlife in the Niobrara River Valley	6/30/2023	\$ 500,000.00	\$ 500,000.00	18-114	\$ -	\$ -	\$ -	\$ 1,000,000.00
18-116-2	Board of Regents, University of Nebraska	Pilot-scale production of protein fibers and apparels from waste garments and poultry feathers	6/30/2023	\$ 105,942.00	\$ 76,189.12	18-116	\$ (163,896.31)	\$ -	\$ -	\$ 18,234.81
18-133-2	The Nature Conservancy	North Central Fire Coordination	6/30/2023	\$ 100,000.00	\$ 93,668.18	18-133	\$ (148,364.94)	\$ (1,269.49)	\$ -	\$ 44,033.75
18-152	Cook Grow Sew, LLC	Fostering Soil Health through Waste Diversion, Composting, Research, and Education	6/30/2021	\$ 199,715.00	\$ -		\$ (199,715.00)	\$ -	\$ -	\$ -
18-166	Board of Regent of the University of Nebraska for the University of Nebraska-Lincoln	Reduction of Landfill Gas Emission through an Interim Cover with Co-Extruded EVOH Geomembrane in Nebraska Landfills	6/30/2022	\$ 233,974.00	\$ -		\$ (226,490.85)	\$ -	\$ -	\$ 7,483.15
18-182	Lower Elkhorn Natural Resources District	Lower Elkhorn Real-Time Monitoring Well Network Telemetry Project	6/30/2023	\$ 65,720.00	\$ -		\$ (54,375.00)	\$ -	\$ -	\$ 11,345.00
19-104-3	Nebraska Pharmacists Association	Preventing Poisoning, Pollution and Prescription Drug Overdose for a Healthier Nebraska!	6/30/2023	\$ 100,000.00	\$ 447,338.96	19-104-2	\$ (287,443.89)	\$ (44,951.45)	\$ -	\$ 214,943.62
19-107-3	Nebraska Grazing Lands Coalition	Conservation of Nebraska Grazing Resource Through Control of Eastern Red Cedar and Other Invasive Species	6/30/2023	\$ 109,000.00	\$ 137,216.04	19-107-2	\$ (203,429.74)	\$ (12,072.60)	\$ -	\$ 30,713.70
19-110-3	Northeast Nebraska Resource Conservation & Development Council Inc.	Household Hazardous Waste Collections	12/31/2022	\$ 14,142.00	\$ 19,330.00	19-110-2	\$ (12,299.00)	\$ -	\$ -	\$ 21,173.00
19-111-2	Nebraska Public Power District	Battery Energy Storage System	12/31/2022	\$ 120,000.00	\$ 370,000.00	19-111	\$ (490,000.00)	\$ -	\$ -	\$ -
19-115-3	Lower Loup Natural Resources District	Integrated Management Data Acquisition Program	6/30/2023	\$ 25,000.00	\$ 29,056.09	19-115-2	\$ (24,234.59)	\$ (2,599.72)	\$ -	\$ 27,221.78
19-123-3	The Nature Conservancy	Fire Training Exchange in Nebraska	6/30/2023	\$ 41,000.00	\$ 80,059.53	19-123-2	\$ (5,006.07)	\$ -	\$ -	\$ 116,053.46
19-132-3	The Xerces Society	Nebraska Bumble Bee Atlas	12/31/2022	\$ 34,581.00	\$ 91,094.59	19-132-2	\$ (103,554.89)	\$ (8,218.81)	\$ -	\$ 13,901.89
19-138-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Developing a decision-support tool for the successful incorporation of cover crops into Nebraska cropping systems	6/30/2022	\$ 41,180.00	\$ 33,470.71	19-138-2	\$ (60,530.96)	\$ (14,117.23)	\$ -	\$ 2.52
19-139-3	City of Lincoln - Parks & Recreation Department	Prairie Corridor on Haines Branch - Phase III	6/30/2023	\$ 100,000.00	\$ 341,123.81	19-139-2	\$ (127,898.77)	\$ (255,626.00)	\$ -	\$ 57,599.04
19-145-3	Friends of Heron Haven, Inc.	Nature Education and Capital Improvements at Heron Haven	6/30/2023	\$ 7,800.00	\$ 10,289.94	19-145-2	\$ (8,245.27)	\$ (273.21)	\$ -	\$ 9,571.46
19-146-3	Bazile Groundwater Management Area	Development of Research and Demonstration Sites in the BGMA for Groundwater Nitrate Reduction	6/30/2023	\$ 209,500.00	\$ 322,357.97	19-146-2	\$ (230,783.58)	\$ -	\$ -	\$ 301,074.39
19-151-3	Lower Niobrara Natural Resources District	Lower Niobrara Observation Well Network	6/30/2023	\$ 50,500.00	\$ 97,745.00	19-151-2	\$ (5,485.78)	\$ (117,356.73)	\$ -	\$ 25,402.49
19-152	Habitat for Humanity of Sarpy County	Habitat Sarpy County Home Store	12/31/2020	\$ 38,000.00	\$ -		\$ (38,000.00)	\$ -	\$ -	\$ -
19-159-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Low-cost Biological Odor Treatment Using an Adsorption/ Desorption Concentrator Unit for Reducing Sulfur Emission in Nebraska	6/30/2022	\$ 97,662.00	\$ 73,152.72	19-159	\$ (167,424.49)	\$ -	\$ -	\$ 3,390.23
19-162-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Protecting the terns and plovers of Nebraska and mentoring the next generation	6/30/2023	\$ 21,884.00	\$ 33,803.18	19-162-2	\$ (17,115.56)	\$ (7,239.59)	\$ -	\$ 31,332.03
19-165-2	Creighton University	The Nebraska Sandhills: An Interdisciplinary Study of Place Through Ecology, Culture, and Film	6/30/2022	\$ 95,536.00	\$ 10,213.23	19-165	\$ (92,630.21)	\$ -	\$ -	\$ 13,119.02

**Nebraska Environmental Trust
Grant Disbursement Report
As of 4/4/23**

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Transfer In	Transfer In Reference	Prev Disbursement	Prev Quarter (Q1)	Cur Quarter (Q2)	Balance
19-173-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Delivery of Watershed Science Education to Decision Makers - A Multi-Agency Collaboration	6/30/2023	\$ 78,601.00	\$ 104,593.64	19-173-2	\$ (93,281.68)	\$ (16,030.57)	\$ -	\$ 73,882.39
19-186-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Water Use and Soil-Water Storage Effect of Individual & Mixed Cover Species and Impacts on Soil Quality Variables	12/31/2022	\$ 87,884.00	\$ 105,535.92	19-186-2	\$ (44,697.18)	\$ (148,722.74)	\$ -	\$ -
19-194	Nebraska Game and Parks Commission	Cool Water Stream Management in Nebraska	12/31/2022	\$ 200,000.00	\$ 117,316.92	15-211-3	\$ (315,097.81)	\$ (2,172.18)	\$ -	\$ 46.93
19-205-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln.	Citizen Science: A valuable approach for monitoring groundwater quality in the Bazile Groundwater Management Area	12/31/2022	\$ 86,939.00	\$ 61,971.86	19-205	\$ (109,110.77)	\$ (34,324.94)	\$ -	\$ 5,475.15
20-101-3	Nebraska State Irrigation Association	Water Leaders Academy in Nebraska	6/30/2023	\$ 56,854.00	\$ 70,967.48	20-101-2	\$ -	\$ (26,563.06)	\$ -	\$ 101,258.42
20-103-3	Nebraska Academy of Sciences, Inc.	Nebraska Environmental Public Information and Education Minigrant Program	6/30/2023	\$ 60,580.00	\$ 111,577.35	20-103-2	\$ (16,051.07)	\$ (25,873.60)	\$ -	\$ 130,232.68
20-104	Middle Niobrara Natural Resources District	Long Pine Creek Watershed Restoration - Phase 3	6/30/2023	\$ 485,000.00	\$ -		\$ (90,307.25)	\$ (385.00)	\$ -	\$ 394,307.75
20-111-3	Lower Loup Natural Resources District	Cover Crop Utilization and Nutrient Management Program	6/30/2023	\$ 35,000.00	\$ 29,662.20	20-111-2	\$ (23,706.30)	\$ (17,321.78)	\$ -	\$ 23,634.12
20-115-3	Northeast Nebraska RC&D	Early Detection and Integrated Management of Invasive Plants	6/30/2023	\$ 39,040.00	\$ 77,480.00	20-115-2	\$ (49,868.13)	\$ -	\$ -	\$ 66,651.87
20-116-3	Trailblazer RC&D	Electronics Recycling Events	6/30/2023	\$ 43,150.00	\$ 6,971.25	20-116-2	\$ (43,113.45)	\$ -	\$ -	\$ 7,007.80
20-121-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Improving Water Quality and Surveying Fish populations using eDNA in Nebraska	6/30/2023	\$ 75,000.00	\$ 75,000.00	20-121	\$ (72,532.01)	\$ -	\$ -	\$ 77,467.99
20-123-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Improving Soil Health Using Heat-Treated Manure	6/30/2023	\$ 90,314.00	\$ 77,108.79	20-123	\$ (99,878.10)	\$ -	\$ -	\$ 67,544.69
20-127-3	The Nature Conservancy	Increasing Fire Capacity and Rangeland Impact in the Sandhills	6/30/2023	\$ 60,388.00	\$ 75,212.89	20-127-2	\$ (29,477.03)	\$ (7,698.58)	\$ -	\$ 98,425.28
20-130-2	Omaha Public Power District	OPPD BRIGHT (Battery Research Innovation Guided by High-Potential Technologies)	6/30/2023	\$ 75,000.00	\$ 525,000.00	20-130	\$ -	\$ -	\$ -	\$ 600,000.00
20-134-2	Lower Elkhorn Natural Resources District	LENRD Establishment of Baseline Vadose Zone Sampling in Pierce County	6/30/2023	\$ 8,750.00	\$ 4,463.62	20-134	\$ (6,602.58)	\$ (4,560.74)	\$ -	\$ 2,050.30
20-135-2	The Nature Conservancy	Upper Big Blue Soil Health Project	6/30/2023	\$ 137,064.00	\$ 61,615.63	20-135	\$ (60,395.50)	\$ (4,218.29)	\$ -	\$ 134,065.84
20-139-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Improving statewide performance of conservation investments on Eastern redcedar invasions	6/30/2023	\$ 81,690.00	\$ 117,654.02	20-139-2	\$ -	\$ -	\$ -	\$ 199,344.02
20-142-2	High Plains Weed Management Association	North Platte River Invasive Species Control Project, Phase 5	6/30/2022	\$ 189,000.00	\$ 246,020.26	20-142	\$ (338,858.76)	\$ (96,161.50)	\$ -	\$ -
20-143-3	Trailblazer RC&D	Household Hazardous Waste Collection and Recycling Events	6/30/2023	\$ 40,350.00	\$ 24,732.77	20-143-2	\$ (17,483.53)	\$ (948.56)	\$ -	\$ 46,650.68
20-145-2	Nebraska Recycling Council	Recycling Equipment Grants and Consultation	12/30/2022	\$ 290,016.00	\$ 156,522.53	20-145	\$ (437,225.52)	\$ (502.46)	\$ -	\$ 8,810.55
20-148-3	Platte River Whooping Crane Maintenance Trust, Inc.	Big Bend of the Platte River Partnership for Habitat Preservation	6/30/2023	\$ 1,675.00	\$ -		\$ -	\$ -	\$ -	\$ 1,675.00
20-150-3	Middle Niobrara Natural Resource District	Sandhills Interactive Natural Resources Education Complex (SINREC)	6/30/2023	\$ 158,000.00	\$ 254,408.33	20-150-2	\$ (41,812.07)	\$ (5,777.46)	\$ -	\$ 364,818.80
20-153-3	Northern Prairies Land Trust	Extending the Tallgrass Prairie Partnership	6/30/2023	\$ 50,000.00	\$ 312,702.91	20-153-2	\$ (57,773.50)	\$ (33,853.97)	\$ -	\$ 271,075.44
20-157-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Detecting Atrazine Dissipation and Evaluating Herbicide Programs without Atrazine for Weed Control in Corn and their Environmental Impact Quotient: Research and Extension	6/30/2023	\$ 47,154.00	\$ 59,875.35	20-157-2	\$ -	\$ -	\$ -	\$ 107,029.35
20-162-3	Lower Big Blue Natural Resources District	Turkey Creek watershed and source water protection project	6/30/2023	\$ 75,000.00	\$ 125,000.00	20-162-2	\$ (6,585.05)	\$ (11,350.00)	\$ -	\$ 182,064.95

**Nebraska Environmental Trust
Grant Disbursement Report
As of 4/4/23**

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Transfer In	Transfer In Reference	Prev Disbursement	Prev Quarter (Q1)	Cur Quarter (Q2)	Balance
20-165-2	Board of Regents of the University of Nebraska for the University of Nebraska – Lincoln	Transforming Manure and Cedar Mulch from “Waste” to “Worth” – Part II	6/30/2023	\$ 81,949.00	\$ 59,813.00	20-165	\$ (55,804.12)	\$ (14,251.72)	\$ -	\$ 71,706.16
20-168-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Direct removal of groundwater nitrate coupling water treatment and algae growth	6/30/2023	\$ 216,775.00	\$ 240,187.00	20-168	\$ (258,242.61)	\$ (31,360.45)	\$ -	\$ 167,358.94
20-171-3	Nebraska Game and Parks Commission	Rainwater Basin Wetland Management	6/30/2023	\$ 75,000.00	\$ 107,640.53	20-171-2	\$ (113,337.33)	\$ (64,736.61)	\$ -	\$ 4,566.59
20-174-3	Beyond School Bells, a program of Nebraska Children and Families Foundation	Nebraska Youth Conservation Initiative	6/30/2023	\$ 33,330.00	\$ 30,939.94	20-174-2	\$ (19,873.83)	\$ (6,945.75)	\$ -	\$ 37,450.36
20-175-3	Lewis and Clark Natural Resources District	Bow Creek Watershed Project	6/30/2023	\$ 44,345.00	\$ 128,479.08	20-175-2	\$ (32,773.77)	\$ -	\$ -	\$ 140,050.31
20-179-3	Spring Creek Prairie Audubon Center	Launching Spring Creek Prairie as a Demonstration Site for Tallgrass Prairie Conservation across the Denton Hills Landscape	6/30/2023	\$ 112,171.00	\$ 255,398.33	20-179-2	\$ (190,189.03)	\$ -	\$ -	\$ 177,380.30
20-182-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Eastern Redcedar Design-Build Microdwelling	6/30/2023	\$ 6,500.00	\$ 28,412.00	20-182	\$ (21,333.65)	\$ -	\$ -	\$ 13,578.35
20-183-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	StreamNet: Building capacity to improve water quality	6/30/2024	\$ 11,202.00	\$ 395,879.73	20-183-2	\$ -	\$ -	\$ -	\$ 407,081.73
20-186-2	Lower Big Blue Natural Resources District	Improving Nitrogen and Irrigation Best Management Practices in the Beatrice and Dewitt Wellhead Protection Areas	6/30/2023	\$ 93,900.00	\$ 98,900.00	20-186	\$ (7,283.69)	\$ (4,966.55)	\$ -	\$ 180,549.76
20-187-2	Lower Big Blue Natural Resources District	Improving Irrigation Best Management Practices in the Odell and Diller Wellhead Protection Areas	6/30/2023	\$ 88,900.00	\$ 122,500.00	20-187	\$ (40,938.77)	\$ (4,966.55)	\$ -	\$ 165,494.68
20-188-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Developing a Statewide Community Tree Canopy Map in Nebraska	6/30/2023	\$ 44,218.00	\$ 42,360.72	20-188	\$ (46,691.81)	\$ -	\$ -	\$ 39,886.91
20-189-3	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Nebraska Farmers and Farmland Owners Attitudes of Targeted Conservation	6/30/2023	\$ 42,448.00	\$ 152,072.47	20-189-2	\$ -	\$ -	\$ -	\$ 194,520.47
20-191-2	Nebraska Game and Parks Commission	Treehouse Classroom and Interactive Stream: Engaging Nebraskans in Conservation Education	6/30/2023	\$ 1,325,000.00	\$ 300,000.00	20-191	\$ (413,249.70)	\$ (634,527.90)	\$ -	\$ 577,222.40
20-193-2	University of Nebraska Medical Center	Healing Local Landscapes: Turf Conversion Utilizing Native Prairie Plantings	6/30/2023	\$ 7,000.00	\$ 10,700.00	20-193	\$ (10,500.00)	\$ -	\$ -	\$ 7,200.00
20-204-3	Sandhills Task Force	Sandhills Conservation Partnerships on Grasslands and Wetlands	6/30/2023	\$ 24,000.00	\$ 75,588.43	20-204-2	\$ (60,178.35)	\$ -	\$ -	\$ 39,410.08
20-219-3	National Wild Turkey Federation	Forest Stand Restoration on Pine Ridge Wildlife Management Areas	6/30/2023	\$ 75,643.00	\$ 151,286.00	20-219-2	\$ -	\$ -	\$ -	\$ 226,929.00
21-106	Village of Stapleton	Recycling Building 100 X 60	6/30/2023	\$ 293,500.00	\$ -		\$ (293,500.00)	\$ -	\$ -	\$ -
21-116	City of Tekamah	Municipal Well Seal Augmentation for Groundwater Protection	6/30/2023	\$ 95,615.00	\$ -		\$ -	\$ -	\$ -	\$ 95,615.00
21-118	Snake River Preservation Group	Foot Bridge Reach Riparian Project -Snake River	12/31/2023	\$ 36,706.00	\$ -		\$ (16,986.64)	\$ -	\$ -	\$ 19,719.36
21-122-2	Pheasants Forever, Inc.	Pathway For Wildlife, Ranchers, Farmers, and Communities	6/30/2023	\$ 236,700.00	\$ 159,945.52	21-122	\$ (112,490.68)	\$ (131,665.57)	\$ -	\$ 152,489.27
21-133	Middle Niobrara Natural Resources District	LPCW Restoration Phase 4	6/30/2023	\$ 810,000.00	\$ -		\$ (115,665.85)	\$ (36,133.75)	\$ -	\$ 658,200.40
21-139	Southwest Weed Management	Western Republican River Basin Riparian Habitat Project	6/30/2023	\$ 97,000.00	\$ -		\$ (73,734.22)	\$ (23,265.78)	\$ -	\$ -
21-144-2	Habitat for Humanity of Omaha	Habitat Omaha ReStore Deconstruction Project	6/30/2023	\$ 250,000.00	\$ 227,370.73	21-144	\$ (110,499.19)	\$ (83,324.42)	\$ -	\$ 283,547.12

**Nebraska Environmental Trust
Grant Disbursement Report
As of 4/4/23**

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Transfer In	Transfer In Reference	Prev Disbursement	Prev Quarter (Q1)	Cur Quarter (Q2)	Balance
21-147-2	Nebraska Community Foundation fbo Rainwater Basin Joint Venture	Enhancing Groundwater Recharge and Habitat through Rainwater Basin Wetland Conservation	6/30/2024	\$ 172,500.00	\$ 168,240.73	21-147	\$ (5,226.08)	\$ (123.86)	\$ -	\$ 335,390.79
21-148-2	Northern Prairies Land Trust	Enhancing Nebraska's Oak Woodlands	6/30/2024	\$ 165,000.00	\$ 221,385.57	21-148	\$ (8,447.54)	\$ (26,201.32)	\$ -	\$ 351,736.71
21-152	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Effects of redcedar on the diversity and ecosystem services of Nebraska's forests	6/30/2023	\$ 28,163.00	\$ -		\$ (19,367.74)	\$ (1,581.81)	\$ -	\$ 7,213.45
21-162-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Assessment of Greenhouse Gas Sequestration Resources in Districts 5, 6 and 7 to Improve Carbon Management Opportunities in Nebraska	6/30/2024	\$ 118,438.00	\$ 24,535.17	21-162	\$ -	\$ -	\$ -	\$ 142,973.17
21-169	Chadron State College	Math Science Building Initiative	12/31/2022	\$ 483,500.00	\$ -		\$ (298,500.00)	\$ (182,435.00)	\$ -	\$ 2,565.00
21-173	Girl Scouts Spirit of Nebraska	Spirit of Nebraska Camp Woodland Restoration	6/30/2023	\$ 51,100.00	\$ -		\$ (51,100.00)	\$ -	\$ -	\$ -
21-177-2	Loess Canyon Rangeland Alliance	Loess Canyon Grassland Stewardship	6/30/2024	\$ 230,000.00	\$ 81,277.00	21-177	\$ (163,307.00)	\$ -	\$ -	\$ 147,970.00
21-180	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Surface Water Nutrient Removal in Eutrophic Ponds Using Floating Treatment Wetlands in Nebraska	6/30/2023	\$ 111,797.00	\$ -		\$ -	\$ -	\$ -	\$ 111,797.00
21-193-2	Ducks Unlimited, Inc.	Restoring Western Alkali and Riparian Wetlands	6/30/2023	\$ 40,000.00	\$ 138,845.61	21-193	\$ (10,780.50)	\$ (62,628.98)	\$ -	\$ 105,436.13
21-197-2	Nebraska Game and Parks Commission	Connecting Students to their Water Resources in Nebraska	6/30/2023	\$ 17,650.00	\$ 205.19	21-197	\$ -	\$ (3,661.14)	\$ -	\$ 14,194.05
21-201-2	Nebraska Game and Parks Commission	Wagon Train Reservoir Wetland and Water Quality Enhancement Project	6/30/2023	\$ 50,000.00	\$ 100,000.00	21-201	\$ -	\$ -	\$ -	\$ 150,000.00
21-205-2	Rocky Mountain Bird Observatory dba Bird Conservancy of the Rockies	Connecting Youth and Families to the Natural World in the Nebraska Panhandle	6/30/2023	\$ 38,925.00	\$ 33,370.00	21-205	\$ (33,031.81)	\$ (15,684.30)	\$ -	\$ 23,578.89
21-209	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Adaptive Management of Sandhills Grasslands	6/30/2024	\$ 134,192.00	\$ -		\$ (12,150.61)	\$ -	\$ -	\$ 122,041.39
21-210	Nebraska Recycling Council	Grain Bag Recycling Project	6/30/2023	\$ 127,129.00	\$ -		\$ (62,483.56)	\$ -	\$ -	\$ 64,645.44
21-211-2	Board of Regents of the University of Nebraska for the University of Nebraska - Lincoln	NE Master Naturalist - Engaging Nebraska's Youth as Naturalists	6/30/2023	\$ 71,630.00	\$ 46,239.83	21-211	\$ -	\$ -	\$ -	\$ 117,869.83
21-212	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Flaming Alfalfa to Preserve Soil Health and Prevent Surface and Ground Water Degradation	6/30/2023	\$ 141,143.00	\$ -		\$ (135,028.20)	\$ -	\$ -	\$ 6,114.80
21-213	Conservation Nebraska	Common Ground Education Program	6/30/2023	\$ 65,000.00	\$ -		\$ (45,128.81)	\$ (5,997.88)	\$ -	\$ 13,873.31
21-215-2	Sandhills Task Force	Sandhills Working Ranch Conservation Partnership	6/30/2024	\$ 50,000.00	\$ 348,000.00	21-215	\$ (138,018.00)	\$ (30,000.00)	\$ -	\$ 229,982.00
21-216-2	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Niobrara River Ecology and Education	6/30/2023	\$ 210.00	\$ 19,934.24	21-216	\$ -	\$ -	\$ -	\$ 20,144.24
21-218-2	The Nature Conservancy	Connecting Nebraskans to Nature: Trails Development and Enhancements	6/30/2024	\$ 28,349.00	\$ 178,469.00	21-218	\$ (5,244.00)	\$ (17,553.34)	\$ -	\$ 184,020.66
22-112	Lower Elkhorn Natural Resources District	LENRD Establishment of Baseline Vadose Zone Sampling in Cuming, Colfax, and Dodge Counties	6/30/2023	\$ 14,846.00	\$ -		\$ (1.00)	\$ -	\$ -	\$ 14,845.00
22-119	Twin Valley Weed Management Area	Eastern Republican and Little Blue Watershed Improvement Project	6/30/2023	\$ 176,000.00	\$ -		\$ (25,196.69)	\$ (5,835.87)	\$ -	\$ 144,967.44
22-122	Nebraska Community Foundation FBO Rainwater Basin Joint Venture	Happy Cows Happy Wetlands II	6/30/2023	\$ 67,360.00	\$ -		\$ -	\$ (12,862.50)	\$ -	\$ 54,497.50
22-123	Southwest Weed Management	Western Republican River Basin Riparian Habitat Project	6/30/2023	\$ 130,700.00	\$ -		\$ (18,101.71)	\$ (36,727.35)	\$ -	\$ 75,870.94
22-130	Nebraska Recycling Council	Recycling Equipment Grants	6/30/2023	\$ 314,200.00	\$ -		\$ (14,724.26)	\$ (63,494.15)	\$ -	\$ 235,981.59

**Nebraska Environmental Trust
Grant Disbursement Report
As of 4/4/23**

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Transfer In	Transfer In Reference	Prev Disbursement	Prev Quarter (Q1)	Cur Quarter (Q2)	Balance
22-137	Wachiska Audubon Society Eastern Nebraska Chapter of National Audubon Society	Prairie Habitat Management Program 2022-2024	6/30/2023	\$ 46,000.00	\$ -		\$ (5,151.81)	\$ (7,202.62)	\$ -	\$ 33,645.57
22-138	Alliance for the Future of Agriculture in Nebraska	Leopold Conservation Award Video Project	6/30/2023	\$ 15,000.00	\$ -		\$ -	\$ -	\$ -	\$ 15,000.00
22-141	Central Platte Natural Resources District	Alda Crane Viewing Site Restoration Project	6/30/2024	\$ 75,000.00	\$ -		\$ -	\$ -	\$ -	\$ 75,000.00
22-143	Nebraska Game & Parks Commission	Bringing the Natural Legacy Project to Nebraska's Private Land Producers and Stewards	6/30/2023	\$ 274,500.00	\$ -		\$ -	\$ -	\$ -	\$ 274,500.00
22-144	Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln	Reduction of Water and Energy Use in the Ethanol Industry: Data Collection and Analysis	6/30/2023	\$ 155,663.00	\$ -		\$ (3,756.52)	\$ -	\$ -	\$ 151,906.48
22-145	Pheasants Forever, Inc.	Habitat Share	6/30/2023	\$ 99,000.00	\$ -		\$ (38,854.31)	\$ (19,047.63)	\$ -	\$ 41,098.06
22-146	Southeast NE Pheasants Forever	No-Till Drill Southeast NE Pheasants Forever	6/30/2023	\$ 29,000.00	\$ -		\$ (29,000.00)	\$ -	\$ -	\$ -
22-147	Quail Forever	Mobile Prescribed Burn Unit and Education Outreach	6/30/2023	\$ 114,400.00	\$ -		\$ (11,401.42)	\$ (37,186.32)	\$ -	\$ 65,812.26
22-148	Five Rivers Resource, Conservation, & Development, Inc.	SE Nebraska Household Hazardous Waste Collections	6/30/2023	\$ 65,764.00	\$ -		\$ -	\$ -	\$ -	\$ 65,764.00
22-150	Central Platte NRD	Partnering to Manage Central Nebraska's Core Grasslands	6/30/2023	\$ 149,500.00	\$ -		\$ (5,500.00)	\$ (5,500.00)	\$ -	\$ 138,500.00
22-155	KEEP KEITH COUNTY BEAUTIFUL	Western Nebraska Regional Education program	6/30/2023	\$ 78,073.00	\$ -		\$ (12,881.57)	\$ (13,184.70)	\$ -	\$ 52,006.73
22-157	Four Corners Health Department	Household Hazardous Waste	6/30/2023	\$ 29,250.00	\$ -		\$ (469.42)	\$ (102.34)	\$ -	\$ 28,678.24
22-159	Papio-Missouri River Natural Resources District	Know Your Well Phase III - Growing Youth-led Groundwater Science in Nebraska	6/30/2023	\$ 235,711.00	\$ -		\$ -	\$ -	\$ -	\$ 235,711.00
22-161	Ducks Unlimited, Inc.	Improving Wildlife Habitat and Public Recreation	6/30/2023	\$ 102,000.00	\$ -		\$ -	\$ -	\$ -	\$ 102,000.00
22-162	City of Papillion	Valley Road Channel Improvements	6/30/2023	\$ 80,000.00	\$ -		\$ -	\$ -	\$ -	\$ 80,000.00
22-166	Nebraska Game and Parks Commission	Cool Water Stream Management in Nebraska	6/30/2023	\$ 125,000.00	\$ -		\$ -	\$ (100,000.00)	\$ -	\$ 25,000.00
22-170	Nebraska Game and Parks Commission	Statewide Grassland Enhancement Project	6/30/2023	\$ 250,000.00	\$ -		\$ -	\$ -	\$ -	\$ 250,000.00
22-172	Nebraska Department of Transportation	Statewide StreamStats Web Tool for Estimating Streamflow Statistics	6/30/2023	\$ 24,300.00	\$ -		\$ -	\$ -	\$ -	\$ 24,300.00
22-173	City of Lexington	Lexington's Patriot Park and Pond - Connecting Community to Nature	6/30/2023	\$ 276,930.00	\$ -		\$ -	\$ -	\$ -	\$ 276,930.00
22-174	Nebraska Agriculture in the Classroom, a program of Nebraska Farm Bureau Foundation	Agriculture and the Environment, Education and Outreach	6/30/2023	\$ 57,100.00	\$ -		\$ -	\$ -	\$ -	\$ 57,100.00
22-177	Nebraska Statewide Arboretum, Inc.	Greener Nebraska Towns (GNT)	6/30/2023	\$ 334,564.00	\$ -		\$ (8,378.94)	\$ (23,022.28)	\$ -	\$ 303,162.78
22-178	Omaha Children's Museum	Forever Forest Refurbishment & 2nd Half of 10 Year National Tour	6/30/2023	\$ 32,603.00	\$ -		\$ -	\$ -	\$ -	\$ 32,603.00
22-182	Nebraska Statewide Arboretum, Inc.	Trees For Nebraska Towns: More Biodiverse & Resilient Communities	6/30/2023	\$ 331,761.00	\$ -		\$ (38,606.79)	\$ (51,191.57)	\$ -	\$ 241,962.64
22-183	Keep Nebraska Beautiful	Nebraska School Chemical Cleanout Campaign (SC3)	6/30/2023	\$ 57,500.00	\$ -		\$ (25,452.30)	\$ -	\$ -	\$ 32,047.70
22-200	Five Rivers Resource, Conservation, & Development, Inc.	Native Grassland Protection Against Invasive Species	6/30/2023	\$ 91,440.00	\$ -		\$ -	\$ -	\$ -	\$ 91,440.00
22-207	Platte River Whooping Crane Maintenance Trust, Inc.	A Partnership to Restore Central Nebraska Native Prairies	6/30/2023	\$ 62,500.00	\$ -		\$ (62,500.00)	\$ -	\$ -	\$ -
22-209	Five Rivers Resource, Conservation, & Development, Inc.	SE Nebraska Electronics Collections	6/30/2023	\$ 56,219.00	\$ -		\$ -	\$ -	\$ -	\$ 56,219.00
22-214	Keep Columbus Beautiful	23rd Street Streetscaping Project	6/30/2023	\$ 5,000.00	\$ -		\$ -	\$ -	\$ -	\$ 5,000.00
22-217	Metropolitan Utilities District	Used Oil Filter Recycling Project	6/30/2023	\$ 9,097.00	\$ -		\$ (9,097.00)	\$ -	\$ -	\$ -
23-113	Pheasants Forever, Inc.	Pathway For Wildlife, Ranchers, Farmers, and Communities	6/30/2026	\$ 278,000.00	\$ -		\$ -	\$ -	\$ -	\$ 278,000.00

**Nebraska Environmental Trust
Grant Disbursement Report
As of 4/4/23**

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Transfer In	Transfer In Reference	Prev Disbursement	Prev Quarter (Q1)	Cur Quarter (Q2)	Balance
23-114	Quail Forever	Mobile Prescribed Burn Unit, Education Outreach, and Rural Fire Departments	6/30/2025	\$ 121,000.00	\$ -		\$ -	\$ -	\$ -	\$ 121,000.00
23-115	Kearney County and Lower Platte NE Pheasants Forever Chapters	No-Till Drills Kearney Co and Lower Platte Pheasants Forever Chapters	6/30/2024	\$ 70,000.00	\$ -		\$ -	\$ -	\$ -	\$ 70,000.00
23-117	Middle Niobrara Natural Resources District	LPCW Restoration Phase 5 - WFPO Project Implementation	6/30/2026	\$ 547,100.00	\$ -		\$ -	\$ -	\$ -	\$ 547,100.00
23-122	Southwest Weed Management	Western Republican River Basin Riparian Habitat Project	6/30/2024	\$ 147,140.00	\$ -		\$ -	\$ -	\$ -	\$ 147,140.00
23-127	Village of Lindsay, Nebraska	Lindsay Community Pond Restoration Project	6/30/2024	\$ 281,500.00	\$ -		\$ -	\$ -	\$ -	\$ 281,500.00
23-131	Twin Valley Weed Management Area	Eastern Republican and Little Blue Watershed Improvement Project	6/30/2024	\$ 205,040.00	\$ -		\$ -	\$ -	\$ -	\$ 205,040.00
23-132	Omaha Public Power District	OPPD/Douglas County: SOLUS (Solar On Landfills Utility Scale)	6/30/2026	\$ 50,000.00	\$ -		\$ -	\$ -	\$ -	\$ 50,000.00
23-136	Habitat for Humanity of Omaha	2022 HFHO Deconstruction Project	6/30/2025	\$ 250,000.00	\$ -		\$ -	\$ -	\$ -	\$ 250,000.00
23-138	Nebraska Game and Parks Commission	Rainwater Basin Wetland Management	6/30/2026	\$ 100,000.00	\$ -		\$ -	\$ -	\$ -	\$ 100,000.00
23-140	Ducks Unlimited Inc.	North Platte River Valley Habitat Restoration and Enhancement Partnership III	6/30/2025	\$ 85,000.00	\$ -		\$ -	\$ -	\$ -	\$ 85,000.00
23-142	Lower Platte North Natural Resources District	Shell Creek Enhancement Plan: Phase III	6/30/2026	\$ 115,002.00	\$ -		\$ -	\$ -	\$ -	\$ 115,002.00
23-148	City of Crawford	Purchase 125 side-loader green dumpsters	6/30/2024	\$ 150,000.00	\$ -		\$ -	\$ -	\$ -	\$ 150,000.00
23-149	North Platte Natural Resources District	Grassland and Greenspace Reclamation Seeder	6/30/2024	\$ 12,000.00	\$ -		\$ -	\$ -	\$ -	\$ 12,000.00
23-150	The Nature Conservancy	Blue River Water Quality Project	6/30/2026	\$ 93,175.00	\$ -		\$ -	\$ -	\$ -	\$ 93,175.00
23-153	The Lincoln-Lancaster County Health Department	Maximizing HazToGo - Lincoln's Hazardous Waste Center Through Material Reuse	6/30/2026	\$ 175,000.00	\$ -		\$ -	\$ -	\$ -	\$ 175,000.00
23-156	Nebraska Public Power District	ME Energy Ethanol Powered Electric Vehicle Fast Charger	6/30/2024	\$ 88,948.00	\$ -		\$ -	\$ -	\$ -	\$ 88,948.00
23-162	Platte River Whooping Crane Maintenance Trust, Inc.	Crane Trust Habitat Maintenance	6/30/2024	\$ 69,000.00	\$ -		\$ -	\$ -	\$ -	\$ 69,000.00
23-164	People's City Mission	Help Center baler upgrade	6/30/2024	\$ 109,950.00	\$ -		\$ -	\$ -	\$ -	\$ 109,950.00
23-166	Sandhills Task Force	Sandhills Stewardship and Conservation Project	6/30/2026	\$ 134,000.00	\$ -		\$ -	\$ -	\$ -	\$ 134,000.00
23-170	Nebraska Game and Parks Commission	WILD Nebraska	6/30/2025	\$ 100,000.00	\$ -		\$ -	\$ -	\$ -	\$ 100,000.00
23-171	North Platte Natural Resources District	High Plains Nutrient Management	6/30/2024	\$ 50,000.00	\$ -		\$ -	\$ -	\$ -	\$ 50,000.00
23-172	Nebraska Game and Parks Commission	Standing Bear Reservoir Habitat and Water Quality Enhancement Project	6/30/2024	\$ 500,000.00	\$ -		\$ -	\$ -	\$ -	\$ 500,000.00

 Projects to Closeout

**NEBRASKA LOTTERY
PROCEEDS ALLOCATION WORKSHEET**
Prepared March 29, 2023

HISTORICAL SUMMARY

25% of sales (after start-up cost payback) thru 9-30-2003	\$185,645,389
Supplemental Allocation June 1997	\$4,076,716
General Fund Transfer July 2004	\$5,000,000
Total Allocations from 10-1-2003 through 12-31-2022	\$714,195,054
Allocation for 1-1-2023 through 3-31-2023	<u>\$14,679,553</u>
Total Allocations	<u>\$923,596,712</u>

BENEFICIARY SUMMARY

	Current rates	Total Previous Allocations	Current Allocation	Total Allocations
Compulsive Gamblers Assistance Fund	\$500K+1%	\$20,424,175	\$146,796	\$20,570,971
Solid Waste Landfill Closure Assistance Fund		\$18,460,996	\$0	\$18,460,996
General Fund		\$5,000,000	\$0	\$5,000,000
Nebraska Environmental Trust Fund	44.50%	\$389,313,399	\$6,532,401	\$395,845,800
Nebraska Education Improvement Fund	44.50%	\$132,622,077	\$6,532,401	\$139,154,478
Education Innovation Fund		\$174,222,842	\$0	\$174,222,842
Nebraska Opportunity Grant Fund		\$100,929,476	\$0	\$100,929,476
Nebraska State Fair Support & Improvement Cash Fund	10.00%	<u>\$67,944,194</u>	<u>\$1,467,955</u>	<u>\$69,412,149</u>
Total Allocations		<u>\$908,917,159</u>	<u>\$14,679,553</u>	<u>\$923,596,712</u>

QUARTERLY SUMMARY

1st Allocation - Dec '93	\$3,473,245	36th Allocation - Sept '02	\$4,703,292	71st Allocation - June '11	\$8,929,746
2nd Allocation - Mar '94	4,204,314	37th Allocation - Dec '02	4,720,879	72nd Allocation - Sept '11	7,354,336
3rd Allocation - June '94	3,254,252	38th Allocation - Mar '03	5,863,641	73rd Allocation - Dec '11	8,620,541
4th Allocation - Sept '94	3,694,603	39th Allocation - June '03	4,810,852	74th Allocation - Mar '12	10,028,135
5th Allocation - Dec '94	4,493,992	40th Allocation - Sept '03	5,626,823	75th Allocation - June '12	10,072,052
6th Allocation - Mar '95	4,718,654	41st Allocation - Dec '03	5,077,781	76th Allocation - Sept '12	9,048,508
7th Allocation - June '95	6,400,921	42nd Allocation - Mar '04	5,018,280	77th Allocation - Dec '12	10,260,110
8th Allocation - Sept '95	4,898,818	43rd Allocation - June '04	5,085,062	78th Allocation - Mar '13	9,599,548
9th Allocation - Dec '95	5,049,922	44th Allocation - Sept '04	5,098,994	79th Allocation - June '13	11,106,535
10th Allocation - Mar '96	5,406,684	45th Allocation - Dec '04	5,407,730	80th Allocation - Sept '13	9,878,840
11th Allocation - June '96	5,130,880	46th Allocation - Mar '05	5,347,591	81st Allocation - Dec '13	9,398,011
12th Allocation - Sept '96	5,064,149	47th Allocation - June '05	6,341,163	82nd Allocation - Mar '14	9,749,771
13th Allocation - Dec '96	4,714,069	48th Allocation - Sept '05	5,664,629	83rd Allocation - June '14	8,973,470
14th Allocation - Mar '97	4,743,839	49th Allocation - Dec '05	7,064,331	84th Allocation - Sept '14	8,178,969
15th Allocation - June '97	4,764,614	50th Allocation - Mar '06	7,866,346	85th Allocation - Dec '14	8,620,016
16th Allocation - Sept '97	4,593,964	51st Allocation - June '06	7,006,589	86th Allocation - Mar '15	10,859,782
17th Allocation - Dec '97	4,403,552	52nd Allocation - Sept '06	7,272,884	87th Allocation - June '15	9,448,216
18th Allocation - Mar '98	4,582,744	53rd Allocation - Dec '06	6,917,888	88th Allocation - Sept '15	8,212,897
19th Allocation - June '98	5,160,203	54th Allocation - Mar '07	8,382,364	89th Allocation - Dec '15	8,970,159
20th Allocation - Sept '98	5,415,823	55th Allocation - June '07	6,693,083	90th Allocation - Mar '16	14,484,483
21st Allocation - Dec '98	3,922,025	56th Allocation - Sept '07	8,028,992	91st Allocation - June '16	11,115,384
22nd Allocation - Mar '99	3,870,216	57th Allocation - Dec '07	6,345,022	92nd Allocation - Sept '16	10,139,310
23rd Allocation - June '99	4,372,962	58th Allocation - Mar '08	8,179,721	93rd Allocation - Dec '16	9,898,760
24th Allocation - Sept '99	4,338,499	59th Allocation - June '08	8,454,546	94th Allocation - Mar '17	10,002,805
25th Allocation - Dec '99	3,945,162	60th Allocation - Sept '08	7,329,553	95th Allocation - June '17	11,236,782
26th Allocation - Mar '00	4,871,741	61st Allocation - Dec '08	6,741,792	96th Allocation - Sept '17	12,155,625
27th Allocation - June '00	4,732,136	62nd Allocation - Mar '09	8,002,231	97th Allocation - Dec '17	9,810,734
28th Allocation - Sept '00	3,659,761	63rd Allocation - June '09	8,171,542	98th Allocation - Mar '18	12,037,151
29th Allocation - Dec '00	4,469,602	64th Allocation - Sept '09	7,718,275	99th Allocation - June '18	11,246,604
30th Allocation - Mar '01	4,241,695	65th Allocation - Dec '09	6,910,874	100th Allocation - Sept '18	10,112,868
31st Allocation - June '01	4,225,339	66th Allocation - Mar '10	7,668,057	101st Allocation - Dec '18	13,866,351
32nd Allocation - Sept '01	5,308,954	67th Allocation - June '10	9,703,068	102nd Allocation - Mar '19	11,755,270
33rd Allocation - Dec '01	4,111,255	68th Allocation - Sept '10	6,845,156	103rd Allocation - June '19	10,833,103
34th Allocation - Mar '02	4,196,481	69th Allocation - Dec '10	7,405,727	104th Allocation - Sept '19	9,538,409
35th Allocation - June '02	4,619,263	70th Allocation - Mar '11	8,874,699	105th Allocation - Dec '19	9,657,261

(continued)

**NEBRASKA LOTTERY
PROCEEDS ALLOCATION WORKSHEET**
Prepared March 29, 2023

QUARTERLY SUMMARY (continued)

106th Allocation - Mar '20	\$10,653,915
107th Allocation - June '20	12,556,050
108th Allocation - Sept '20	10,436,890
109th Allocation - Dec '20	10,464,425
110th Allocation - Mar '21	15,201,537
111th Allocation - June '21	12,076,086
112th Allocation - Sept '21	12,003,796
113th Allocation - Dec '21	12,058,351
114th Allocation - Mar '22	13,113,767
115th Allocation - June '22	12,254,024
116th Allocation - Sept '22	12,600,007
117th Allocation - Dec '22	15,817,263
118th Allocation - Mar '23	<u>14,679,553</u>
Sub-Total	\$914,519,996
Supplemental Allocation	\$4,076,716
General Fund Transfer	<u>\$5,000,000</u>
Total Allocations	<u><u>\$923,596,712</u></u>

GRANT ADMINISTRATION REPORT

Late Reports

As of 4/20/23, there are no late reports to account for, for the January through March 2023 reporting period.

Modifications Approved by Staff

- 20-179-3 – Spring Creek Prairie Audubon - modification to move \$5,500 from the supplies and material category into the contractual category.
- 21-152 – BOR-UNL - Modification to move \$2,985.30 from the operating category into the salaries, benefits, and travel categories.
- 19-151-3 – Lower Niobrara NRD - Modification to move \$9,999 from the Monitoring Well Design and Construction into Continuous Water Level Recorders category.

Grants Monitoring

NET Board Agenda Materials

Item #: 4

Object: To provide updates to the NET Board

Contact Person: Karl Elmshaeuser, Holly Adams

For: ACTION

Presentation by UN-L Students

BACKGROUND

From the State of Nebraska Auditor of Public Accounts, Attestation Report dated July 21, 2021.

During our examination of the Nebraska Environmental Trust Board (Board), we noted certain deficiencies and other operational matters that are presented here. The following comment is required to be reported in accordance with Government Auditing Standards: Comment #1, "Grants Monitoring," which is considered to be a significant deficiency

From the NET Board minutes dated July 22, 2021.

Mr. Davidson asked Ms. Kucera to educate the Board on the structure of the rating system. Ms. Kucera responded that findings called "Other" are brought to the attention of governance. This would include Item 2 (Unallowed Endowment Transfer). The next level of a finding would be a "Significant Deficiency" which is an internal control deficiency or a combination of internal control deficiencies that definitely need to come to the attention of governance. It is unlikely to have material impact on financial statements. This would include Item 1 (Grants Monitoring).

Mr. Quandahl thanked Ms. Kucera for her time and efforts in putting together the report. It provided clarity on how the Board is doing on financial and accounting matters. Ms. Kucera was asked in her opinion if NET possessed sufficient resources and staff to address the grant monitoring recommendations. Ms. Kucera responded that she did not know if she was equipped to answer, although she did believe the number of projects was too numerous for a four member staff to do the required financial audits on all the projects. Many state agencies conduct sub-recipient monitoring, but the difference is they are not really audits. The Board may want to clarify what is meant by "audit" and narrow down the procedures in the rules and regulations.

Mr. Christen questioned whether site visits in the audit were referring to all funded projects. Ms. Kucera responded the assumption was correct, since audits are required in the Board's procedures and policies. Mr. Christen stated the issues are long term and monitoring and following up on these projects has probably been deficient for a long time. Board and staff support was lacking to move forward and do something about it. Mr. Christen added that in an effort to be fair to the public and to be transparent, the audit had certainly been helpful.

Mr. Wellman confirmed with Ms. Kucera that contracted audits were acceptable.

EXPLANATION

The Trust 22 Committee worked with the Nebraska Center for Operational Excellence (COE) staff to improve the NET processes and operated within the statutes, bylaws, rules & regulation, as well as current NET policy parameters.

Grants monitoring was a significant separate project to undertake. As a result of the COE sessions, it was determined that using the existing resources of the NET Grants Portal would provide a suitable platform to input, track and notify parties involved concerning monitoring of grants.

After meeting with NET's Grants Portal Software principal, it was determined that a good course of action would be to look to the UNL School of Computing's Senior Design Capstone Program for assistance. The initial correspondence began in June of 2022. Both Gregoire Consulting and the UNL Capstone Program were contractually engaged to undertake the project. The UNL Team was determined in August of 2022.

Marie Gregoire, Holly Adams and the UNL Team have been meeting on a regular basis to find the right solutions for NET. They are here today to present their significant achievement.

PROPOSAL

Presentation by UN-L Students on their project to update the NET Grants Portal.

Implementation and Beta Testing of the system through June 30, 2023.

Contract services for availability of outside inspectors starting in July of 2023.

Special Ad Hoc Committee

NET Board Agenda Materials

Item #: 6

Object: Special Ad Hoc Title 137 Committee report and recommendations for action

Contact Person: Josh Andersen, Karl Elmshaeuser

For: Action

Attachments: 52 pages,
History, Amended Title 137 Rules and Regulations proposed for consideration,
Written testimony provided in advance of the Public Hearing on May 4, 2023

BACKGROUND

Nebraska State Statute

81-15,173.

Board; powers and duties.

The board shall have and may exercise the following powers and duties:

- (2) Keep records, conduct hearings, and adopt and promulgate rules and regulations to carry out its duties and implement the Nebraska Environmental Trust Act;
- (7) Establish ad hoc advisory boards and subcommittees;

EXPLANATION

Title 137 covers the Rules and Regulations Governing Activities of the Nebraska Environmental Trust. They were last amended May 8, 2018.

During the Trust 22 Committee's work with the Center of Operational Excellence, several issues were discovered that required additional efforts to resolve. One of the key issues was defining eligibility. It was recommended to establish a dedicated ad hoc committee to work over the next year to further identity, propose and resolve these issues through the formal process to amend Title 137. The committee was established on May 19, 2022. A brief history is attached. The attached amendment is the culmination of all of those efforts. Written testimony provided before the Public Hearing is also attached.

If the NET Board approves the proposed amendments, the document will be sent to the Attorney General's office for review. If approved by the AG's office, the document will be sent to the Governor's office for review. If approved by the Governor, the document will be sent to the Secretary of State's office for processing.

PROPOSAL

Recommended motion, "I move to adopt the amendments to Title 137 as proposed, to authorize the Executive Director to sign the Certification of Adoption, and forward the applicable and appropriate documents for processing as required."

The changes are being proposed as a response to a culmination of almost two years of effort by a number of people inside and outside of the Nebraska Environmental Trust (NET). Regulations are adopted in order to clarify and define processes and requirements outlined in state law. When a regulation restated a state statute, it was removed from Title 137 as the state statute is sufficient.

The State Audit of NET from July of 2021 identified areas for improvement. The Operational Assessment of NET in July of 2021 by the Department of Administrative Services identified multiple findings that included lack of clarity and consistency in grant administration. Key factors were eligibility, rating, and ranking of grant applications. There were also property tax concerns and implications from grant funding that needed to be addressed.

The NET established the Trust 22 Committee and requested assistance from the Nebraska Center of Operational Excellence to assist with NET's process improvements. As a result of those efforts, at least twelve items in the current Title 137 Rules and Regulations for NET were identified for additional efforts to resolve those issues.

In May of 2022 the NET Board created the Title 137 Committee to focus on the review of Title 137 over the next year to determine and recommend procedures, policies and efficiencies as well as alignment with state statutes of Title 137 to the NET Board. After elections of officers in August of 2022, the Title 137 Committee members were appointed in September of 2022, to begin their work.

The Title 137 Committee's first meeting in September of 2022 established a process to complete the task in accordance with the Nebraska Secretary of State steps for rules and regulations promulgation. The first decision was to conduct listening sessions in each Congressional districts prior to proposing any changes to the rules and regulations.

The first listening session was held in Congressional District 1 in October of 2022. The second listening session was held in District 2 in November of 2022. The third listening session was held in District 3 in November of 2022. A fourth listening session was held in December of 2022 and was offered as a Zoom meeting for anyone who could not attend a session in person. Also, written comments were submitted to the Title 137 Committee.

All written comments and summaries of the listening sessions were provided to the Title 137 Committee. The Committee met on six different occasions between January and March of 2023 to discuss potential changes to Title 137.

The next step is a public hearing on the proposed changes that will be held on May 4, 2023. A public notice was published as required and a press release was provided. The NET Board may take action on the proposed language after the public hearing process has been completed.

NEBRASKA ENVIRONMENTAL TRUST BOARD

TITLE 137

RULES AND REGULATIONS GOVERNING ACTIVITIES
OF THE NEBRASKA ENVIRONMENTAL TRUST

DRAFT 04/03/2023

TITLE 137
RULES AND REGULATIONS GOVERNING ACTIVITIES
OF THE NEBRASKA ENVIRONMENTAL TRUST FUND

STATE OF NEBRASKA
NEBRASKA ENVIRONMENTAL TRUST BOARD

NUMERICAL TABLE OF CONTENTS

<u>SUBJECT OF TITLE</u>	<u>STATUTORY AUTHORITY</u>	<u>CHAPTER</u>
SCOPE OF ACTIVITIES	§81-15,173	Ch. 1
ENDOWMENT FUND	§81-15,174	Ch. 2
APPLICATION PROCESS	§81-15,176	Ch. 3
CRITERIA FOR ELIGIBILITY	§81-15,176	Ch. 4
EVALUATING PROPOSALS FOR ELIGIBILITY	§81-15,176	Ch. 5
PROJECT RANKING SYSTEMS	§81-15,175	Ch. 6
RANKING ELIGIBLE PROJECTS FOR FUNDING	§81-15,175	Ch. 7
GRANT ADMINISTRATION	§81-15,170	Ch. 8
DEFINITIONS	§81-15,169	Ch. 9

TITLE 137
RULES AND REGULATIONS GOVERNING ACTIVITIES
OF THE NEBRASKA ENVIRONMENTAL TRUST FUND

STATE OF NEBRASKA
NEBRASKA ENVIRONMENTAL TRUST BOARD

ALPHABETICAL TABLE OF CONTENTS

<u>SUBJECT OF TITLE</u>	<u>STATUTORY AUTHORITY</u>	<u>CHAPTER</u>
APPLICATION PROCESS	§81-15,176	Ch. 3
CRITERIA FOR ELIGIBILITY	§81-15,176	Ch. 4
DEFINITIONS	§81-15,169	Ch. 9
ENDOWMENT FUND	§81-15,174	Ch. 2
EVALUATING PROPOSALS FOR ELIGIBILITY	§81-15,176	Ch. 5
GRANT ADMINISTRATION	§81-15,170	Ch. 8
PROJECT RANKING SYSTEMS	§81-15,175	Ch. 6
RANKING ELIGIBLE PROJECTS FOR FUNDING	§81-15,175	Ch. 7
SCOPE OF ACTIVITIES	§81-15,173	Ch. 1

CHAPTER 1 - SCOPE OF ACTIVITIES

001. CONFLICT OF INTEREST.

001.01 AGENCY DIRECTOR ABSTENTIONS. Any board member who is also a director of a state agency shall abstain from voting on applications where more than 50% of the value of grant award accrues to the agency as primary, tangible benefits. Grant funds administered by the agency and passed through to other grant recipients are not considered to accrue value to the agency.

DRAFT

CHAPTER 2 - ENDOWMENT FUND

001. SOLICITATION OF GIFTS, GRANTS, BEQUESTS, ROYALTIES AND DONATIONS. The Board may establish a fundraising plan and may review the plan at least annually. No solicitation of gifts, grants, bequests, royalties or donations will be conducted outside of this plan, without approval of the Board.

002. RECEIPT OF GIFTS, GRANTS, BEQUESTS, ROYALTIES AND DONATIONS.

002.01 The Board may accept any gift, grant, bequest, royalty or donation specifically designated for restricted purposes or projects which fall within the scope and purpose of the Nebraska Environmental Trust Act, except that the Board will not accept title to or legal interest in real property. The Board may establish a dollar value below which it will not accept specifically designated gifts. The Board may refuse any gift, grant, quest, royalty or donation at its sole discretion. The Board shall seek approval by the Governor of any gift or bequest of personal property in excess of \$10,000.00.

002.02 The Board may establish policies for the management of assets credited to the Funds subject to provisions of statute. Before adopting such policies, the Board shall hold at least one public meeting where the public is offered the opportunity to comment on the policies.

002.03 Gifts of cash, including bank notes, checks, money orders, currency or other legal tender will be credited to the Fund designated by the donor, if any. If the donor does not designate a Fund, the gift will be credited to the Endowment Fund.

002.04 The value of gifts other than cash will be credited to the Fund designated by the donor, if any. If the donor does not designate a fund, the gift will be credited to the Endowment Fund.

002.05 The Executive Director, on behalf of the Trust, may accept any gift of cash broadly designated for the purposes of the Trust. The Executive Director will not accept any specifically designated or restricted gift of cash or any gift other than cash without prior approval of the Board or a committee designated by the Board to act in its stead.

003. ALLOCATION OF RECEIPTS AND PROCEEDS.

003.01 The Executive Director will prepare an annual statement of all gifts, grants, bequests, royalties, and donations to the Funds for the prior fiscal year. The statement will indicate donor Fund designations, if any. The statement will include a report of any earnings on gifts, grants, bequests, royalties, donations or investments available for allocation by the Board.

003.02 The Board may allocate each fiscal year an amount from the Endowment Fund to the Trust Fund for projects which conform to the funding categories of the Board to the extent that the Board determines those projects have merit. The amount of this allocation shall not include the principal of any grants previously made from the Trust Fund to the

Endowment Fund from proceeds originally credited to the Trust Fund pursuant to Nebraska Revised Statute § 9-812.

003.03 The Board may award a grant each fiscal year from the Trust Fund to the Endowment Fund. The grant may not exceed two hundred percent (200%) of all other proceeds credited to the Endowment Fund in that year and may not exceed fifty percent (50%) of the total proceeds credited to the Trust Fund pursuant to Nebraska Revised Statute § 9-812 for that year. Grant awards allocated to the Endowment Fund from the Trust Fund shall remain invested in the Endowment Fund and shall not be reallocated.

DRAFT

CHAPTER 3 - APPLICATION PROCESS

001. FORM OF APPLICATION AND ACCOMPANYING MATERIALS. An applicant for financial assistance from the Trust shall comply with prevailing application method(s) approved by the Board no later than three (3) months prior to the submission deadline. The application shall be complete in every aspect at the time of submittal and may include additional information to demonstrate the project's eligibility for funding.

001.01 The Executive Director shall review each application submitted and shall determine whether the application is substantially complete for initial review. The Executive Director shall review the eligibility criteria to provide an eligibility recommendation to the Grants Committee. The Grants Committee of the Board shall review each such application and shall make a preliminary recommendation of approval or rejection of the proposal for eligibility based on the recommendation of the Executive Director.

001.02 For any application, the Grants Committee will determine whether further information will be needed to evaluate the eligibility of the proposal. If additional information is needed, the Executive Director will so notify the applicant, and provide a reasonable time period for submission of the additional material.

002. TIMEFRAME FOR FILING AND REVIEW. All applications shall be filed by the dates set by the Board as part of the adopted calendar for the application and review processes. All necessary reviews of each application shall also be completed in accordance with that calendar.

CHAPTER 4 - CRITERIA FOR ELIGIBILITY

001. ELIGIBILITY REQUIREMENTS. To be eligible for consideration in the rating processes for funding, the applicant's proposed project must be consistent with the following criteria for eligibility as described in Sections 001 to 006 of this Chapter.

001.01 PROHIBITION AGAINST FUNDING REGULATORY MANDATES.

001.01(A) Regulatory means to control, direct, or govern.

001.01(B) Regulations means only those rules codified in the Nebraska Administrative Code.

001.02 The fund shall not pay for projects to the extent such projects have direct beneficiaries who could afford the costs of the benefits without experiencing serious financial hardship. For purposes of this section, "direct beneficiaries" shall not be deemed to include a person who receives incidental benefits from a project which primarily benefits the general public. A serious financial hardship may be deemed to exist when the direct beneficiary of the grant funding, which may or may not be the grant sponsor or applicant, needs substantially all of its current and anticipated income and liquid assets to meet current and anticipated ordinary and necessary subsistence expenses during the project period.

001.03 The grants should assist those projects which will make a real contribution to achieving the board's environmental categories. A real contribution is one that is measurable.

001.04 The grants should assist those projects which offer the greatest public benefits; and the public benefit must be greater than an incidental private benefit.

001.05 Grants for land purchases or easements shall not cause the elimination of the property tax liability.

002. ENVIRONMENTAL ACCEPTANCE. A project is considered to be environmentally acceptable when:

002.01 The project will not jeopardize the continued existence of any threatened or endangered species or result in the destruction or modification of the critical habitat of any such species and shall meet the requirements contained in the Nongame and Endangered Species Conservation Act, Nebraska Revised Statute § 37-801; and

002.02 The plan of development minimizes any adverse impacts on the natural environment, adequately addresses existing cultural resources and results in environmental net gain.

002.03 In addition to any proposed mitigation measures, all aspects of the project which can be anticipated to result in environmental enhancement shall be considered in determining whether the plan minimizes adverse impacts. The Board may request

additional information it deems necessary in determining environmental acceptability. The applicant, if required by the Board, will be provided a reasonable period of time to respond to requests for information and such other items as the applicant of the Board identifies as relevant to the issued of environmental acceptance.

003. CLEAR AND DIRECT ENVIRONMENTAL BENEFITS. A project will be considered to have clear and direct environmental benefits if the realization of those benefits can be reasonable expected, as a result of the project and if those benefits will be obvious. The application will need to describe the environmental benefits anticipated as a result of the project and how those benefits will be clearly and directly attained. Environmental benefit can be achieved through the contribution of assets and services that enhance the capability of communities and individuals to conserve, enhance, and restore the natural physical and biological environment in Nebraska, including the air, land, ground water and surface water, flora and fauna, prairies and forests, wildlife and wildlife habitat, and natural areas of aesthetic or scenic values.

004. CONTRIBUTION TO ACHIEVE THE BOARD'S FUNDING CATEGORIES. Only those projects which contribute to the existing environmental categories established pursuant to the Nebraska Environmental Trust Act shall be eligible for financial assistance.

005. PUBLIC BENEFITS. For a project to be eligible for funding assistance, it must produce public, not just private, benefits. The public benefit must be greater than the private benefit. The project must be implemented and completed in Nebraska. Public access is a public benefit.

006. FINANCIAL AND TECHNICAL FEASIBILITY. Financial and technical feasibility may be evaluated by the use of subcommittees, contractual assistance or advisory groups. Standards for each of these factors are as set out below:

006.01 FINANCIAL FEASIBILITY. A project is financially feasible if sufficient funds will be made available to complete the project as described in the application and to maintain and operate any tangible component of the project for its useful life or until disposal. Each applicant shall submit a project budget identifying the nature and amount of each source of funds to be used to carry out the project; a schedule indicating when such funds will be received; and a schedule indicating when the funds available will be expended to carry out the project. Additional financial data may be supplied by the applicant.

006.02 TECHNICAL FEASIBILITY. A project that is structural in nature shall be considered technically feasible when it can and will be designed, constructed, and operated utilizing accepted engineering and other technical principles and concepts to accomplish the purpose(s) for which it was planned. A project which is nonstructural in nature shall be considered to be technically feasible when it can and will be designed and carried out to accomplish the purpose(s) for which it was planned.

CHAPTER 5 - EVALUATING PROPOSALS FOR ELIGIBILITY

001. ELIGIBILITY REVIEW. Upon receipt of all application material, the Executive Director shall submit the application to the Grants Committee of the Board appointed by the Chairperson and any technical advisory committee(s) established by the Board for final eligibility review. The Grants Committee and Advisory Committees members shall complete their reviews so that the application may be considered in accordance with the calendar established annually by the Board. The Grants Committee or any technical advisory committee member may request the Executive Director to obtain additional information from the applicant.

002. GRANTS COMMITTEE ACTION. After receiving comments from any technical advisory committee reviewing an application, the Grants Committee shall make the following recommendations to the Board:

002.01 Any conditions which the Grants Committee recommends be placed on the project to ensure its consistency with the objectives of the Trust Fund and with other state policies, plans, and programs.

003. REQUIRED FINDINGS. Prior to making any recommendation to the Board for approval of a project for funding eligibility, the Grants Committee shall determine that the project is consistent with the requirements.

004. ELIGIBILITY FINDINGS COMBINED WITH RECOMMENDED RATINGS. The Grants Committee shall make the recommendations to the Board on project eligibility in accordance with this chapter and at the same time provide the Board with a preliminary ranking list for all projects.

005. ACTION BY THE BOARD ON ELIGIBILITY RECOMMENDATIONS. The Board may adopt or revise and adopt the recommendations of the Grants Committee. For each project for which eligibility is established by the Board, the Board shall also establish the total amount of money for which the project is eligible if it receives sufficient ranking for funding. Projects determined eligible for funding by the Board shall not be entitled to any funds until they have been subjected to the ranking processes and have received sufficient ranking for funding given the funds available.

Chapter 6 - PROJECT RANKING SYSTEMS

001. Pursuant to this Chapter and the factors set forth herein, the Executive Director shall prepare Project Ranking Systems to be used to rank all applications which are eligible. The Project Ranking Systems shall be approved by an affirmative vote of the Board after public hearing. Similarly, any subsequent amendments to a Project Ranking System shall be approved by an affirmative vote of the Board after public hearing.

002. The Project Ranking Systems adopted by the Board shall be used by the Grants Committee for ranking of projects.

003. RANKING FACTORS. The Project Ranking Systems shall assign a numeric value to each criterion and combine these values into a total score for each application. Each Ranking System shall include, but is not limited to, criteria to evaluate each application to the extent that the project will accomplish the following:

003.01 HELP THE BOARD ATTAIN A GEOGRAPHIC MIX OF PROJECTS OVER TIME. This does not mean that a strict geographic mix will be sought during each funding cycle but that points may be awarded to projects in specific areas if it becomes apparent that the area is receiving funding for proportionately fewer projects than other areas of the state.

003.02 BE COST EFFECTIVE. Cost effective shall include, as applicable, a comparison of the cost of the project to its expected monetary and non-monetary benefits and whether there is another reasonably available means of accomplishing the same purpose or purposes more economically. A high indirect labor and overhead cost not directly related to the project direct costs is less cost effective than one with a low indirect rate or percentage. Data shall be provided by the applicant detailing the cost effectiveness of all budgeted expenses requested that includes the provided indirect rates.

003.03 HAVE ECONOMIC IMPACTS. Economic impacts resulting from the project may be realized in increased real property valuations, mitigation of environmental hazards to the natural physical and biological environment in Nebraska, an improvement of or increase in habitat, increased recreational opportunities, and other contributions to the wellbeing of the area affected by the project. Data shall be provided by the applicant detailing the proposed economic impacts of the project.

003.04 PRODUCE DIRECT ENVIRONMENTAL IMPACT. Direct environmental impacts are those changes to the natural, physical, and biological environment caused by the project occurring at the time and in the place the project is carried out.

003.05 PRODUCE ENVIRONMENTAL BENEFITS TO THE GENERAL PUBLIC, ESPECIALLY BENEFITS WHICH ARE LONG TERM IN NATURE. A long-term public benefit is defined as public benefits lasting in excess of ten (10) years. A project that is intended to extend beyond three (3) years in duration and can demonstrate that it can continue without NET Board support can be deemed a sustainable general public benefit. Projects less than three (3) years in duration must have a defined general public benefit listed in the application. Public access can be considered a general public benefit.

003.06 PROVIDE A PLAN FOR EVALUATING THE RESULTS OF THE EXPENDITURE OF GRANT FUNDS. An applicant shall provide a baseline measurement, the target improvement, and the real time value of the grant investment. The project goals, objectives and outcomes shall identify the tangible and intangible benefits to the public from achieving the objectives.

003.07 EVALUATE PERFORMANCE. For prior awarded grantees, awarded in the past three years looking back from the current application cycle, compliance with previous contract terms is required, including that any prior project was completed on time, quarterly, annual and final reports were submitted on time, no 15 Day Notice for a prior grant contract violation was issued to the grant Sponsor or Applicant.

004. Projects which are funded as multi-year projects may be exempted from the ranking process by the Board for the duration of the project or for up to the next two annual rankings following the ranking in which the initial commitment to the project is made provided that annual evaluations of progress toward project goals are submitted and accepted by the Executive Director. No commitment may exceed three years without formal action by the board to renew the grant or contract.

005. No application receiving fewer than twenty-five percent (25%) of the maximum points will be funded.

DRAFT

CHAPTER 7 – RANKING ELIGIBLE PROJECTS FOR FUNDING

001. After the evaluation of applications for eligibility, all eligible projects shall be ranked according to the Project Ranking System established and adopted by the Board for the competition to which the application was submitted.

002. Preliminary ranking shall be performed by the Grants Committee of the Board appointed by the Chairperson. In deciding the assignment of points for each eligible project, the Committee shall do so in a manner which provides a fair comparison of projects regardless of cost. More expensive projects shall not receive additional points just because they are larger in scale. Points shall be assigned with consideration of the anticipated effects of the project relative to its costs. The Committee may request assistance from the Executive Director to the extent necessary to evaluate each proposal.

003. The Grants Committee may request additional information from any applicant in written form. All additional supplements shall be in writing and signed by the applicant.

004. The Grants Committee shall report the results of the ranking process to the Chairperson by the date established therefore on the calendar approved annually by the Board. The report shall indicate the results of the ranking process with the highest scoring project at the top of the list along with the number of points scored and the amount of funding recommended to be approved. Lower ranked projects shall follow in sequential order showing the same information for each.

005. Upon receipt of the Grants Committee report, the Chairperson shall call a meeting of the Board to adopt or revise and adopt the Committee report and schedule a public hearing on the proposed funding list.

006. After the public hearing is conducted on the proposed funding list, the Board may take action on actual funding. If the Board decides that any proposed project does not have sufficient merit to justify funding from the Trust, the Board may choose not to fund the project notwithstanding its consistency with eligibility criteria or its final ranking. The proposed list may be revised after the public hearing only with the approval of a majority of Board members present.

007. Notwithstanding ratings determined in this Chapter, no allocation of funds shall be made for remediation in a manner inconsistent with Nebraska Revised Statute § 81-15,176(2)(b).

CHAPTER 8 - GRANT ADMINISTRATION

001. After the Board takes action to award grants to specific projects, the Executive Director shall begin notification procedures. The Executive Director shall also prepare grant documents for disbursement in accordance with this Chapter.

001.01 Grant documents shall include a notice of grant award, a disbursement schedule, standard conditions and any special conditions all of which will be included in a grant contract to be signed by the grantee.

002. The Executive Director shall prepare standard conditions applicable to all grants and shall have discretion to negotiate specific conditions within the limits of the intent specified by the Board.

003. Grant award contracts which bind the Trust Fund shall be signed by the Chairperson and the Executive Director.

004. The grant period shall be a set period of time designated in the grant documents based upon activities approved for grant funding. All grant funds shall be expended in accordance with conditions of the grant. Any unexpended funds remaining after the grant period shall be returned by the grantee to the Fund.

004.01 All interest earned by grant funds shall be considered a part of the grant and, therefore, is subject to all of the requirements of the grant.

005. Any grant contract which includes the transfer or acquisition of real property which is taxable before such transfer or acquisition shall specify a mechanism to address the continued payment of property taxes or payments in lieu of property taxes.

006. Any grant contract which includes a construction project may require, but not be limited to, the following special conditions:

006.01 Final plans and specifications shall be approved by the Executive Director. The Executive Director may require that plans and specifications be stamped by a Professional Engineer registered to practice in the State of Nebraska.

006.02 A construction schedule including commencement of construction; accountability for inspection during construction; construction completion; and initiation of operation (if applicable).

006.03 The Executive Director may provide a contingency within the grant for change orders.

006.03(A) All change orders must be approved by the Executive Director in a manner set out within the grant contract.

006.04 Upon completion of the project, a certification of completion shall be filed with the Board, which certifies that construction was substantially consistent with the approved plans and specifications. The certification shall be signed by the grantee. The Executive Director may also require a certification signed by a Professional Engineer registered to practice in the State of Nebraska.

007. The applicant shall assure the Executive Director that all legal requirements have or can be met prior to the allocation of funds. Legal information may include the following as appropriate for the project, this list is not exclusive to other necessary information:

007.01 If the applicant is a governmental entity, citation(s) to the legal authorities relied upon by the applicant to undertake or participate in the project.

007.02 An explanation, with appropriate documentation of legal authorities, of the applicant's intention to finance that part of the project for which assistance from the fund is not requested.

007.03 A showing that the applicant has or can acquire any necessary land rights or water rights.

007.04 Copies of any available proposed or executed contracts or bids for construction or consultant services necessary for completion of the project which would help document the project's estimated costs.

007.05 A listing of any permits, licenses, or other approvals required for the project, their current status, and the estimated schedule for compliance.

007.06 An explanation of the applicant's plan to require consultants, contractors, and subcontractors to obtain liability insurance or bonding to ensure the proper design and construction of the project, as applicable.

007.07 An analysis of the applicant's potential liability for damages because of the project including failure of structural measures and an explanation of the applicant's plan to protect itself from any such liability.

007.08 Such other information, plans, and specifications as requested by the Executive Director or the Board and are reasonably necessary to confirm the applicant's authority.

008. Funds shall be disbursed to the grantee no more often than once per month in accordance with the grant contract.

009. The grantee shall keep financial records for the project and shall submit periodic progress reports as required to the Executive Director during the grant period. At the end of the grant period, the grantee shall submit a final financial report summarizing the project. If a survivability clause was in the grant award contract, a separate legal instrument for those items identified in the grant contract may be required to close out the grant contract. Failure to submit the progress reports may be considered a violation of the grant contract. The progress report shall include, but not be limited to:

009.01 A comprehensive expenditure report of all grant funds, including any interest earned on grant funding by line item, and all other income utilized to carry out the project.

009.02 Copies of all receipts for expenditures of grant funding and expenditures of all interest earned on grant funding.

009.03 An inventory of all equipment or personal property purchased with grant funding including model number and serial number; and

009.04 Any additional information required.

010. If a grantee wishes to modify a project other than one covered by Section 006 above, the grantee must submit a proposed amendment to the grant contract including a revised line-item budget. The proposed amendment must be submitted to the Executive Director at least thirty (30) days prior to the requested changes with an explanation of need. The Executive Director will then either approve or deny the proposal and inform the grantee in writing of his or her decision. The request will require Nebraska Environmental Trust Board approval if over \$10,000.

010.01 Any expenditure of grant funds not in accordance with the grant contract and not pursuant to the process set out in Section 008 may be considered a violation of the grant requirement.

011. Equipment and other personal property purchased with grant funding shall be used only for purposes of the grant during the term of the grant contract.

012. Failure by the grantee to comply with these regulations or with the grant contract may result in a revocation of the grant, a withholding of grant disbursements or a requirement to reimburse the fund for money already disbursed under the contract.

012.01 Prior to any action under Section 012 by the Executive Director, there shall be a written notice to the grantee explaining the intended action and the reason it may be taken. The grantee shall have fifteen (15) days to respond to the notice and may request an informal meeting with the Executive Director within that time frame. After fifteen (15) days have expired, the Executive Director may proceed with his or her action under Section 012.

013. In addition to financial progress reports as required in Section 009, grantees shall submit annual reports to the Board. The Board shall conduct annual reviews of existing projects for compliance with the project goals and grant requirements through reports provided by grantees and staff. Annual reports shall be due as specified in the grant contract.

014. The Executive Director shall conduct periodic financial audits of projects at a frequency as determined by the Executive Director. Audits shall be performed to ensure proper use of grant funds and to determine compliance with these regulations and with the grant contract.

014.01 Grantees shall retain all records related to a project and shall allow access to the records by the Executive Director or his or her designee during regular business hours or at any reasonable hour of the day.

014.02 The grantee shall allow access for inspection of any equipment, property, or other tangible object for which grant funds were expended to the Executive Director or his or her designee.

DRAFT

CHAPTER 9 – DEFINITIONS

001. CALENDAR shall mean the calendar established each year by the Board to set out various deadline dates relating to establishment of funding categories, receipt and review of grant applications, and allocation of grants.

002. APPLICANT shall mean any person, or their authorized agent, who submits and signs an application for grant allocations.

003. EXECUTIVE DIRECTOR shall mean the Executive Director of the Nebraska Environmental Trust.

004. PRIMARY, TANGIBLE BENEFITS shall mean a project's net values, expressed in monetary terms, of increases in products and services and of reductions in costs, damages, or losses of primary beneficiaries.

005. BOARD shall mean the Nebraska Environmental Trust Board.

006. TRUST FUND shall mean the Nebraska Environmental Trust Fund.

007. ENDOWMENT FUND shall mean the Nebraska Environmental Endowment Fund.

008. FUNDS shall mean both the Nebraska Environmental Trust and the Nebraska Environmental Endowment.

April 24, 2023

Nebraska Environmental Trust
700 S 16th St, Lincoln, NE 68508
env.trust@nebraska.gov

RE: Title 137 Revisions

Dear Mark Quandahl and members of the Nebraska Environmental Trust Board,

On behalf of the 12,000 members in Audubon Nebraska, a state office of the National Audubon Society, we are providing comments regarding proposed changes to Title 137 and request this be included as a part of the public hearing record.

Under the Criteria for Eligibility – 005. *PUBLIC BENEFITS. The public benefit must be greater than the private benefit. The project must be implemented and completed in Nebraska. Public access is a public benefit.*

Consider the ramifications of adding only public access as a public benefit. By defining only one public benefit, you limit the scope of applications. To achieve the public benefits and goals as stated in Statute of wildlife, clean air and water among other goals, projects must occur on private land given Nebraska is approximately 97% privately owned. Just a few other examples to consider of public benefits beyond access include that wetland restoration recharges aquifers and improves drinking water quality and quantity, and that providing habitat for at-risk and declining species prevents expensive threatened and endangered species listings and avoids government red tape for businesses.

There is a missed opportunity to engage your stakeholders and partners in establishing and refining funding categories on a regularly occurring basis to achieve your mission,

*“The Trust is to lead in the development of a vision of Nebraska's future environment.
The Trust is to collaborate with public and private efforts to achieve that vision.”*

It is appropriate in regulations to elaborate on the public involvement process mentioned in statute to achieve the mission of the Trust that seeks collaboration with public and private entities actively engaged in the work.

We are opposed to the deletion of - 004 *The Board Shall Not: Undertake conservation projects under the funding categories for expenditure of the Funds as a sole sponsor.*

Other states with similar programs that did not explicitly prohibit the administering entity or board members from receiving funding have created competition, diminished partnerships and implementation.

003.106 PROVIDE A PLAN FOR EVALUATING THE RESULTS OF THE EXPENDITURE OF GRANT FUNDS. An applicant shall provide a baseline measurement, the target improvement, and the real time value of the grant investment. The project goals, objectives and outcomes shall identify the tangible and intangible benefits to the public from achieving the objectives.

Requiring increased monitoring and evaluation will reduce the overall impact. Providing evidence of a completed project is appropriate but requiring baseline measurements and real time value (which is vague) will mean many projects will take an additional field season to establish a baseline and will likely require hiring consultants or outside expertise to provide baseline and real time value information. This will eliminate smaller organizations and individuals from applying. Large organizations with grant administrators, multiple areas of expertise, and the ability to hire consultants will have an advantage. Smaller, Nebraska non-profits and landowner organizations will be at a disadvantage. If this change is necessary, then multi-year grants need to be encouraged and hiring consultants and researchers should also be encouraged and expected.

Thank you for considering my testimony,



Kristal Stoner
Executive Director Audubon Great Plains
Vice President National Audubon Society
11205 Wright Circle, Suite 210
Omaha, Ne 68144
Kristal.Stoner@audubon.org



2121 N WEBB RD, SUITE 309 • GRAND ISLAND, NE 68801 • (308) 385-8804

April 24, 2023

Nebraska Environmental Trust
700 S 16th Street
P.O. Box 94913
Lincoln, NE 68509-4913

Dear Nebraska Environmental Trust Board Members and Staff:

Ducks Unlimited (DU) welcomes the opportunity to attend and provide comments on the proposed changes to Title 137 rules and regulations governing the Nebraska Environmental Trust (NET). Since its inception, DU has partnered with the Trust on many important projects to enhance water quality and wildlife habitat throughout Nebraska. We look forward to continuing that positive relationship, and offer these comments in the spirit of constructive collaboration.

DU understands the interest in avoiding duplication between the rules and existing statutes, and many of the proposed rule changes accomplish that purpose. However, we also have questions and/or concerns about some of the provisions.

CHAPTER 1 SCOPE OF ACTIVITIES

Many of these changes address overlap with existing statute, but the motivation for eliminating Section 004, prohibiting the Board from owning land or sponsoring conservation projects, is unclear. The need for the proposed change to Section 005 on Agency Director Abstentions from a total prohibition to only those involving over 50% of the grant award is also unclear.

CHAPTER 2 FUNDING CATEGORIES

Again, many of these changes eliminate duplication with existing statute. However, the proposal to delete Section 004, Refinements and Clarifications in Five Year Funding Categories, could negatively impact grantees. Currently, any refinements or clarifications cannot retroactively affect the eligibility of a project. Removing this provision could allow changes to the funding categories during a grant cycle, when applicants have relied on existing categories.

CHAPTER 5(4) CRITERIA FOR ELIGIBILITY

The overarching theme of the proposed changes in this section, and the Project Ranking Systems

(more below) appears to be additional quantification of both environmental and economic benefits. This is a significant departure from the NET's history, and one that could be both very subjective, and burdensome on smaller entities without technical staff to conduct that analysis. These changes also indicate a skepticism toward private lands conservation, and concern about the public benefit of such projects. Because Nebraska is 97% privately owned, private lands conservation has been the backbone of wildlife habitat, water quality and quantity, soil health, and outdoor recreation, including hunting, for generations. While we applaud the recognition of public access as a public benefit, moving away from private lands conservation would be unfortunate for Nebraska's environment and natural resources, which is the purpose of the Trust. Specifically, the following proposed changes are notable:

Section 001.06(02) – The proposed definition of a “serious financial hardship” is unclear - it appears that private lands conservation will only be allowable in extreme financial circumstances. It is also unclear what level of personal/financial information may be required of landowners involved in conservation projects.

Section 001.11(05) – Grants for land purchases or easements shall not cause the elimination of the property tax liability. Conservation easements specifically keep land in private ownership and on the tax rolls. Governmental entities and nonprofit organizations, including Ducks Unlimited, make payments in lieu of taxes to accommodate this issue.

Section 003 – Clear and Direct Environmental Benefits. Requiring specific quantification of direct environmental benefits is a major change to the granting process, and one that could be very burdensome for smaller entities without such technical capacity.

Section 005 – Public Benefits. Identifying public access as a public benefit is a positive, but it is unclear how public and private benefits will be compared to determine which is greater.

CHAPTER 6(5) EVALUATING PROPOSALS FOR ELIGIBILITY

Section 002 – Grants Committee Action. The elimination of two subsections appears to alleviate the board from making approval or rejection recommendations (which may be implied), or from recommending assistance for eligible projects.

CHAPTER 7(6) PROJECT RANKING SYSTEMS

Changes to this chapter are significant, and a major shift to the existing ranking system. In particular, removing four ranking factors in Subsection 003 is concerning. The funding categories have provided a critical framework for project funding—eliminating this as a ranking factor creates ambiguity and could open the floodgates to non-germane grant applications. Matching funds, including in-kind match, and public private partnerships have played an important role in leveraging the Trust's resources over the years. These resources are also advantageous for smaller entities with fewer resources. This is critical for an efficient use of public funds, and are typical of many public grant programs. In addition to these overall comments, the following specific changes warrant additional discussion:

Section 003.06(02) – Be Cost Effective. Cost effectiveness is critical for public grant programs, and could be addressed through the ranking factors that are being eliminated above. While there is a legitimate concern for overhead, administrative or other non-project costs, certain staffing is required to deliver conservation projects.

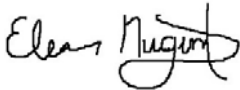
Section 003.07(03) – Have Economic Impacts. This is a new requirement for grant ranking, one that may be hard to quantify, particularly for smaller organizations.

Section 003.10(06) – It is unclear what is meant by “real time value of the grant investment[.]”

Section 003.11(07) – Evaluate Performance. Scrutiny of prior grant compliance is certainly justified, but this requirement should include an acknowledgement of the difficulties of working in natural conditions and differentiate an occasional, small noncompliant act as opposed to chronic incidents. Conservation work is outdoors, subject to weather and other delays. In addition, the occasional form may be late due to unforeseen circumstances such as an annual report submission being delayed because of illness. Hopefully uncontrollable site conditions and isolated incidents would not negatively impact subsequent grant applications.

Thank you for your attention to these matters, we look forward to the hearing on May 4.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor Nugent".

Eleanor Nugent
Nebraska Manager of Conservation Programs
Ducks Unlimited

Comments and Testimony to Revisions of Title 137 Proposed by the Board of the Nebraska Environmental Trust

The current version of Title 137 needs revision. However, the Board's proposed revision is legally deficient, misleading, ambiguous, and will unnecessarily discourage potential applicants. If the revision is adopted applicants will find it advisable to hire consultants and lawyers and, even then, be uncertain whether their application meets proposed standards. And applicants not be confident based on the proposed rules and regulations that an application will receive an evaluation that is transparent and fair.

DRAFTING ADVICE

Earlier in the Board's Title 137 revision process the Friends of the Nebraska Environment Trust offered drafting advice. We believe the advice is still good and provides a basis for general comments concerning the draft revision of Title 137 submitted for hearing.

1. Rules and regs can supply definitions for terms that are undefined in statute but important for understanding or carrying out the statute. Examples are:
Economic feasibility
Financial feasibility
Technical feasibility
Those terms are in 81-15,175(1) and describe determinations that can be made by consultants. Financial feasibility and technical feasibility are defined in the existing regs; economic feasibility is not.
2. Quote statutes to provide an easy reference for persons interested in the purpose, authority, and limitations pertinent to the agency. It is important to quote statutes exactly and to reference the quote. There are instances in the current regs where quotes are inexact and there are no references to the source.
3. If the language of a statute is open to interpretation, provide an interpretation that is in keeping with the intent and spirit of the legislative framework for the activity being affected.
4. For selected activities provide a clear path so the phases of that activity will allow the user to go from the beginning to the end without going back and forth to find relevant or essential guidance.
5. Be informative rather than bewildering. A conscious effort must be made to avoid bureaucratic language. An author who has worked for years with a subject may be writing for themselves when the real audience is not an expert or may not be well informed.
6. Writing a rule or reg to resolve a single issue should be avoided. The rules and regs should provide parameters for using discretion to resolve a variety of issues.
7. If discretion is allowed, describing how the use of that discretion will be managed is necessary. Parameters for the exercise of discretion are: who will make a decision, factors pertinent to the decision, rationale for the decision, and how notice of the results will be given to an affected person. All are necessary elements to be described in rules and regs.
8. The rules and regs cannot exceed statutory authority so keep the statutes at hand as you work.

GENERAL COMMENTS

In its description of the background for the proposed changes to Title 137 the Board advises “When a regulation restated a state statute, it was removed from Title 137 as the state statute is sufficient.” That standard has been applied inconsistently in the Board’s revision. The proposed revision of Chapter 1 is an example. Much of the revision is a deletion of references to statute or recitation of statutory provisions. Including them after revision to conform with statutory language and providing citations could be helpful to the public who otherwise would need to access the statutes when seeking information about the Board. One exception to the deletion of statutory provisions is the retention of a regulation that concerns Board members who are agency directors. Agency directors are the most sophisticated and knowledgeable members of the board and have others to advise them. Do they need help that is denied the public?

The retained language Chapter 1 illustrates two other issues. The relevant statute is not set out in the regulation. Had the statute been set out it would be apparent that a definition of the word “primarily” is needed. Primarily means, by various court decision, more than 50% so it’s an easy definition. It is important to supplement statutes in rules and regulations when a word requires definition, when a statute is vague, or cannot be implemented without standards or processes.

The language of the existing rule sets out a standard that is not supported by the relevant statute. There is no support for the language declaring that the standard for determining whether an agency primarily benefits is “the value of grant award accrues to the agency as primary, tangible benefits.” The language of the relevant statute is clear the standard is “funding primarily to his or her agency.” The definition of “primary tangible benefits in Chap 9 004 does not cure the problem.

Quoting and citing a relevant statute is advisable to avoid issues presented and to be an easy reference to the public. Less than careful adherence to statutory language will be observed in other provisions of the proposed revisions to Title 137, some of them old and some of them new.

The Chap 1 proposal of the Board shows that it wants to guide select members but does not choose to guide applicants or the general public. That attitude can be read in other provisions of the draft. Statutory ambiguities that affect applicants are not resolved and guidance is not given or revoked. Constraints affecting applicants that are unnecessary or unwise are proposed while maximum discretion is sought for the Board.

Our analysis of various provisions of the proposed revision follows.

REQUIRED RULE OR REGULATION NOT PROVIDED

Board’s Proposal

None

Relevant Statute

Any person may petition an agency requesting the adoption of a rule or regulation. Each agency shall prescribe by rule or regulation the form of the petition and the procedure for its submission, consideration, and disposition. Within sixty days after submission of a petition, the agency shall

(1) deny the petition in writing, stating its reasons therefor, (2) initiate rulemaking or regulation making proceedings in accordance with the Administrative Procedure Act, or (3) if otherwise lawful, adopt a rule or regulation. 84-907.08

Comment

The cited statute has been in effect since 1994. Neither Title 137 nor the proposed revision complies with the requirements of the statute.

FAILS TO CARRY OUT LEGISLATIVE INTENT

Three proposals in Chap 6, 003.02, 003.03 and 003.6 add requirements which singly and together will make writing grant application a professional's task. Legislative intent as found in testimony of those who created the Nebraska Environmental Trust was for a grant process that ordinary citizens could use. Randy Wood then Director of the Department of Environmental Control testifying on behalf of the Governor in support of legislation creating the Nebraska Environmental Trust expressed the intent of the legislation "I think the most attractive and the biggest benefit of the Environmental Trust is that it enables the citizens, it enables the citizens today and the citizens tomorrow to do something to...for the quality of life and for the environment for the future. We all know that those citizens out there have a vision. They have a great deal of creativity. They have a great deal of ability to network with private and public entities out there to get a job done. Government doesn't do that very well. We don't look to the future very well. We've got our head down. We're trying to solve problems today. You're faced every year with us coming to you and say we've got all of these major problems, we need more money to do what we have to do today. We very seldom have an opportunity to look to the future and say, here are some things that need to be done. We need to do some of those things for the future. This bill will enable the average citizen, will enable those average citizen groups out there to come to the trust board with a brilliant idea, an idea that does something lasting, it does something substantial in terms of quality of life and environment in the future, come to the trust, get some money, leverage that money out there in the private world and so something real." Transcript of Testimony before the Revenue Committee on January 23, 1992, by Randy Wood, Director of the Department of Environmental Control, on behalf of Governor Nelson in support of LB 1026. The language of LB 1026 creating the Nebraska Environment Trust was amended into LB 1257 1992 for passage.

It is hard to imagine an average citizen who could prepare an application and meet the strictures of the three proposed regulations noted above or found in Title 137 generally as proposed by the Board. Even if they understood the language or found critical statutory requirements that are not acknowledged or discussed they would struggle to submit a viable application without costly consultants to provide data and analysis.

CHAPTER 1

Board's Proposal

~~0051. CONFLICT OF INTEREST. Members of the board shall comply with the conflict of interest provisions of the Nebraska Political Accountability and Disclosure Act.~~

0501.01 AGENCY DIRECTOR ABSTENTIONS. ~~In addition, any~~ Any board member who is also a director of a state agency shall abstain from voting on applications where more than 50% of the value of grant award accrues to the agency as primary, tangible benefits. Grant funds administered by the agency and passed through to other grant recipients are not considered to accrue value to the agency.

Relevant Statute

49-1499.06. Nebraska Environmental Trust Board; abstention; when. Any member of the Nebraska Environmental Trust Board who is also a director of a state agency shall abstain from voting on applications pursuant to the Nebraska Environmental Trust Act which would provide funding primarily to his or her agency.

Comment

When a statute is used as the basis for a regulation it is our recommendation that the language of the statute be quoted exactly. If the statutory language requires amplification or interpretation the necessary language should be separate. For example, court decisions interpret the word primarily as being more than 50%. Language in a regulation reflecting that determination would be valid and helpful. There is no support for the language declaring that the standard is “the value of grant award accrues to the agency as primary, tangible benefits.” The language of the statute is clear the standard is “funding primarily to his or her agency.”

A definition of “primary, tangible benefits is provided in Chap 9 004. The offered definition does not solve the problem and adds uncertainty. The definition speaks of net project values expressed in monetary terms. If that is to be a proxy for “funding” it fails both because it is difficult to determine and because “funding” is a clear term easy to determine while net project values is indefinite and difficult to determine.

CHAPTER 2

Board’s Proposal

002. RECEIPT OF GIFTS, GRANTS, BEQUESTS, ROYALTIES AND DONATIONS.
002.01 The Board may accept any gift, grant, bequest, royalty, or donation specifically designated for restricted purposes or projects which fall within the scope and purpose of the Nebraska Environmental Trust Act ~~as defined in Chapter 1 and funding categories as defined in Chapter 2,~~ except that the Board will not accept title to or legal interest in real property. The Board may establish a dollar value below which it will not accept specifically designated gifts. The Board may refuse any gift, grant, quest, royalty, or donation at its sole discretion. The Board shall seek approval by the Governor of any gift or bequest of personal property in excess of \$10,000.00.

Relevant Legislation

The last sentence is a reference to language that has been included in budget bills for many years requiring gubernatorial approval of some gifts. It has never been adopted as substantive law and codified. The full text of the gifting provision in the 2023 budget bill is set out below.

LB 814 2023 Sec. 273. GIFTS, BEQUESTS, AND DEVISES.

Any gift, bequest, or devise made available to the State of Nebraska for any purpose or purposes, together with the income thereof, shall be allocated to the expending agency designated by such donor or, if none is designated by such donor, by the Governor.

Acceptance of a gift, bequest, or devise shall be subject to approval by the expending agency and the following restrictions:

- (1) No matching of state funds shall be required as a condition of acceptance;
- (2) Any gift or bequest of personal property in excess of \$10,000 shall be approved by the Governor before acceptance;
- (3) Any gift or devise of real property in excess of \$10,000 shall be approved by the Governor and the Legislature before acceptance pursuant to sections 81-176 and 81-1108.33; and
- (4) Sections 81-176 and 81-1108.33 shall govern the acquisition of real property and structures with the proceeds of a gift, bequest, or devise. For purposes of this section, gifts, bequests, and devises shall include, but not be limited to, donations, gifts, bequests, devises, and grants from individuals, organizations, corporations, and similar entities and from nonfederal governmental agencies. At the discretion of the budget administrator of the budget division of the Department of Administrative Services and the Accounting Administrator of the Department of Administrative Services, expenditures of funds from any gift, bequest, or devise may be expended through any existing or administratively created cash fund account, revolving fund account, or trust fund account, in which case the actual amount of the gift, bequest, or devise is hereby appropriated to the expending agency, for the purpose or purposes designated by the donor, in addition to the amounts appropriated in this act. If no such cash fund account, revolving fund account, or trust fund account exists, the Accounting Administrator may create such fund account as is necessary to properly and separately account for the gift, bequest, or devise, in which case the actual amount of the gift, bequest, or devise is hereby appropriated to the expending agency, for the purpose or purposes designated by the donor, in addition to the amounts appropriated in this act.

Comment

The issue is more complicated than the proposed language indicates. If the provision is to be made applicable there are other requirements that should be described if the purpose of the regulation to assist compliance.

It is doubtful that the budgetary language applies to the Trust. The board has the power to “Apply for or accept any gift, grant, bequest, royalty, or donation, designate the fund to which it will be credited, and expend the proceeds in furtherance of the purposes of the trust.” 81-15,173 (11) Under well- recognized rules of statutory construction the cited statutory provision that applies particularly and explicitly to NET controls rather than general language in the budget resolution.

CHAPTER 3

Board’s Proposal

001. [FORM OF APPLICATION AND ACCOMPANYING MATERIALS](#). An applicant for financial assistance from the Trust shall comply with prevailing application method(s) approved by the

Board no later than three (3) months prior to the submission deadline. The application **shall be complete in every aspect at the time of submittal** and may include additional information to demonstrate the project's eligibility for funding. ~~according to criteria defined in Chapter 5 and to demonstrate the project's consistency with the annual rating factors as defined in Chapter 7.~~

001.01 The Executive Director shall review each application submitted and shall determine whether the application is substantially complete for initial review. The Executive Director shall review the eligibility criteria to provide an eligibility recommendation to the Grants Committee. The Grants Committee of the Board shall review each such application and shall make a preliminary recommendation of approval or rejection of the proposal for eligibility based on the recommendation of the Executive Director.

Comment

One provision requires the application of be **complete in every respect** another requires it to be substantially complete. The two standards are incompatible.

Chap 3 001 requires the Grants Committee to make a preliminary recommendation "based on the recommendation of the Executive Director." If the Grants Committee can only consider the recommendation of the Executive director it cannot consider the grant application itself or any additional information it might request and receive pursuant to the following provision of the following proposed rule.

Board's Proposal

001.02 For any application, the Grants Committee will determine whether further information will be needed to evaluate the eligibility of the proposal. If additional information is needed, the Executive Director will so notify the applicant, and provide a reasonable time period for submission of the additional material.

Comment

The proposal allows the "Grants Committee" to request information. Can information be requested by an individual member of the Committee? Requiring Committee actions seems cumbersome.

The Executive Director should be able ask for additional information to make his or her recommendation. If the Executive Director has questions and obtains information it will improve the recommendation and may reduce the need for the Committee or its members to make requests for information.

Chapter 4

NOTE The Chapter 4 proposal is exceptionally difficult to analyze. Statutes are not cited as source material, grants prohibited by 81-15,176 are described in terms of application eligibility or rather non eligibility although that is not clear, and new language in at least one instance is not understood by the review. In addition, not all prohibited grants are described in the proposed chapter leaving an uninformed reader without guidance in the Title leaving them to rely on a review of statutes which they may not know is necessary.

Board's Proposal

001. ELIGIBILITY REQUIREMENTS. To be eligible for consideration in the rating processes for funding, the applicant's proposed project must be consistent with the following criteria for eligibility as described in Sections 0021 to 006 of this Chapter.

001.01 PROHIBITION AGAINST FUNDING REGULATORY MANDATES.

001.01(A) Regulatory means to control, direct, or govern.

001.01(B) Regulations refers only to those rules codified in the Nebraska Administrative Code.

~~001.02 The grants shall not be used to implement actions mandated by regulations except remediation.~~

Relevant Statute

"The grants shall not provide direct assistance to regulatory programs or to implement actions mandated by regulations except remediation;" 81-15,176 (2) (a)

Comment

New Chap 4 001.01 makes no sense without reference to the stricken provision which is an imperfect expression of the statutory language. The statutory language should be stated, cited, and interpreted as necessary for an understanding of its provisions. In various other proposed rules, the caption allows integration of the section into the whole but that is not the result with 1.01 it is a statement in search of a purpose.

Confining the scope of the statutory provisions to Nebraska regulations is doubtful. Federal regulations are regulations.

A definition of rule and regulation is contained in 84-901 (2), a part of the Administrative Procedures Act.

"Rule or regulation shall mean any standard of general application adopted by an agency in accordance with the authority conferred by statute and includes, but is not limited to, the amendment or repeal of a rule or regulation. Rule or regulation shall not include (a) internal procedural documents which provide guidance to staff on agency organization and operations, lacking the force of law, and not relied upon to bind the public, (b) guidance documents as issued by an agency in accordance with section 84-901.03, and (c) forms and instructions developed by an agency. For purposes of the act, every standard which prescribes a penalty shall be presumed to have general applicability and any standard affecting private rights, private interests, or procedures available to the public is presumed to be relied upon to bind the public. Nothing in this section shall be interpreted to require an agency to adopt and promulgate rules and regulations when statute authorizes but does not require it;"

The definition of rule and regulation cited should be consulted.

The failure to note in the regulation that remediation is excepted from the proscription is misleading. If the proposed regulation is an attempt to abrogate the statute it is void.

Board's Proposal

001.062 The fund shall not pay for projects to the extent such projects have direct beneficiaries who could afford the costs of the benefits without experiencing serious financial hardship

For purposes of this section, "direct beneficiaries" shall not be deemed to include a person or entity who receives incidental benefits from a project which primarily benefits the general public. A serious financial hardship may be deemed to exist when the direct beneficiary of the grant funding, which may or may not be the grant sponsor or applicant, needs substantially all of its current and anticipated income and liquid assets to meet current and anticipated ordinary and necessary subsistence expenses during the project period.

Relevant Statute

The grants shall not pay for projects which have direct beneficiaries who could afford the costs of the benefits without experiencing serious financial hardship; 81-15,176 (2) (d)

Comment

The statutory language should be used and the source cited

A better drafting technique is to define "person" to include a wide variety of entities. That is the approach taken in 30-2209 (32) "Person means an individual, a corporation, an organization, a limited liability company, or other legal entity." In addition, the word entity requires definition. "Entity includes domestic and foreign business corporation; domestic and foreign nonprofit corporation; limited liability company; estate; trust; domestic and foreign unincorporated entity; and state, United States, and foreign government." 21-214 (17). Another definition found in Nebraska Statutes. "Entity means an association, a business trust, a company, a corporation, a cooperative, a limited cooperative association, a general partnership, a limited liability company, a limited liability partnership, or a limited partnership, domestic or foreign." 21-2903(8). There may be more the two. The definitions cited is the result of a partial search.

Using that approach avoids the use of the word "its" in the new language to identify a person.

If statutory language is to be explained or interpreted it is better practice to quote the language of the statute without change and then explain or interpret the language. The new language applies to a direct beneficiary but leaves open the question "Who is a direct beneficiary?" There is a recognition that a direct beneficiary may not be the grant sponsor or applicant. If the direct beneficiary is the general public the standard could not be applied. If the direct beneficiary is the grant applicant or sponsor the provision may not have application to an entity as it is limited to "subsistence expenses." Usually, subsistence is thought to be the minimum necessary to sustain a living organism. If that word is to have a broader definition that should be described. Beyond that concern, if the provision is applied to an entity and its budget is balanced but does not include the project then the grant funding would be allowed. The proposed language with that interpretation is meaningless.

NOTE An attorney with over 40 years of experience related to budgets and fiscal practices of State and local government and private business advised that he could not prepare an application with confidence that the requirements of the proposal of the proposed rule could be met.

Comment

NOTE Section 81-15,176 contains sections which prohibit the granting of an application that are not included in the proposed reg.

81-15,176 (2) (b) No more than sixty percent of grant allocations in any year shall assist remediation of soils or ground water, and no grants for this purpose shall occur unless all other available sources of funding are, in the opinion of the board, being substantially utilized;

81-15,176 (2) (c) The grants shall not pay for projects which provide primarily private benefits or relieve private liability for environmental damage; See Chap 4 005

81-15,176 (2) (i) The grants shall not pay for land or easements acquired without the full and express consent of the landowner.

Because those statutory provisions prohibit the issuance of grants, an applicant who did not read the statute and believed the reg contained all of the guidance needed could submit a ineligible application for a grant. That is a waste of time and effort and easily countered by including the statutory provisions and amplifying as necessary. When some of the five mandatory provisions in 81-15,176 (2) are quoted and supplemented, the rationale for leaving the others out is not apparent.

Proposed regulation Chapter 6 005 may be intended to address the provisions of 81-15,176 (2)(c) if so, the statute should be copied and cited in connection with that proposal.

Board's Proposal

001.093 The grants should assist those projects which will make a real contribution to achieving the board's environmental categories. [A real contribution is one that is measurable.](#)

Relevant Statute

The grants should assist those projects which will make a real contribution to achieving the board's environmental categories; 81-15,176 (2) (g)

Comment

A portion of the proposed rule is the text of a statute. The statute should be identified with a cite.

The new language creates uncertainty. A real contribution is not defined. We suggest the following.

A real contribution is a contribution that positively affects the natural physical or biological environment in Nebraska including the air, land, ground water and surface water, flora and fauna, prairies and forests, wildlife and wildlife habitat, and areas of aesthetic or scientific values in a way that is consistent with the environmental goals of the Trust.

The requirement that the "real contribution" be measurable like the requirements for data in other proposed regulations may not be possible to achieve with credibility. It causes the engagement of consultants or advisors skilled at speculation and billing.

Board's Proposal

001.404 The grants should assist those projects which offer the greatest public benefits; and the public benefit must be greater than an incidental private benefit.

Relevant Statute

The grants should assist those projects which offer the greatest public benefits; 81-14-5,176 (2) (h)

Comment

A portion of the proposed rule is the text of a statute. The statute should be identified with a cite.

The added language appears to require that private benefits be incidental when compared to public benefits. It would be useful to describe what a public benefit is and what a private benefit is.

Section 005 of Chapter 4 requires a public benefit. New language for that provision requires that the public benefit be "greater" than the private benefit. That is a different standard than an "incidental" private benefit. If a private benefit is incidental to a public benefit, it is reasonable to assume that the public benefit is greater but the mental gymnastics are unnecessary if the language of the proposed rules is conformed.

Recommended language **A public benefit is a benefit that accrues to the public at large rather than to a person, a small group of persons or to a private entity.**

A private benefit accrues to a person, small group of persons or to a private entity.

Note prior discussion of a need to define entity.

The projects which offer the greatest public benefits are those which are economically, financially, and technically feasible and contribute to objectives identified in one or more of the Board's five categories for funding.

Board's Proposal

001.1405 Grants for land purchases or easements shall not cause the elimination of the property tax liability.

Comment

The Trust has various requirements concerning payment of real property taxes, in lieu of taxes, or amounts that substitute for either of those payments. A tax liability is the result of the assessment process. In lieu of tax payments or voluntary payments meant to keep a taxing authority whole would not satisfy the requirement to maintain property tax liability. If the objective is to maintain the real property tax base are not the existing requirements sufficient?

Recommended language. **Grants for land purchases or easements shall not cause the elimination of responsibilities for payment of real property taxes, in lieu of property taxes or voluntary payments to replace real property taxes.**

Board's Proposal

[002. ENVIRONMENTAL ACCEPTANCE](#). A project is considered to be environmentally acceptable when:

Comment

Seemingly the draft relies on the captions to make the whole of the regulation comprehensible. Usually, captions are not considered part of operative text. For purposes of clarity, the following is suggested as a lead sentence. "An application must describe a project that is environmentally acceptable."

If captions are to be a substantive part of the rules a rule to that effect is advisable so the departure from the normal rule will be clearly established.

Board's Proposal

[003. CLEAR AND DIRECT ENVIRONMENTAL BENEFITS](#). A project will be considered to have clear and direct environmental benefits if the realization of those benefits can be reasonably expected, as a result of the project and if those benefits will be obvious.

Relevant Statute

The grants should assist those projects which provide clear and direct environmental benefits; 81-15,176 (2) (f)

Comment

The statute should be quoted and cited

Seemingly the draft relies on the captions to make the whole of the regulation comprehensible. Usually, captions are not considered part of operative text. For purposes of clarity, the following is suggested as a lead sentence "An application must describe a project that has clear and direct environmental benefits."

If captions are to be a substantive part of the rules a rule to that effect is advisable so the departure from the normal rule will be clearly established.

Board's Proposal

[005. PUBLIC BENEFITS](#). For a project to be eligible for funding assistance, it must produce public, not just private, benefits. The public benefit must be greater than the private benefit. The project must be implemented and completed in Nebraska. Public access is a public benefit.

Relevant Statute

The grants shall not pay for projects which provide primarily private benefits or relieve private liability for environmental damage; 81-15,176 (2) (c)

Comment

This proposal seems derived from 81-15,176 (2) (c). A better approach would be to quote the statute cite it and explain it as necessary and resolve the inconsistency with Chapter 4 001.04 noted earlier.

Board's Proposal

006. FINANCIAL AND TECHNICAL FEASIBILITY. Financial and technical feasibility may be evaluated by ~~the use of~~ subcommittees, contractual assistance or advisory groups. ~~The~~ Sstandards for each of these factors are as set out below:

Comment

Section 81-15,175 (1) provides for evaluation of financial and technical feasibility and provides for an evaluation of economic feasibility. Economic feasibility should be included in the regulation.

Recommended language **Economic Feasibility. A project is economically feasible if projected environmental benefits exceed the anticipated costs. A precise quantification of projected environmental benefits is not necessary. It is necessary to provide a narrative that will allow the reviewer to conclude that the projected environmental benefits exceed the costs.**

Board's Proposal

Chapter 4 001. ELIGIBILITY REQUIREMENTS. To be eligible for consideration in the rating processes for funding, the applicant's proposed project must be consistent with the following criteria for eligibility as described in Sections 002~~1~~ to 006 of this Chapter.

Chapter 4 006. FINANCIAL AND TECHNICAL FEASIBILITY. Financial and technical feasibility may be evaluated by ~~the use of~~ subcommittees, contractual assistance or advisory groups. ~~The~~ Sstandards for each of these factors are as set out below:

Comment

The lead provision in Chapter 4 requires a determination that an application is feasible as described in 006. However, it not clear how the feasibility determinations are to be made and their effect. Definitions of financial and technical feasibility are provided. A definition of economic feasibility should be included.

Economic feasibility can be defined as: A project is economically feasible if projected environmental benefits exceed the anticipated costs. A precise quantification of projected environmental benefits is not necessary. It is necessary to provide a narrative that will allow the reviewer to conclude that the projected environmental benefits exceed the costs.

The process for reviewers is not defined and reviewers are not given authority to request additional information they may need to complete a review. To clarify the following the process and to empower reviewers to obtain necessary information.

Recommended language **Each member of an advisory group will review all applications submitted to it. The results of the review will be summarized and submitted to the Executive Director in accordance with the calendar established by the Board.**

Additional information may be supplied by the applicant at the request any reviewer.

Chapter 5

Board's Proposal

003. REQUIRED FINDINGS. Prior to making any recommendation to the Board for approval of a project for funding eligibility, the Grants Committee shall determine that the project is consistent with the requirements ~~of Chapter 5 of these rules.~~

Comment

What requirements must be met? The following reg Chap 5 004 requires the committee to "make the recommendations to the Board on project eligibility in accordance with this chapter." 003 is unnecessary but it is there and since it refers to requirements that are not specified and the following rule 004 specifies the requirements. 003 is both ambiguous and unnecessary.

CHAPTER 6

Board's Proposal

001. Pursuant to this Chapter and the factors set forth herein, the Executive Director shall prepare Project Ranking Systems to be used to rank all applications which are eligible. The Project Ranking Systems shall be approved by an affirmative vote of the Board after public hearing. Similarly, any subsequent amendments to a Project Ranking System shall be approved by an affirmative vote of the Board after public hearing.

002. The Project Ranking Systems adopted by the Board shall be used by the Grants Committee for ranking of projects. ~~as described in Chapter 8.~~

003. RANKING FACTORS. The Project Ranking Systems shall assign a numeric value to each criterion and combine these values into a total score for each application. Each Ranking System shall include, but is not limited to, criteria to evaluate each application to the extent that the project will accomplish the following:

Relevant Statute

The board shall establish rating systems for ranking proposals which meet the board's environmental categories and other criteria. The rating systems shall include, but not be limited to, the following considerations:

- (a) Conformance with categories established pursuant to section 81-15,176;
- (b) Amount of funds committed from other funding sources;
- (c) Encouragement of public-private partnerships;

- (d) Geographic mix of projects over time;
- (e) Cost-effectiveness and economic impact;
- (f) Direct environmental impact;
- (g) Environmental benefit to the general public and the long-term nature of such public benefit;
81-15,175 (2)

Comment

There are repeated references to Project Ranking Systems. Only one system is to be provided so references to systems are not appropriate. The statute should be quoted, cited and an explanation provided for the deviation from its language to make clear there is only one Project Ranking System for each year. The reference to “Each” Ranking System should be amended to refer to a Ranking System and Systems should be revised to read System.

81-15,175(2) contains required elements of a ranking system. Some of the required elements are not described in the proposed regulations; some are. The mix of some but not all can confuse those without a thorough knowledge. There is no reason to create the opportunity for confusion by omitting the statutory requirements.

Board’s Proposal

003.062 BE COST EFFECTIVE. Cost effective shall include, as applicable, a comparison of the cost of the project to its expected monetary and non-monetary benefits and whether there is another reasonably available means of accomplishing the same purpose or purposes more economically. A high indirect labor and overhead cost not directly related to the project direct costs is less cost effective than one with a low indirect rate or percentage. Data shall be provided by the applicant detailing the cost effectiveness of all budgeted expenses requested that includes the provided indirect rates.

Comment

The last sentence is mandatory, raising the stakes for understanding its requirement but it is not easily understood. Is data required showing the cost effectiveness of all budgeted expenses? Does the data to be supplied relate only to indirect rates (costs)? What kind of data is requested? Is it simply a ratio of direct and indirect costs? Are direct and indirect costs different than operating costs and overhead costs? Is there a known standard for identifying direct and indirect costs? If that standard exists, is it readily available to applicants? If a standard exists its text should be included or referenced.

Detailing cost effectiveness is the province of consultants. The cost of the advice or determinations may not be cost effective or economic for small grants.

Board’s Proposal

003.073 HAVE ECONOMIC IMPACTS. Economic impacts resulting from the project may be realized in increased real property valuations, mitigation of environmental hazards to the natural physical and biological environment in Nebraska, an improvement of or increase in

habitat, increased recreational opportunities, and other contributions to the wellbeing of the area affected by the project. Data shall be provided by the applicant detailing the proposed economic impacts of the project.

Comment

The last sentence is mandatory. Some potential economic impacts are described in the proposed regulation. Several seem impossible to provide supporting data for. What is the value of increased habitat? Is it an abundance of wildlife? Is it the viewing of abundant wildlife? Is it the harvest of abundant wildlife? Is it all of those and more. Providing data to support those impacts would likely result in more speculation than facts, very high consulting fees and may not be cost effective. The same concerns could be expressed for increased recreational opportunities and other contributions to wellbeing. Being able to conclude that those benefits may be realized is important but supporting that conclusion with data may be impossible, impracticable, speculative, or prohibitively expensive.

The Federal government has experience with these kinds of requirements as applied to environmental issues. Administrative standards and compliance issues can be found with an evaluation of the Federal requirements. Those should be carefully evaluated before imposing anything like them on applicants to the Nebraska Environmental Trust.

Board's Proposal

003.084 PRODUCE DIRECT ENVIRONMENTAL IMPACT. Direct environmental impacts are those changes to the natural, physical, and biological environment caused by the project occurring at the time and in the place the project is carried out.

Comment

Proposed regulation requires coordination with the proposed reg in Chapter 5 003 concerning clear and direct environmental impacts. If the proposed rule is kept it should be amended to require a positive effect.

Board's Proposal

003.406 PROVIDE A PLAN FOR EVALUATING THE RESULTS OF THE EXPENDITURE OF GRANT FUNDS. An applicant shall provide a baseline measurement, the target improvement, and the real time value of the grant investment. The project goals, objectives and outcomes shall identify the tangible and intangible benefits to the public from achieving the objectives.

Comment

It seems the requirement that an applicant describe the status quo or things as they are, describe the improvement or change to the status quo sought, and describe the benefit of change. If that is what is required that is reasonable but as we have advised, a task for writers of rules and regulations is to be informative rather than bewildering. A conscious effort must be made to avoid bureaucratic language. An author who has worked for years with a subject may be writing for themselves when the real audience is not an expert or may not be well informed.

Board's Proposal

003.1107 EVALUATE PERFORMANCE. For prior awarded grantees, awarded in the past three years looking back from the current application cycle, compliance with previous contract

terms is required, including that any prior project was completed on time, quarterly, annual and final reports were submitted on time, no 15 Day Notice for a prior grant contract violation was issued to the grant Sponsor or Applicant.

Comment

It seems prior grantees will be evaluated on past performance as well as the pending grant application. The requirement is for an evaluation of the grant applicant rather than the application. The stature calls for a ranking of grant applications. It is the merits of an idea not the merits of an applicant that is at stake in the grant award process. Performance is an issue for grant administration. For example, imagine an applicant with grants in each of the prior three years. The first was completed with some extra guidance and direction from NET staff the next two were administered without question. What is the current performance evaluation of the applicant if the language of the proposal is applied? Even if the objective is valid the language employed is bureaucratic.

Chapter 9

Board's Proposal

~~04 "In-kind Match" shall mean the economic value of any non-monetary donated contribution to the development of a project by the applicant or project co-sponsors including but not limited to labor, equipment usage, lands, land rights, facilities or other items essential to the project.~~

Comment

The definition of "In Kind Match" is deleted. While that phrase may not be used in the text of the revised Title 137 we are aware that grant applications may describe in kind match from partners. Encouragement of public-private partnerships is one of the required rating considerations found in 81-15,175 (2) (c). If not defined in rules and regulations "in kind match" will require definition in some document.

Board's Proposal

~~05~~004. "PRIMARY, TANGIBLE BENEFITS" shall mean a project's net values, expressed in monetary terms, of increases in products and services and of reductions in costs, damages, or losses of primary beneficiaries

Comment

A definition of "Tangible Primary Benefits" is retained. That phrase is used in Chapter 1 001. As noted in our comment to that section the phrase does not conform to the statutory language and is misleading. The definition should be deleted unless it has some other application.

CONCLUSION

The draft revision of Title 137 should be rejected and a new effort made. The existing rules and regulations do require revision but they do not need to be replaced with a revision having significant deficiencies. More thought and careful drafting is required.

The foregoing is submitted April 24, 2023 by Friends of the Nebraska Environmental Trust to made part of the record of a hearing to be held on May 4, 2023 by the Nebraska Environmental Trust on proposed changes to Title 137 Nebraska Rules and Regulations.

Sandra K. Scofield

President

Friends of the Nebraska Environmental Trust

April 2023

Dear Nebraska Environmental Trust,

On behalf of the League of Women Voters of Nebraska, I am writing in regard to the proposed changes relating to the adoption of rules and regulations regarding funding, endowment, application, eligibility, evaluation, ranking, awards, administration, and definitions of Nebraska Environmental Trust grants. We are concerned that access to grant funds is not transparent or equitable for eligible groups who propose environmentally beneficial projects in Nebraska. We are seeking clarification on these changes on behalf of groups that apply for funds. We also question the legitimacy of trust money supporting gubernatorial projects when the Governor is able to use the budgeting process for projects.

The LWVUS has advocated for the environment since its inception. We believe that public understanding and cooperation are essential to the responsible and responsive management of our nation's natural resources. The public has a right to know about pollution levels, dangers to health and the environment, and proposed resource management policies and options. The public has a right to participate in decision-making at each phase in the process and at each level of government involvement. *Officials should make a special effort to develop readily understandable procedures for public involvement and to ensure that the public has adequate information to participate effectively.*

Furthermore, we are concerned that governor's use of NET grant money is taking away from the original intent of the trust, to distribute about \$20 million a year in grants to organizations for wildlife habitat, recycling programs, conservation efforts and environmental-related research. Worthy projects such as the City of Alliance's recycling program, totally funded by NET in the past, are being turned away.

Open and transparent governance and responsible stewardship of our state's resources, natural and fiscal, is important. We echo the concerns of informed groups such as the Friends of the Environmental Trust and organizations that apply for grant money –“why have so many Trust grants been rejected in recent years?” Please create clear eligibility parameters for applicants, award projects that provide a great environmental benefit, and avoid funding relationships with gubernatorial entities.

Janelle Stevenson, Natural Resources and Energy Co-Director, LWVNE

April 24, 2023

Nebraska Environmental Trust
245 Fallbrook Blvd. Suite 200
PO Box 94756
Lincoln, NE 68509

Nebraska Chapter Trustees

Craig Allen, *Lincoln*
Jim Armitage, *Omaha*
Simanti Banerjee, *Lincoln*
William Carle, *Bellevue*
Bruce Carpenter, *Papillion*
ance Foster, *Omaha*
Mike Gloor, *Grand Island*
Priscilla Grew, *Lincoln*
David Gruendel, *Grand Island*
Matt Harris, *Lincoln*
Sara York Kenny, *Eagle*
Daniel Klaus, *Lincoln*
Sandy Lehr, *Omaha*
David Levy, *Omaha*
Karen Linder, *Omaha*
Laura McWha, *North Platte*
Kim Morrow, *Lincoln*
Dennis Pate, *Omaha*
Polina Schlott, *Omaha*
Ron Shaefer, *Omaha*
Lee Shell, *Omaha*
LaReesa Wolfenbarger, *Omaha*

Re: Proposed revisions to Title 137 implement Nebraska Executive Order No. 17-04 on Regulatory Reform to streamline and clarify existing provisions.

Dear Director Elmshaeuser and the Nebraska Trust Fund Board members—

On behalf of our Board of Trustees, The Nature Conservancy in Nebraska (TNC) is offering written comments in response to proposed changes to Title 137.

With our comments, we highlight three areas for continued conversation: diminishing conservation funding, confusion around private benefit, and equity concerns around proposed changes.

Chapter 4 (formerly Chapter 5) – Criteria for Eligibility

A 46% rate of ineligibility in proposals submitted in 2022 indicates a severe divide in grantor/grantee understanding and expectation. Indeed, a review of the eligibility scores for TNC proposals made in this period reveals that even internal reviewers disagreed with each other on eligibility.

The private benefit provision stands out as a source of disqualification for a disproportionately high number of proposals in the last grant cycle. Greater clarity here will improve the process for all parties.

Newly introduced language, such as defining what constitutes serious financial hardship begins to address the issue. However, questions remain about private benefit. Definitions should be included to support what constitutes private and public benefit.

New language specifies that public access is a public benefit, but there does not exist similar corroboration that conservation actions taken on private land are in the public interest. In a state such as Nebraska, where upwards of 96% of the land is in private ownership, conservation on private lands—even those without public access— becomes even more critical. Private land conservation ensures access to food, clean drinking water, healthy habitat, and access to nature and open spaces for outdoor recreation, among other public benefits.

In the words of Aldo Leopold, “Conservation will ultimately boil down to rewarding the private landowner who conserves the public interest.”

Chapter 5 (formerly Chapter 6) – Evaluating Proposals for Eligibility

If the NET Board continues to make eligibility the first step of a two-step grants process, we request the following actions be incorporated into the rules governing this process:

Either contract a neutral third party to determine eligibility or require openness and transparency of the review committee, naming the participants. If the latter, further requires the following:

- Discussion among reviewers to resolve inconsistencies in their interpretation of eligibility requirements
- Automatic provision of a written statement identifying causes for ineligibility
- Commit to convening pre-grant educational sessions independently for reviewers and applicants to ensure all parties understand the process.

Chapter 6 (formerly Chapter 7) – Project Ranking Systems

Wildlife populations have plummeted by an average of 69% between 1970 and 2018, and Nebraska is no exception to this concerning trend. We have 119 species at risk of local extinction in Nebraska.

Existing resources are insufficient to match the environmental needs of our community. A consortium of land management organizations has identified the availability of funding as among the most pressing issues in the state. Indeed, a recent poll conducted by New Bridge Strategy found that Nebraskans overwhelmingly agree with the conservation community: 4 out of 5 Nebraskans polled say more needs to be done to protect land, water, and wildlife habitat in the state.

Addition of line 005. “No application receiving fewer than twenty-five percent (25%) of the maximum points will be funded” appears reasonable, however, this action codifies not putting conservation dollars to work in our community at the time we need it most. Projects should either be eligible for funding or not. If they are eligible, there is no need to set a minimum score threshold.

Holding back Trust dollars disadvantages community organizations capable of putting good work on the ground in Nebraska. Unfortunately, owing to our rural and expansive landscape, our geography does not support a highly professionalized and sophisticated non-profit sector across the full breadth of the state. Assigning an arbitrary score threshold is likely to penalize individual landowners, smaller organizations, those in more rural areas, or others with less access to skilled grant writers.

Similarly, mandatory data reporting in updated provisions 003.02 “Be cost effective” and 003.03 “Have economic impacts” could present too high a bar for under-resourced organizations unaccustomed to detailing cost-effectiveness and economic impacts. Many questions abound in how to value environmental benefits. This may result in smaller organizations in rural communities not being able to compete effectively for funding.

Chapter 9 – Grant Administration

As a leading conservation organization working around the world, TNC is fortunate to have dedicated administrative support for our grants. Even with this professionalized workforce, recent changes in grants administration at the Nebraska Environmental Trust have proven difficult to manage and will have uneven burden to grant recipients. To this end, we recommend that changes to reporting requirements trigger grantee notification as follows:

There needs to be sufficient notice ahead of changes—no less than a full quarter— to reporting requirements and public education on those changes. Furthermore, application of these changes should only apply to projects newly approved for funding, and not be applied retroactively to multi-year projects mid-stream, as this causes significant hardship for those entities with limited administrative resources.

As an example, the recent limitation of benefits reimbursement to \$5 per hour, this change has a disproportionate impact on lesser advantaged organizations who had initially been funded and budgeted on the promise of full reimbursement on benefits. A change such as this may further have the unintended consequence of discouraging proper compensation among those organizations receiving funds, one reason among many to allow for public input.

//

Thank you for considering our comments.

Sincerely,



**John Cougher, State Director
The Nature Conservancy, Nebraska Program**

April 24, 2023

To: Nebraska Environmental Trust
700 S 16th St, Lincoln, NE 68508
env.trust@nebraska.gov

From: Jon H. Oberg
5840 West Superior St, Lincoln NE 68524
jonoberg5840@gmail.com

Subj: Public comment on proposed changes to Title 137 Rules and Regulations

I write as a citizen, taxpayer, former state and federal fiscal administrator, successful litigant against previous illegal NET actions, farmer and conservationist.

The proposed NET Title 137 regulations are vague and confusing to potential applicants. Unfortunately, the ranking system invites gaming and will result in arbitrary and capricious decisions. The proposed regulations introduce new procedures, not based on statutory authority, which are almost certain to lead to increased conflicts of interest, politicization of the agency, and waste and abuse of taxpayer resources.

It is not clear why the various changes are being proposed. Although the NET webpage makes reference to reports of the State Auditor and Department of Administrative Services, those reports are not linked for the public to review. An NET spokesperson recently suggested the changes were to eliminate duplication. An annotated version of the changes, identifying which provisions are being changed because they are duplicative, as opposed to those that introduce new content and procedures, would help the public understand and evaluate the new regulatory proposal. Without adequate explanation, the public may be led to believe that the proposals are an effort to reduce regulations when in reality they are making major changes.

The new regulations should prescribe Open Meetings Act requirements, so that the public can know how board members evaluate grant applications. Anonymity imbedded in the regulations must be removed from the process at all levels of award consideration, including subcommittees.¹

The regulations should clearly separate the process for determining legal eligibility² from evaluating merit, so that the two are not mixed improperly. Statutory legal eligibility standards are dichotomous while merit is a continuous variable. Combining the two without recognizing the difference is not statistically meaningful and can lead to ranking distortions and legal challenges.

The regulations must not add new factors to the award process that go beyond statutory authority. A proposed new provision³ would require award "consistency...with other state policies...", without further identification of what those policies might be. Potentially this could include legislative or gubernatorial policy preferences through various communications that

may or may not have the force of law and may cause violations of other required administrative procedures. The provision is not only vague, it invites abuse.

Another proposed regulation⁴ would require that "grants for land purchases or easements shall not cause the elimination of the property tax liability." This is vague as to whether any or all amounts of liability would be eliminated and, more problematic, it is not based on statutory authority as witnessed by the fact that land purchases and easements have long been awarded as part of the mission of the Trust. They are among the most effective natural resource protection tools, often sought by farmers and others to protect their investments in essential conservation practices.

The proposed regulations⁵ would eliminate the current language, "Members of the board shall comply with the conflict of interest provisions of the Nebraska Political Accountability and Disclosure Act." This is unwise to eliminate for any purpose and raises the question of whether the intention is to thwart another agency's statutory responsibilities.

If anything, conflict of interest protections should be enhanced to address an actual situation that contributed in the recent past to the aforementioned litigation. Unusually large political contributions to a governor, after an election, from within an industry with a pending NET award application, occurred simultaneously, whereupon the governor's appointees on the NET board voted to make the award. The award (for the benefit of for-profit businesses in the industry) was clearly illegal; only upon the filing of a lawsuit, and the potential for legal discovery, did the NET board withdraw it.

State conflict of interest provisions, which deal with even the appearance of conflicts, must be applied to all parties involved, including the NET board. Clearly, the integrity of state government should not have to depend on citizens who take legal action at their own expense, prevail at court, and then request the court to reimburse attorneys fees from state taxpayers, which the court appropriately did in this case. It should never happen again.

A proposed new provision⁶ that allows members to vote on awards to their own agency if only half goes elsewhere could be an invitation to abuse. The statute⁷ is clear that the award must be "primarily" for other purposes, not for the agency in question, so the share should be well less than half. The new regulations should not suggest the creation of matching fund programs for an agency and its clientele groups.

A proposed new requirement⁸ that "No application receiving fewer than twenty-five percent (25%) of the maximum points will be funded" is vague as to purpose and could easily be gamed to distort rankings, awards, and Trust fund balances. Fund balances have recently become an issue as they are in danger of being transferred for purposes outside the mission and protection of the Trust.

New regulations should be focused on assisting potential applicants understand the purpose and process of NET, and to increase public transparency and accountability. The proposed

regulations should be withdrawn in their entirety and a new set presented to the public, after review by the Attorney General to ensure removal of the above-described problems, as well as many others too numerous to mention. NET was once smooth-running and non-controversial; that should be the goal again.

¹ Nebraska Revised Statute 81-15,175

² Chapter 5: 003. REQUIRED FINDINGS. 004. ELIGIBILITY FINDINGS COMBINED WITH RECOMMENDED RATINGS.

³ Chapter 5: 002.01

⁴ Chapter 4: 001.05

⁵ Chapter 1: 001. CONFLICT OF INTEREST.

⁶ Chapter 1: 001.01 AGENCY DIRECTOR ABSTENTIONS.

⁷ Nebraska Revised Statute 49-1499.06

⁸ Chapter 6: 005.



Board Members

Mike Abbott, Ogallala
Ben Bailey, Lakeside
Melody Benjamin, Lakeside
Homer Buell, Bassett
Lemoine Dailey, Thedford
Steve Fairbairn, Grand Island
Greg Gehl, Ericson
Eric Hansen, North Platte
Ted LaGrange, Lincoln
Nancy Peterson, Gordon
John Ravenscroft, Nenzel
Mary Reece, North Platte
Rich Walters, Kearney
Ang Wright, Valentine

Shelly Kelly, Broken Bow
Executive Director

Ashley Garrett, Broken Bow
Project Coordinator

Cody Trump, Chadron
Sandhills Stewards Coordinator

Kylee Kime, Gordon
Administrative Assistant

P.O. Box 482
Broken Bow, NE 68822
308-214-0065
shelly@sandhillstaskforce.org
www.sandhillstaskforce.org

April 24, 2023

Written Comment on Title 137 Proposed Changes

Thank you for the opportunity to provide comments to the proposed changes to Title 137. Please see the comments below:

- Public benefit (Chapter 4, 005.) With 96% of the land in Nebraska in private ownership, efforts to improve our environment will not be effective if they only occur on public land. When projects occur on private land, the landowner or operator may receive some private benefits to projects that are designed for public benefit. Sharing the cost with landowners or operators in those instances makes sense and that is what is commonly done. We agree that NET funds should be used on projects to produce public benefits, however, we think it is important to understand that the landowner or operator may provide part of the money for the project if it will benefit their operation financially.
- Serious financial hardship definition (Chapter 4, 001.02) The added definition of “serious financial hardship” to this section is confusing. After talking with NET staff, we understand it to be aimed at entities or organizations that fully rely on NET funds to exist, but it is hard to understand that from the added language. It could be interpreted to mean that any private landowner or operator would not be able to receive any benefits if they had a profitable year.
- Funds accessible to small organizations. NET applications have become increasingly harder to complete in recent years. The proposed changes in Title 137 solidify some of the additional documentation that has been required on applications and it adds in more documentation that will have to be submitted. If NET applications are difficult to complete, only large organizations will be able to apply for the funds because small organizations, like the Sandhills Task Force, will not have the resources to provide all of the data required. Chapter 6, 003.02 adds language to require data to be provided on cost-effectiveness.

Chapter 6, 003.03 adds language to ask for data to be provided on economic impacts that are very challenging to determine. Please consider the impacts to small organizations as requirements are added.

- Evaluate performance (Chapter 6, 003.11) Please consider that a lot of things have changed in the last couple of years regarding how NET has functioned. The Sandhills Task Force has been a long-time awardee of NET funds, but we have struggled a couple of times to understand the new rules. We hope that it will be considered if this new rule takes place.

Respectfully Submitted,

Shelly Kelly
Executive Director
Sandhills Task Force

April 24, 2023

Nebraska Environmental Trust
700 S. 16th
Lincoln, NE 68508

Dear Environmental Trust Board Members and Staff:

Please accept this letter as formal testimony from the Upper Republican Natural Resources District (URNRD) pertaining to proposed amendments to Title 137, Chapters 1-10. We appreciate your efforts to review and improve rules regarding several aspects of Nebraska Environmental Trust (NET) grants.

The URNRD encompasses three counties in southwest Nebraska that have a substantial amount of irrigated cropland. As such, we focus much of our attention on groundwater quality and quantity with measures including limits on volumes of water that can be used for irrigation and regulatory actions to prevent unacceptable levels of groundwater contaminants.

Our interpretation of the current rules is that groundwater quality, not quantity, is an NET-eligible funding category. By eliminating the funding categories, which we understand would be accomplished by the proposed rules, funding for projects solely or primarily focused on groundwater quantity would be allowed. We generally believe this is an improvement over the current rules but would rather have groundwater quantity added to the existing list of funding categories.

We also support the proposed elimination, in Chapter 4, of the current rule limiting the percentage of NET funding that can be used for soil or groundwater remediation to 60%. Decisions on how to direct NET funding, we believe, should be based solely on the merits and environmental benefit of proposed projects with attention to fair geographic distribution of NET funds.

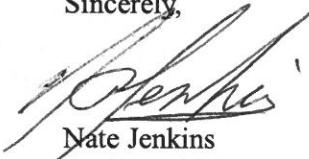
Following are proposed changes that, as we interpret them, we urge you to reconsider:

- Chapter 4 contains a proposal that grants for land purchases or easements not cause elimination of property tax liability. Our organization relies on property taxes for operations so we are sensitive to actions that erode the tax base. However, the proposal would essentially prevent government entities such as the URNRD from purchasing property or easements using NET funds. This is because political subdivisions of the state such as the URNRD are constitutionally prohibited from paying property taxes. There are a relatively small number of statutory exemptions that allow some government entities, for specific types of land/easement purchases, to pay in-lieu of property taxes. However, even for these entities and the specific types of land ownership that allow them to pay in-lieu of taxes, it's possible that they would not comply with the proposed rule because such payments, which are sometimes voluntary, may not legally be considered "elimination" of property tax liability. Purchasing land and/or easements is a rarely used but important tool for our NRD to conserve or repurpose groundwater and can help maintain the long-term property tax base of an area by prolonging the time in which water is available.

- Chapter 8 contains a proposal, as we understand it, that would not allow equipment purchased with NET funding to be used after the term of the grant contract. We read this to mean, for example, that if NET funding were used to purchase a grass drill as part of a larger NET project to re-establish native grass on a piece of property the drill would have to be sold after completion of the restoration project. Such a rule seems to assume that after project completion the equipment would have a larger public benefit, and one that would more align with NET objectives, if it was in the hands of an entity other than the one that completed the public project. It seems that the opposite would be more likely - an entity that completed a project with environmental benefit to the public would be more likely to complete another public project in the future using the NET-funded equipment than an unknown buyer of the equipment.

Thank you for your consideration of our suggestions and we wish you well in your revision of NET rules. We have used the fund in the past and it is a great asset for the state.

Sincerely,



Nate Jenkins
Assistant Manager
Upper Republican Natural Resources District

Received 4/18/2023

Environmental Trust Board
Lincoln, NE

I am writing to express my support for the proposed changes in the rules for the Environmental Trust. From my point of view it looks like this is an important necessary change to promote accountability in the grant recipients and for the Environmental Trust board. Further, when a state audit and performance assessment recommended changes in the regulations it is apparent changes were needed.

In section 009.03 under 010 the addition of full board approval is common sense. The director should not have the sole ability for approval of grant amendments. The addition of this rule seems to point out that there was abuse of this grant amendment by the director in the past. Also Rule 009.03 under 011 seems to imply that grant recipients were abusing the terms of the grant. Why would anyone support grants that were not used solely for the purpose of the grants?

It again becomes very apparent that grant recipients were abusing grants from the Trust when you have to add rules such as 003.07. How can the Environmental Trust be considered reliable and accountable to the public if they ever award more grants to recipients that do not comply with grants they already received. I personally would like the permanent disqualification of non-compliant grant recipients.

I would also like to commend the board for the addition of 001.05 concerning property taxes. Landowners like myself are struggling with the high property taxes in Nebraska. I have seen land acquisition by groups that pay little or no tax hurt communities in our state. This was also a major concern brought to my attention when I worked on the Strategic Planning committee for Nebr. Game and Parks Wildlife Management Areas.

I am very concerned with the addition of the wording in 005. The addition that the projects must be completed in Nebraska leads me to the conclusion that Trust money was spent outside of the state. If this is true, it shows how vitally important these rule changes are to keep the Environmental Trust accountable to the people of Nebraska.

I understand there is opposition to these changes. This is to be expected when groups have had their way with the Trust in the past. They are clinging to the easy money and lax policies that have been in place.

Please move forward immediately with these rule changes to bring the Trust back into compliance with state statutes and with common sense.

Randal Williams
302 Road Y, Davenport, NE 68335

Project Ranking Systems for Grant Applications

NET Board Agenda Materials

Item #: 7 & 8

Object: Conduct Public Hearing, Discuss comments & proposal, approve new system

Contact Person: Karl Elmshaeuser

For: Action

Attachments: 2 pages

BACKGROUND

Pursuant Neb. Rev. Stat. § 81-15,175 and Title 137, the Executive Director shall prepare Project Ranking Systems to be used to rank all applications which are eligible. The Project Ranking Systems shall be approved by an affirmative vote of the Board after public hearing. Similarly, any subsequent amendments to a Project Ranking System shall be approved by an affirmative vote of the Board after public hearing.

EXPLANATION

Ranking Factors. The Project Ranking Systems shall assign a numeric value to each criterion and combine these values into a total score for each application.

PROPOSAL

The Project Ranking Systems adopted by the Board shall be used by the Grants Committee for ranking of projects as described in Title 137.

Recommended motion, "I move to approve the new Project Ranking Systems for Grant Applications using the 10 question format that follows Title 137 and allows up to 5 points per question as presented. This is to be effective as of July 1, 2023, pending the approval and posting of the amendments to Title 137 by the Nebraska Secretary of State."

Project Number:

Sponsor:

Project Name:

Scoring Criteria:

1. Does the project conform to the funding categories?
 - a. 0 – Does not meet criteria – Outside of scope
 - b. 1 – Low – Undefined project, just lists the category
 - c. 2 – Below Average – Lacks clarity of purpose
 - d. 3 – Average – Meets one category objective
 - e. 4 – Above Average – Two categories well defined
 - f. 5 – High – Three or more categories well defined

2. Does the project produce a commitment of funds from other funding sources?
 - a. 0 – Does not provide any match
 - b. 1 – Provides 5% - 24% match
 - c. 2 – Provides 25% - 49% match
 - d. 3 – Provides 50% - 74% match
 - e. 4 – Provides 75% - 99% match
 - f. 5 – Provides 100% match

3. Evaluation of performance looking back the last 3 grant cycles.
 - a. 0 – Received a 15 Day Notice that was enforced
 - b. 1 – Final Report was late
 - c. 2 – Two Quarterly Reports were late
 - d. 3 – New Applicant
 - e. 4 – All Quarterly Reports and Final Report submitted on time
 - f. 5 – All Reports submitted on time, no extensions or modifications requested

4. Does the project result in a public-private partnership?
 - a. 0 – Not a requirement/Encouragement only
 - b. 1 – Low – Solo project
 - c. 2 – Below Average – One
 - d. 3 – Average – Two
 - e. 4 – Above Average - Three
 - f. 5 – High – Four or more

5. Does this project attain a geographic mix that provides funding for a diverse area?
 - a. 0 - Does not meet criteria – Majority of funding for project not used in NE
 - b. 1 – Low – One to two counties impacted
 - c. 2 – Below Average – Three to four counties impacted
 - d. 3 – Average – Five to six counties impacted
 - e. 4 – Above Average – Seven to eight counties impacted
 - f. 5 – High – Nine or more counties impacted

6. Is the project cost effective? (Formula: Operations/(NET Funds requested – Administration))
 - a. 0 – 12% or higher
 - b. 1 – 10 to 11.99%
 - c. 2 – 7 to 9.99%
 - d. 3 – 4 to 6.99%
 - e. 4 – 2.01 to 3.99%
 - f. 5 – 0 to 2.00%

7. Does the project have economic impacts?
 - a. 0 – Does not meet criteria – No data provided
 - b. 1 – Low – Lack in clarity in project scope
 - c. 2 – Below Average – Generalization of goals to be accomplished
 - d. 3 – Average – Increases in opportunities or mitigation of hazards well defined
 - e. 4 – Above Average – Proposed measurements provided
 - f. 5 – High – Outcomes can be verified independently

8. Does the project produce direct environmental impacts?
 - a. 0 – Does not meet criteria – No data provided
 - b. 1 – Low – Lack of clarity in project scope
 - c. 2 – Below Average – Generalization of goals to be accomplished
 - d. 3 – Average – Direct environmental impacts are well defined
 - e. 4 – Above Average – Proposed measurements provided
 - f. 5 – High – Outcomes can be verified independently

9. Does the project produce long term environmental benefits for the general public?
 - a. 0 – Not sustainable, less than one year
 - b. 1 – One year
 - c. 2 – Two years
 - d. 3 – Three years
 - e. 4 – Four to nine years
 - f. 5 – Ten years or more

10. Does the project have a plan for evaluating the results of the expenditure of grant funds?
 - a. 0 – No plan provided
 - b. 1 – Tangible and/or intangible benefits provided
 - c. 2 – Goals, objectives, and outcomes provided
 - d. 3 – Baseline measurement, target, and improvement provided
 - e. 4 – Measurable real time value provided
 - f. 5 – Independent validation process of data provided

NET Board GEO Points

Item #: 9.a

Object: To determine if GEO Points should be considered.

Contact Person: Karl Elmshaeuser

For: ACTION

Attachment: 1 page

BACKGROUND

The NET Board shall evaluate geographic mix of projects over time.

EXPLANATION

Nebraska State Statute 81-15,175

Fund allocations; board; powers and duties;

(2) The board shall establish rating systems for ranking proposals which meet the board's environmental categories and other criteria. The rating systems shall include, but not be limited to, the following considerations:

(d) Geographic mix of projects over time;

Title 137, Project Ranking Systems

Ranking Factors. The Project Ranking Systems shall assign a numeric value to each criterion and combine these values into a total score for each application. Each Ranking System shall include, but is not limited to, criteria to evaluate each application to the extent that the project will accomplish the following:

Help the Board attain a geographic mix of projects over time. This does not mean that a strict geographic mix will be sought during each funding cycle but that points may be awarded to projects in specific areas if it becomes apparent that the area is receiving funding for proportionately fewer projects than other areas of the state.

PROPOSAL

The NET 2022 Annual Report provided a map and data of the geographic mix of project funding by county. It is attached.

Based on this information, additional points for specific geographical areas are not recommended for the 2024 Grant cycle.

NET Board Annual Priorities

Item #: 9.b

Object: To determine if priority of categories should be considered.

Contact Person: Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

The NET Board may consider annual priorities for funding.

EXPLANATION

Neb. Rev. Stat. § 81-15,176 Environmental categories of projects; board; establish grant criteria.
...The board may establish annual priorities within the five-year categories. The board shall provide for public involvement in developing the categories for such five-year periods and any priorities within these categories, including, but not limited to, public meetings in each of the three congressional districts.

If the NET Board wants to consider making an annual priority, public meetings would need to be conducted in each of the three congressional districts. This is an activity for the NET Board to receive input from the public. The NET Board may provide guidance for this activity for the 2024 Grant cycle and would need to make a determination at the August 2023 meeting. This would be after the grant applications for 2024 were opened.

PROPOSAL

Priority categories are not recommended for the 2024 Grant cycle.

Grants Portal Management Agreement

NET Board Agenda Materials

Item #: 10

Object: To approve the Grants Management System Service Agreement

Contact Person: Karl Elmshaeuser

For: ACTION

Attachment: 5 pages

BACKGROUND

The NET Board approved a policy in February of 2022 to allow the Executive Director to expend funds on behalf of the Trust to execute service agreements under \$25,000 annually. The attached agreement exceeds that amount.

EXPLANATION

The NET has had a contract with Gregoire Consulting, Inc. since 2011. In 2017 the software was significantly upgraded in collaboration with Design Studio at UNL through the Jeffrey S. Raikes School of Computer Science and Management. This is a sole source contract and documentation is provided to the Nebraska Game & Parks procurement office. NET has a substantial investment in this software.

PROPOSAL

Recommended motion, "I move to approve the Grants Management System service agreement with Gregoire Consulting, Inc. and authorize the Executive Director to sign the contract in the amount of \$28,800."

STATE OF NEBRASKA
ENVIRONMENTAL TRUST
SERVICES AGREEMENT

This Agreement is between the Nebraska Environmental Trust, hereinafter called the Trust, and Gregoire Consulting, Inc., hereinafter called the Contractor.

WITNESSETH: The Trust seeks to engage the Contractor for maintenance services on the system entitled "Grants Management System". The work will be performed beginning July 1, 2023, and ending June 30, 2024. This contract is awarded subject to the provisions and conditions contained in this Agreement:

1. CONSIDERATIONS

The Contractor shall be paid by the Trust a total not to exceed \$28,800 for maintenance services for the duration of the Agreement. Pricing is based on a monthly service fee of \$2,400 for each of the 12 months in the duration of the agreement. Contractor will submit an invoice each month at the beginning of the month. Payment will be made contingent upon receipt of an invoice by the Trust of the products and services.

2. CONTRACTOR'S SERVICES

The Contractor shall provide the following services:

Gregoire Consulting, Inc. will provide support of the existing software for the Nebraska Environmental Trust Grants Portal as directed by the staff of the Environmental Trust. Development of new software features can be provided by amendment to this agreement.

This agreement does not cover Amazon Web Services charges for hosting the Environmental Trust Systems.

3. CONTRACTOR'S AGENTS

It is understood that the services provided herein shall be performed by Contractor or its agent or agents.

4. DURATION OF THE AGREEMENT

This agreement will begin July 1, 2023, and end June 30, 2024. This Agreement will remain in effect for the term prescribed above unless sooner terminated for cause by the Trust or unless sooner terminated by either party. If terminated for cause by the Trust, or if terminated by the Contractor or by mutual consent, there shall be not less than (30) days written notice, unless otherwise mutually agreed. This Agreement may be renewed, extended or amended by mutual written agreement.

5. FORFEITURE OF AGREEMENT

Failure of the Contractor to comply with the terms and conditions of this Agreement in a manner which the Trust, in its sole discretion, shall deem sufficient may be considered cause for termination. Failure of the Trust to terminate upon apprehension of a violation shall not constitute a bar to termination upon repetition of the same violation or of another violation. In the event of any forfeiture or termination of this Agreement any research data, supplies, interim reports, or other product of the Contractor's efforts hereunder shall be delivered to the Trust.

6. SPECIAL PROVISIONS

Nothing in this agreement shall be construed as a delegation of authority of the Trust to the Contractor or its agent(s) with respect to the Agreement described herein, nor shall the Contractor or its agent(s) in any manner consider or represent itself to be an employee of the Trust. It is expressly understood by the Contractor that it is, in all instances, an independent contractor who shall provide, manage, and assume all obligations whatsoever which may occur or be required by the Workmen's Compensation laws of any state, Old Age and Survivors Insurance, Internal Revenue Acts, Income Tax of any state, and laws and regulations relating thereto, and the Contractor shall save and hold harmless the Trust against any obligation relating to any such liability.

Under Federal and/or state law, this Agreement and Contractor must not discriminate in employment on this specific agreement performance on the basis of race, color, religion, sex, age, gender, marital status, national origin, disability or political affiliation. The Contractor agrees to abide by the Nebraska Fair Employment Practices Act as provided by Neb. Rev. Stat. Sections 48-1101 through 48-1126, and the Americans with Disabilities Act of 1990 (P.L. 101-366) as implemented by 28 C.F.R. 3, which are made a part of and included in this Agreement by reference. The Contractor shall comply with fair labor standards as required in Neb. Rev. Stat. §§ 73-102, 73-104 through the term of this Agreement.

The Contractor agrees to have in place, during the Agreement period, a Drug-Free Workplace Policy stating that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace is prohibited. The Contractor agrees to provide a copy of its drug-free workplace policy at any time upon request by the Trust.

The Contractor warrants that its officers, stockholders, associates and employees presently have no known financial interest and shall not acquire any known financial interest, direct or indirect, which would conflict in any manner or degree with the performance of the services required by this Agreement. The Contractor shall comply with the provisions of the laws of the State of Nebraska which require disclosure for conflict-of-interest determinations of amounts received under this Agreement.

The Contractor certifies by signing this agreement that neither the Contractor nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal or state department or agency from participating in transactions. The Contractor also agrees to include the above requirements in any and all subcontracts into which it enters. The Contractor shall immediately notify the Trust if, during the term of this agreement, the Independent Contractor becomes debarred. The Trust may immediately terminate this

Agreement by providing the Contractor written notice if contractor becomes debarred during the term of this Agreement.

7. LIABILITY

It is expressly understood that the Contractor assumes full liability for the acts of its employees, agents, and officers assigned to perform the Contractor's duties hereunder, and shall reimburse the Trust for any damage to Trust property, real or personal, which may be damaged by the Contractor, its employees, agents or officers.

8. MISCELLANEOUS PROVISIONS

a. This agreement shall be considered to have been executed at Lincoln, Lancaster County, Nebraska, and shall be subject to the laws of the State of Nebraska. The Nebraska State Contract Claims Act is the exclusive remedy for resolving contract claims against the State.

b. The Contractor is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

c. This Agreement may not be assigned except with the written consent of the Trust.

IN WITNESS WHEREOF the parties have affixed their signature, thus entering into this agreement, the day and year first written.

Nebraska Environmental Trust

Name

Executive Director
Title

Date

Contractor

Name

President
Title

Date

United States Citizenship Attestation Form

For the purpose of complying with Neb. Rev. Stat. §§ 4-108 through 4-114, I attest as follows:

I am a citizen of the United States.

— OR —

I am a qualified alien under the federal Immigration and Nationality Act, my immigration status and alien number are as follows: _____, and I agree to provide a copy of my USCIS documentation upon request.

I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete, and accurate and I understand that this information may be used to verify my lawful presence in the United States.

PRINT NAME Marie H Gregoire
(first, middle, last)

SIGNATURE _____

DATE _____

Grant Modification Requests

NET Board Agenda Materials

ITEM #: 11

OBJECT: Review and approve or deny grant modification requests

CONTACT PERSON: Holly Adams

FOR: ACTION

ATTACHMENT: 59 pages

BACKGROUND

Grantees can submit budget and project modifications and extension requests to be reviewed by the Board. These requests do not change the scope of the project. If approved, their letter of request – in addition to any attachments – will constitute a binding amendment to their grant agreement.

EXPLANATION

Title 137, chapter 9, Section 010: If a Grantee wished to modify a project...the Grantee must submit a proposed amendment to the grant agreement including a revised line-item budget...

Nebraska Statute 81-15-175 (6)...: No commitment shall exceed three years without formal action by the board to renew the grant or contract...

Adopted Policies, Section VI, I. Grant Modification Requests:

1. Requests for extensions to the funding period may be approved by the Board if the request is received by the Trust prior to the expiration date of the funding period. This policy is effective starting with the 2022 grant cycle.
2. Requests for budget changes within a grant may be approved by staff if less than \$10,000 and received by the Trust prior to the expiration date of the funding period. This policy is effective starting with the 2022 grant cycle.

PROPOSAL

Review and approve or deny the submitted requests for modifications.

Application: 19-146-3

Project Sponsor: Bazile Groundwater Management Area

Project Name: Development of Research and Demonstration Sites in the BGMA for Groundwater Nitrate Reduction

Attachment: Page 11-2

Current Expiration Date: 6/30/2023

Previous Modifications: 1 – Budget Modification, 1 – One-Year Extension (*approved 8/18/21*)

Budget Modification:

As stated in their letter of request, Bazile Groundwater Management Area is requesting to move funds from their Travel Category into their Equipment/Monitoring, Project Assistant, and Advertising/Education Categories.

Their Travel Budget was not used as extensively as they had planned. They would like to move these funds to other categories where they can be better utilized. They would like to increase their Advertising Budget due to the higher-than-expected costs. They would like to move funds into Equipment so that they are able to purchase the Equipment necessary to complete their demonstration plans. They would like to move funds into the Project Assistant Category to accommodate the needs of their Project Assistant.

Budget Category	Amount	Modification	Modified Budget	Spent	Remaining
Land Use Fee	\$72,000.00		\$72,000.00	\$72,000.00	\$0.00
Equipment/Monitoring	\$264,620.92	\$18,306.91	\$282,927.83	\$91,924.91	\$191,002.92
Project Assistant	\$111,524.00	\$15,935.48	\$127,459.48	\$44,326.58	\$83,132.90
Advertising/Education	\$8,881.05	\$3,000.00	\$11,881.05	\$8,621.29	\$3,259.76
Travel	\$74,832.00	-\$37,242.39	\$37,589.61	\$13,910.80	\$23,678.81
Totals:	\$531,857.97		\$531,857.97	\$230,783.58	\$301,074.39

Recommended Motion: *"I move to approve/deny Bazile Groundwater Management Area's request to move funds from the Travel Category into their Equipment/Monitoring, Project Assistant, and Advertising/Education Categories for project 19-146-3."*

April 20, 2023

Holly Adams
Nebraska Environmental Trust
700 S. 16th Street
Lincoln, NE 68509

Re: "Development of Research and Demonstration Sites in the BGMA for Groundwater Nitrate Reduction", NET Project #19-146-3

Dear Ms. Adams,

The above-referenced project needs modifications to its original budget. This project is closing at the end of June, and the Bazile Groundwater Management Area (BGMA) group would like to request the movement of some of the budget amounts to different categories to further ensure the success of the project.

The travel budget was not used as extensively as planned, so we would like to move some of these funds which could be better utilized in other areas of the grant. We would like to increase the advertising budget, due to the higher costs of some media productions and the increased costs associated with supplies, postage, and printing expenses. We would also like to move some of the funds to the equipment category, which would allow the group to purchase equipment necessary to complete the demonstration plans. Other funding could also be moved to personnel to accommodate the project assistant.

Attached is the original budget along with the proposed modifications and the final budget reflecting those changes. Please let us know if you have any questions. Thank you for your consideration.

Sincerely,



Mike Sousek, General Manager

C: Annette Sudbeck, Dennis Schueth, Wade Ellwanger

Application: 20-103-3

Project Sponsor: Nebraska Academy of Sciences

Project Name: Nebraska Environmental Public Information and Education Mini Grant Program

Attachment: Page 11-4

Current Expiration Date: 6/30/2023

Previous Extensions: None

Request for One-Year Extension to Project:

As stated in their letter of request, the Nebraska Academy of Sciences is requesting a one-year extension to allow their current PIE grant sub-awardees the time needed to successfully complete their projects and submit their final reporting documentation. Sub-awardees were awarded one-year contracts on a quarterly basis. NAS would appreciate the opportunity to fulfill the contracts that were awarded in Sept. and Dec. of 2022.

Recommended Motion: *"I move to approve/deny Nebraska Academy of Sciences' request to extend project 20-103-3 for one year."*

Nebraska Academy of Sciences

NAS, Inc.

302 Morrill Hall, 14th & U St
Lincoln, NE 68588-0339
402-472-2644

March 24, 2023

Board of Directors
Nebraska Environmental Trust
700 S 16th St
Lincoln, NE 68508

RE: Extension Request for PIE Grant 20-103-3

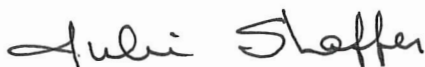
Dear Board of Directors,

The Nebraska Academy of Sciences (NAS) would like to formally request an extension of the current PIE Grant contract #20-103-3 until February 28, 2024. This will allow our current PIE Grant awardees to successfully complete their project and submit final reporting documentation to NAS in order to receive the funds they've been promised to receive.

NAS has been administering PIE Grant funds on behalf of NET since 2009. PIE Grants have always been one-year contracts awarded on a quarterly or three times per year basis. NAS would appreciate the opportunity to fulfill the contracts that were awarded in September and December of 2022. Those contracts have a contractual deadline date of October, 2023 and January, 2024, respectively. Therefore, being offered an extension through February 28, 2024 would allow these contracts to be fulfilled before funding is no longer available to these current PIE Grant awardees.

We greatly appreciate your consideration of this request. Please contact the NAS PIE Grant Coordinator with any questions; naspiegrants@gmail.com or (402) 472-2644. Thank you.

Sincerely,



Julie Shaffer
NAS President

Application: 21-173

Project Sponsor: Girl Scouts Spirit of Nebraska

Project Name: Spirit of Nebraska Camp Woodland Restoration

Attachment: Page 11-6

Current Expiration Date: 6/30/2023

Previous Extensions: 1 – One-Year Extension (*approved 4/7/22*)

Request for One-Year Extension to Project:

As stated in their letter of request, the Girl Scouts applied for a one-year project as they did not understand, at the time, how to request three years in their application. However, they did mention a three-year timeline in their application. Due to this, they had planned on being able to complete their project over a three-year timespan.

In their last extension request, their equipment purchase had been delayed due to shortages. At this time, their equipment has been purchased and reimbursed. They are now working toward completing their project and meeting their match portion of the project.

Recommended Motion: *"I move to approve/deny Girl Scout's request to extend project 21-173 for one year."*

Girl Scouts Spirit of Nebraska
2121 S 44th St
Omaha, NE 68501

February 1, 2023

Dear Holly,

Girl Scouts Spirit of Nebraska requests a one-year extension for project #21-173. As stated in our original application, this project will take 3 years to complete. We would also request a budget modification at this time.

Please let us know if you have any questions or need any additional information. Thank you for your consideration.

Respectfully,
Mark Dietz
Council Properties Director
Girl Spirit of Nebraska

Application: 23-156

Project Sponsor: Nebraska Public Power District

Project Name: ME Energy Ethanol Powered Electric Vehicle Fast Charger

Attachment: Page 11-8

Current Expiration Date: 6/30/2024

Previous Extensions: None

Request for One-Year Extension to Project:

As stated in their letter of request, this project was awarded during the most recent grant round. After the award, NPPD reached out to the supplier for the project's equipment and learned that their estimated delivery time is 45-50 weeks. NPPD is requesting a one-year extension to have enough time for delivery as well as training, set-up, and testing for the project.

Note: This project's contract has not been signed at this point.

Recommended Motion: *"I move to approve/deny NPPD's request to extend project 23-156 for one year."*

Chad Pinkelman
Program Manager - Electrification
Nebraska Public Power District (NPPD)
1414 15th Street
PO Box 499
Columbus, NE 68602-0499
402-563-5084 (office)
402-710-1410 (mobile)

5 April 2023

Nebraska Environmental Trust (NET)
700 S 16th Street - PO Box 94913
Lincoln, NE 68509-4913

To Whom It May Concern:

Nebraska Public Power District (NPPD) has applied and was approved for an NET grant for an ethanol-powered Direct Current Fast Charging (DCFC) station for charging electric vehicles (EVs). It is NET Grant 23-156. NPPD is requesting a one-year extension of this grant.

Our supplier, ME Energy, is from Germany. After NPPD was approved to receive the NET grant, NPPD requested an updated quote from ME Energy. This updated quote had an estimated delivery time of 45 to 50 weeks. NPPD will need time to do training, setup, and testing for this project. One concern is that the delivery will be longer than expected. Therefore, this extension will help NPPD complete this project.

Please contact Chad Pinkelman at NPPD if there are questions about this project.

Sincerely,



Chad Pinkelman

Application: 22-174

Project Sponsor: Nebraska Agriculture in the Classroom, a Program of Nebraska Farm Bureau Foundation

Project Name: Agriculture and the Environment, Education, and Outreach

Attachment: Page 11-10

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for Six-Month Extension to Project:

As stated in their letter of request, the Nebraska Farm Bureau Foundation is requesting a six-month extension. Their project will be completed in full as proposed, with one change to their timeline for the middle school agricultural magazine. They would like to print their issues in September and mail them at the beginning of the school year. This would give teachers the entire year to use the series of four readers. They will promote the readers beginning in the spring and will present a workshop about the readers at the Nebraska Career Education Conference in June to make teachers aware and ready to have them in their hands in the fall.

Recommended Motion: *"I move to approve/deny Nebraska Farm Bureau Foundation's request to extend project 22-174 for six months."*

March 29, 2023

Holly Adams
The Nebraska Environmental Trust
700 S 16th Street - PO Box 94913
Lincoln, NE 68509-4913

Via email: holly.adams@nebraska.gov

Re: Extension Request, Grant 22-174

Dear Holly:

Thank you for your time on the phone and thank you, again, to the Nebraska Environmental Trust for the support of Nebraska Agriculture in the Classroom.

As we discussed, I write today to request a six-month extension for our grant, 22-174. All work is on track, and the project will be completed in full as proposed with one change to the timeline for the new middle school ag mag, which we have titled *Discover Nebraska: Agriculture Edition*. The project is progressing as planned in terms of content development and design. Two issues are complete, the third has been drafted, and the fourth is in storyboard form. I request the extension so we may print and mail the readers in September. Mailing at the beginning of the school year will give teachers the entire year to use the series of four readers. Nebraska Agriculture in the Classroom will promote the readers beginning in the spring and will present a workshop about the readers at the Nebraska Career Education Conference in June to make teachers aware and ready to have them in their hands in the fall.

Without the extension, we will print the readers prior to June 30 and hold them in-house for mailing in September. It is more economical to have the readers mailed directly from the printer. The extension will result in greater efficiency in both cost and staff time.

Thank you for your consideration of this request. If I can provide any further information, please contact me at 402-416-6093 or megahns@nefb.org.

With appreciation,



Megahns Schafer
Executive Director



Application: 20-174-3

Project Sponsor: Beyond School Bells

Project Name: Nebraska Youth Conservation Initiative

Attachment: Pages 11-12 through 11-14

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for Six-Month Extension to Project:

As stated in their letter of request, Beyond School Bells is requesting a six-month extension. Due to COVID, they had unforeseen delays which impacted their afterschool programs. They were able to create some at-home activities during this period, however this was limited. During the 2021-2022 school year, there were further delays due to staffing shortages. During the 2022-2023 school year, these challenges have begun to subside, however, they've still had to evolve their program to be able to complete their work. With this six-month extension, it will ensure that each of these projects continues throughout the second half of summer and transitions successfully into the fall of the 2023 school year.

Recommended Motion: *"I move to approve/deny Beyond School Bells' request to extend project 20-174-3 for six months."*



Nebraska Children

AND FAMILIES FOUNDATION

April 12, 2023

Holly Adams
Nebraska Environmental Trust
700 S 16th Street
Lincoln, NE 68508

Dear Holly,

I am writing regarding the Nebraska Youth Conservation Initiative being carried out by Beyond School Bells (BSB), an initiative of the Nebraska Children and Families Foundation (NCFF). Our project was awarded a three-year grant from the Nebraska Environmental Trust to NCFF in the fall of 2020 to support Environmental Design Studio work and the BSB Conservation Management Internship. NCFF is a Lincoln-based, statewide organization that creates public-private partnerships and provides grants to communities and advocates for policy change to enhance services aimed at supporting students and families and ensuring success in school and in life. We work closely with partners in state government, local communities, and other public and private sectors to leverage resources to support activities that promote student success. BSB, a program of NCFF, is Nebraska's statewide afterschool and summer learning network.

Nebraska Environmental Trust (NET) grant funds have been critical to support BSB's Environmental and Conservation education work. Through this project, we have been able to create multiple afterschool programs for students ranging from elementary to high school, enable students to grow hundreds of pounds of produce for schools and community members, and have introduced various environmental education projects to thousands of Nebraska youth. BSB's growing interest in promoting outdoor and environmental education projects has benefited tremendously from our partnership with NET and this extension will help us continue what we see as our important, long-term work in this area.

We are seeking a six-month extension on this contract to continue this work in response to unforeseen delays due to Covid-19 and the many impacts it had on the afterschool programs we work with and the students they serve. The pandemic's impact beginning in 2020 caused many delays in our programming. The first few months of the pandemic resulted in very little connection to students as most programs were not in session, so BSB pivoted to create at-home activities like the Environmental Scavenger Hunt via virtual Design Studios. These materials were well-received, but on a limited basis due to the new and widening disconnect between programs and their students and

families as most engagement was virtual. As afterschool programs began to return with severe restrictions in 2021, they were dramatically understaffed, had limited capacity to carry out programming, and had many new safety protocols to follow. Many of our partners did continue to provide afterschool learning opportunities and found great value in outdoor education as a safe place for youth engagement. This was a great success of the Nebraska Youth Conservation Initiative and the products of the Design Studios. Many programs were able to participate in the 2021 Summer of Innovation where BSB supported 15 outdoor and environmental projects. However, this success was accompanied by yet another challenge as programs, staff, and students were on-and-off due to outbreaks and student groups were often isolated to limit potential spread. The staff of these programs were quickly overwhelmed with many stressors within and outside of programs.

These challenges continued and further evolved in the 2021-22 school year as many industries faced a staffing crisis. Afterschool programs were no exception. Virtually every program BSB worked with faced challenges with staffing both in number of employees as well as with the reliability and experience of those who were available as many programs had to hire new staff after so many volunteers and part time staff decided to retire during the pandemic. Each of these factors led to a limited ability to carry out new programming and especially impacted the ability of programs to connect students to opportunities outside of their school grounds. The availability of vaccines in early to mid-2022 were long-awaited, and their impact was noticeable, but not immediate. Vaccines meant that programs might once again be able to host partners and potentially visit off-campus connections, but these afterschool staples, did not return all at once. Programs had to go through a long process of approving the re-establishment of these facets and once approved, had to re-engage and initiate partnerships. BSB assisted this process in the spring and summer of 2022, but uncovered challenges and hesitancy of youth to engage beyond what had become a much smaller comfort zone. We saw this in our own programming, student staffing initiatives, many of our partner's programs, and especially in the Conservation Management Internship. Despite having plans in place and attempts to engage students prior to the internship, BSB had to cancel the 2022 internship. In light of this challenge, we pivoted to day trips and weekend trips that students would be more comfortable with and found some early success later that summer and fall.

Over the course of the 2022-23 school year, many of the above challenges have begun to subside, but have not dissipated all-together and many have simply evolved. BSB and our program partners continue to see the challenges the pandemic created as the trauma looms over students and families and the programs that serve them. These challenges impacted both main strands of the Nebraska Youth Conservation Initiative: Design Studio activities and pilots were limited; and the Conservation Management internship was entirely prevented in 2020, 2021, and severely restricted in 2022. BSB has responded to each of these challenges with unique approaches like creating a model of student-driven food system programming where Design Studio activities were possible and with new partnerships and more locally accessible conservation career experiences.

We have and continue to work diligently to overcome these challenges, however, they ultimately restricted our spending in 2020, 2021, and 2022. We believe that a 6-month extension will allow us to continue to build on the momentum of emerging from the pandemic, creating new partnerships, and building new experiences for students across the state. We have plans in place for local conservation experiences in April, May, and June as well as the return of the full internship June 4th through the 16th with our traditional and many new partners. Design Studio work surrounding Food Systems will also be making a significant step forward this summer as the Freight Farm project continues to engage more high school students at Bay High, Lincoln Northeast, Lincoln Science Focus Program, and others. The work of these students will tightly correspond with many other food systems pilots this spring and summer. The 6-month extension will allow BSB to ensure that each of these projects continues through the second half of summer and transitions successfully into the fall of the 2023 school year. If approved, BSB would continue to coordinate local Conservation Experiences and partnerships and carry out Design Studio pilot work to complete the project as proposed.

For all of us at BSB and NCFE, it has been our pleasure and honor to work with you and your colleagues at the Nebraska Environmental Trust, and it is my hope that we can continue to work together on this important effort to connect Nebraska's youth with the environment and natural resources around them.

Thanks in advance for your consideration and support.

Sincerely

Dakota Staggs
Assistant Vice President
Beyond School Bells
Nebraska Children and Families Foundation

cc: Mary Jo Pankoke, President and CEO, NCFE
Jeff Cole, Network Lead, Beyond School Bells
Alison O'Toole, Associate Vice President, Beyond School Bells

Application: 20-123-2

Project Sponsor: University of Nebraska – Lincoln

Project Name: Improving Soil Health Using Heat-Treated Manure

Attachment: Page 11-16

Current Expiration Date: 6/30/2023

Previous Extensions: 1 – One-Year Extension (*approved 4/7/22*)

Request for One-Year Extension to Project:

As stated in their letter of request, UNL is requesting a one-year extension. They were able to collect data in Fall of 2022. After examining their data, they discovered that the duration of the field test was not long enough. They would like to have another round of data collection in May and run the test for 2-3 months.

In their previous extension request, they ran into issues with the equipment. Due to this, their testing had to be pushed back.

Recommended Motion: *"I move to approve/deny UNL's request to extend project 20-123-2 for one year."*



VIA EMAIL

March 24, 2023

Karl Elmshaeuser
Executive Director
Nebraska Environmental Trust

Re: #20-123-2 – NET Improving Soil Health Using Heat-Treated Manure

Dear Mr. Elmhaeuser:

The University of Nebraska Lincoln requests a no cost extension for the above referenced project under the direction of Dr. Xu Li until June 30, 2024.

In the 2022-2023 project year, we resolved the moisture issue that caused GFRI breakers to trip in the previous project year and was able to operate the conductive concrete (CC) slab in the field as designed. We conducted the first round of field testing on cattle manure in Fall 2022 and the test lasted for about 25 days. We see great pathogen removal in the manure pile sitting on the CC slab. However, we did not see significant advantage of the CC slab over conventional stockpiling in terms of preserving nutrient in manure. After carefully examining the data, we discover that the relatively short duration of the field test was not long enough to cause significant nutrient loss in the control manure stockpile. We are planning to start a second round of field testing in April or May this year and run the field testing for 2-3 months. The manure samples collected from this round of testing will be analyzed in the weeks after the field test. With longer duration similar to what happens in real practice, we expect to see significant nutrient loss in the control manure stockpile and insignificant nutrient loss (i.e., good nutrient retention) in the treatment manure pile sitting on the CC slab.

In addition to the nutrient analyses proposed in the original proposal, we plan to also monitor the methanogens in the manure sitting on the CC slab in the next round of field testing. Methanogens in manure are responsible for methane generation, and methane emissions from manure could account for ~15% of the methane emission over the entire life cycle of cattle production. If the CC slab can inactivate methanogens in manure (like it did on pathogens), the technology will reduce methane emissions from manure and improve the environmental sustainability for the beef industry.

If you have any questions regarding this request, Dr. Li can be reached at (402) 472-6042 or xuli@unl.edu. Thank you for considering this request. We look forward to making continued progress with the project.

Sincerely,

A handwritten signature in black ink that reads "Trudy Nienaber".

Trudy Nienaber, Project Specialist
tnienaber2@unl.edu

Application: 20-139-3

Project Sponsor: University of Nebraska – Lincoln

Project Name: Improving statewide performance of conservation investments on Eastern redcedar invasions

Attachment: Pages 11-18

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for One-Year Extension to Project:

As stated in their letter of request, UNL is requesting a one-year extension. In 2020, a university-wide hiring freeze, due to the COVID-19 pandemic, prevented hiring the project coordinator for this grant. An exemption from the university hiring freeze was eventually granted for this position in 2021, which resulted in the hiring of the current coordinator on May 1st, 2021. The requested one-year extension provides the necessary time to build on accomplishments from the previous two years and to complete the project's remaining objectives

Recommended Motion: *"I move to approve/deny UNL's request to extend project 20-139-3 for one year."*

April 7, 2023

Karl Elmshaeuser
Executive Director
Nebraska Environmental Trust

Re: #20-139-3 – NET Improving Statewide Performance of Conservation Investments on Eastern Redcedar Invasions

Dear Mr. Elmshaeuser:

The University of Nebraska Lincoln requests a no cost extension for the above referenced project under the direction of Dr. Dirac Twidwell until June 30, 2024.

A candidate was recruited and on track to start employment on June 1, 2020, however, a university-wide hiring freeze, due to the COVID-19 pandemic, prevented hiring of key personnel for this grant and delayed spending for the project. An exemption from the university hiring freeze was eventually granted for this position in 2021, which resulted in the hiring of the current coordinator on May 1, 2021.

The requested one-year no-cost extension provides necessary time to build on accomplishments from the previous two years and complete the project's remaining objectives (please see attached for a summary of project objectives and their status).

If you have any questions regarding this request, Dr. Twidwell can be reached at (402) 580-8832 or dirac.twidwell@unl.edu. Thank you for considering this request. We look forward to making continued progress with the project.

Sincerely,

Trudy Nienaber

Digitally signed by
Trudy Nienaber
Date: 2023.04.07
14:50:17 -05'00'

Trudy Nienaber, Project Specialist
tnienaber2@unl.edu

Application: 19-104-3

Project Sponsor: Nebraska Pharmacists Association

Project Name: Preventing Poisoning, Pollution and Prescription Drug Overdose for a Healthier Nebraska

Attachment: Pages 11-20 through 11-21

Current Expiration Date: 6/30/23

Previous Extensions: 1 – One Year Extension (*approved 4/7/22*)

Request for One-Year Extension to Project:

As stated in their letter of request, the Nebraska Pharmacists Association is requesting a one-year extension. They received unanticipated grant funding from the Nebraska Department of Health and Human Services (DHHS) through federal funding. Due to the differing grant expiration dates, they utilized DHHS's funds. Extending the project would allow them to continue safe medication collection containers in pharmacies across Nebraska.

Recommended Motion: *"I move to approve/deny Nebraska Pharmacists Association request to extend project 19-104-3 for one year."*

April 4, 2023

Karl Elmshaeuser, Executive Director
Nebraska Environmental Trust
700 S 16th Street
PO Box 94913
Lincoln, NE 68509-4913

RE: Extension Request for Grant Project #19-104

Dear Mr. Elmshaeuser and Nebraska Environmental Trust (NET) Board of Directors,

The Nebraska Pharmacists Association, on behalf of the Nebraska MEDS Coalition, is pleased to inform you that the work for Grant Project #19-104 is being performed on time, and the project is on track. While the project is progressing well, we respectfully request an extension of the grant period to June 30, 2024.

In 2022, over 34,000 pounds of unwanted medications were diverted from Nebraska landfills and out of our water supply with over 200,000 pounds of leftover medications collected since the program's inception. As the project continues to grow, more containers will be needed, as well as funding for the cost of transitioning more pharmacy locations to permanent MedSafe containers for use.

Nebraska MEDS also received unanticipated grant funding from the Nebraska Department of Health and Human Services (DHHS) through federal funding for state opioid response. Due to differing grant expiration dates, the funds from DHHS were utilized ahead of the funding from NET. Extending the grant deadline will allow the project to continue funding safe medication collection containers for the pharmacies across Nebraska.

We are grateful for the support of the Nebraska Environmental Trust on this grant project. If you have any questions or need additional information, please contact me or Amy Holman, Project Coordinator, at amy.holman@npharm.org or 402-420-1500.

Sincerely,



Marcia Muetling, PharmD, RP
NPA Chief Executive Officer

cc: Holly Adams, Grants Administrator

Budget Category	Original Grant Amount	April 2021 Adjustment	Modified Budget	Current Modification Request	Final Modified Budget
Land Use Fee	\$108,000.00	\$0.00	\$108,000.00	\$0.00	\$108,000.00
Equipment & Monitoring	\$400,000.00	(\$59,165.93)	\$340,834.07	\$18,306.91	\$359,140.98
Project Assistant	\$99,000.00	\$12,254.00	\$111,524.00	\$15,935.48	\$127,459.48
Advertising/Education	\$12,000.00	\$0.00	\$12,000.00	\$3,000.00	\$15,000.00
Travel	\$28,500.00	\$46,641.93	\$75,141.93	(\$37,242.39)	\$37,899.54
	\$647,500.00		\$647,500.00		\$647,500.00

Application: 20-153-3

Project Sponsor: Northern Prairies Land Trust

Project Name: Extending the Tallgrass Prairie Partnership

Attachment: Page 11-23

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for One-Year Extension to Project:

As stated in their letter of request, the Northern Prairies Land Trust is requesting a one-year extension. Due to heavy snow cover in northeast Nebraska, they had delays in invasive tree removal. With this extension, they plan to complete these projects by fall of 2023.

They were awarded \$470,000; \$354,970 of which has been reimbursed and the remaining funds have been obligated to habitat improvement project with private landowners.

Recommended Motion: *"I move to approve/deny Northern Prairies Land Trust's request to extend project 20-153-3 for one year."*



Northern Prairies
LAND TRUST

April 11, 2023

Holly Adams
Grants Administrator
Nebraska Environmental Trust
700 South 16th Street, PO Box 94913
Lincoln, NE 68509-4913

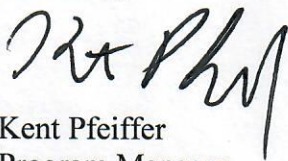
Dear Holly:

I am writing to request a 1 year extension for the Northern Prairies Land Trust's "Extending the Tallgrass Prairie Partnership" grant (NET 20-153). The grant award was for \$470,000.

To date, we have spent \$354,970 and all of the remaining funds have been obligated to habitat improvement projects with private landowners. We had expected to finish this grant this winter/spring through a combination of several large prescribed fire projects in the Sandstone Prairies Biologically Unique Landscape (BUL)/Southeast Prairies BUL in southeast Nebraska and mechanical tree clearing projects in Verdigris-Bazile and other BULs in northeast Nebraska. For the most part, the prescribed fire projects in southeast Nebraska have been successfully completed. Unfortunately, northeast Nebraska experienced heavy and persistent snow cover throughout most of the winter and it's now clear that some of the invasive tree removal projects are not going to be completed until fall of 2023. Therefore, we are requesting the extension.

We regret any difficulty this extension may cause the Trust but believe this project has accomplished much for conservation of tallgrass prairie on private lands in Nebraska. The landowners also appreciate the funding assistance provide by the Trust and the guidance provided by the project's staff.

Sincerely,



Kent Pfeiffer
Program Manager
Northern Prairies Land Trust
964 Chalcedony Dr.
Beatrice, NE 68310

Application: 22-173

Project Sponsor: City of Lexington

Project Name: Lexington's Patriot Park and Pond – Connecting Community to Nature

Attachment: Page 11-25

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for Six-Month Extension to Project:

As stated in their letter of request, the City of Lexington is requesting a six-month extension to their project due to delays with one of their project partners. This delay pushed back their bidding process. They opened project bids on March 20, 2023, after which a contract was awarded on April 11, 2023. Work has now commenced, and completion is anticipated by October 13, 2023.

Recommended Motion: *"I move to approve/deny the City of Lexington's request to extend project 22-173 for six months."*

April 14, 2023

Holly Adams
Grants Administrator
Nebraska Environmental Trust
700 S 16th Street
Lincoln, NE 68508

RE: Grant Contract—NET Reference Number: 22-173

Dear Ms. Adams:

Please accept this letter as a formal request to extend the project end date for the above referenced grant contract from 6/30/2023 to 12/31/2023. The City of Lexington has been diligently working to complete the project on the original timeline, but did experience an unanticipated delay in notice to proceed from a project grant partner. This delay extended the project bid process outside of original schedule.

The City of Lexington received and opened project bids on March 29, 2023; and subsequently awarded a project contract on April 11, 2023. Work on the project has commenced and substantial completion is anticipated by October 13, 2023. The project will be completed as originally proposed and planned.

I believe the time between substantial completion (10/13/2023) and the requested extension of end of project (12/31/2023) will be adequate to complete all project expenditures and reimbursement requests. Thank you for your consideration and continued support.

Sincerely,



Joe Peplitsch
City Manager

Application: 20-175-3

Project Sponsor: Lewis and Clark NRD

Project Name: Bow Creek Watershed Project

Attachment: Page 11-27

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for Six-Month Extension to Project:

As stated in their letter of request, the Lewis and Clark NRD is requesting a six-month extension. They have completed many of their project's goals, however, goals and tasks that involved in-person interactions were delayed due to COVID. A short extension would allow for these activities to be completed. These in-person activities include: a soil biology training lab, grazing workshop, mentor and demo farm producer visits, and summer soil, plant, and water testing.

Recommended motion: *"I move to approve/deny Lewis and Clark NRD's request to extend project 20-175-3 for six months."*



LEWIS & CLARK
NATURAL RESOURCES DISTRICT

Protecting Lives, Protecting Property, Protecting the Future

*608 N Robinson Ave
PO Box 518
Hartington NE 68739-0518
Phone (402) 254-6758
Fax (402) 254-6759
Email: lcnrnd@hartel.net
Website: lcnrnd.nebraska.gov*

April 19, 2023

NET Board of Directors,

The Bow Creek Watershed Project (20-175) has had a productive two and a half years, accomplishing many goals and objectives. Many of Goal One objectives and tasks (hire and train a project coordinator, and develop criteria for an up-front cost-share program) have been completed. Goal Two activities (educate and inform ag producers, resource managers, public officials, community leaders, youth, and other private citizens through public outreach) have been popular and continue to be the heart of the program. Goal Three (install and implement BMPs and other identified activities which reduce or treat internal and external pollutant loads) is ongoing and has reached several milestones.

It has been exciting to see demonstration farms and mentoring groups develop over the project life. Even with the completion of some of the goals and tasks, Covid-19 in-person restrictions delayed the implementation of portions of the mentoring and demo farm activities early in the project. A short extension would allow for these activities to be completed in line with the intention of the original proposal.

We are requesting a six-month extension to use the remaining funds in the soil and water sampling and analysis, and mentor group facilitation line items for activities planned this summer and fall. Activities include an in-depth, hands-on soil biology training lab, grazing workshop, mentor and demo farm producer visits to successful farms outside of the Bow Creek area, and summer soil, plant, and water testing. This is not a change, but rather just an extension to complete the activities delayed by Covid-19. It is possible that best management practice funds may need to be expended after the June 30 deadline due to the spring contracting process NRCS uses to approve contracts.

We appreciate the support of the Nebraska Environmental Trust throughout this project and your consideration of our extension request.

Respectfully,

Becky Ravekamp
Bow Creek Watershed Coordinator
Lewis & Clark NRD

Application: 21-205-2

Project Sponsor: Bird Conservancy of the Rockies

Project Name: Connecting Youth and Families to the Natural World in the Nebraska Panhandle

Attachment: Pages 11-29 through 11-31

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for Six-Month Extension to Project:

Please Note: Bird Conservancy of the Rockies applied to continue this project (23-151) which was not awarded.

As stated in their letter of request, the Bird Conservancy of the Rockies is requesting a six-month extension. Extending their project will allow them to complete their fall bird banding station programs and fulfill grant objectives that were detailed in their proposal. Having to close the bird banding stations would have significantly negative impacts on data gathering. It will also impact hundreds of school children and families who visit and learn about data collection, the scientific process, and grow their connections with nature. They already have four schools that are planning to return to the bird banding station this fall.

Recommended motion: *"I move to approve/deny the Bird Conservancy of the Rockies request to extend project 21-205-2 for six months."*



April 21, 2023

Holly Adams, Nebraska Environmental Trust
700 S 16th St.
P.O. Box 94913
Lincoln, NE 68509-4913

Dear Ms. Adams,

Rocky Mountain Bird Observatory dba Bird Conservancy of the Rockies is requesting a timeline extension of grant number 21-205-2, Connecting Youth and Families to the Natural World in the Nebraska Panhandle until December 31, 2023. The current end date is June 30, 2023. Extending the funds six months will allow us to deliver our transformational fall bird banding station programs that fulfill grant objectives detailed in our award 21-205-2.

The Wildcat Hills and Chadron State Park bird banding stations have made great impacts for both bird conservation and education. To date, the Wildcat Hills and Chadron State Park bird banding stations have reached over 10,000 students and adults and banded 12,053 birds of 104 species in 16 years.

Each year, 400 students and adults visit the banding stations to learn about Nebraska songbirds, discover new career opportunities and learn about bird conservation. As one teacher put it, “We talk about bird banding and migration in Science. Going to the bird banding station allows us to bring this information into action and students gain not just the knowledge but also the experience.” Through support like yours, we are able to remove financial barriers to access by providing banding station programs at no cost to participants.

Having to close the bird banding stations would have significant negative impacts on data gathering on our Panhandle songbird’s migration patterns and habitat preferences, which helps inform Nebraska Game and Parks conservation and management strategies. Closing the station will also impact hundreds of school children and families who visit and receive once-in-a-lifetime experiences seeing migratory songbirds in the hand, learning about data collection and the scientific process and growing their connections with nature. We already have four schools planning to return to the station this fall and without the extension, we will have to call them and cancel the programming.

We will be able to complete the deliverables of the grant by the December 31, 2023. Please feel free to contact either Sherry Nickolaus or Delanie Bruce if you need any additional information or have any questions via email at sherry.nickolaus@birdconservancy.org or delanie.bruce@birdconservancy.org.

Thank you for your consideration and we look forward to hearing back from you.

BRIGHTON HEADQUARTERS
14500 Lark Bunting Lane
Brighton, CO 80603
(303) 659-4348

FORT COLLINS OFFICE
230 Cherry Street, Suite 150
Fort Collins, CO 80521
(970) 482-1707

NEBRASKA OFFICE
4502 Avenue I
Scottsbluff, NE 69361
(308) 633-1013



Sincerely,



Tammy VerCauteren
Executive Director

BRIGHTON HEADQUARTERS
14500 Lark Bunting Lane
Brighton, CO 80603
(303) 659-4348

FORT COLLINS OFFICE
230 Cherry Street, Suite 150
Fort Collins, CO 80521
(970) 482-1707

NEBRASKA OFFICE
4502 Avenue I
Scottsbluff, NE 69361
(308) 633-1013

POTTER-DIX SCHOOLS

Equipping students with the real skills and knowledge to compete in a world with advancing automation and globalization.

Elementary

304 Horrum St.
P. O. Box 149
Dix, NE 69133
308-682-5226
FAX 308-682-5227



Jr./Sr. High School

303 Walnut St.
P. O. Box 189
Potter, NE 69156
308-879-4434
FAX 308-879-4566

Web Page: www.pdcoyotes.org

Chris Arent
Superintendent/K-6 Principal
chris.arent@pdcoyotes.org

Lance Howitt
7-12 Principal
lance.howitt@pdcoyotes.org

Sarah Deeds
Guidance Counselor
sarah.deeds@pdcoyotes.org

Cory Michelman
Activities Director
cory.michelman@pdcoyotes.org

The Nebraska Environmental Trust
700 S 16th Street - PO Box 94913
Lincoln, NE 68509-4913

April 20, 2023

Dear Nebraska Environmental Trust Board,

I have been bringing students to the Wildcat Hills bird banding station for many years. It is a field trip they really enjoy and younger students look forward to. It is a great opportunity for students to see the birds in our area up close and learn about migration patterns. We have always been provided great resources to use with the students before going on the field trip and the hands-on follow up experience is very impactful. The guided nature walks are very educational as well as exciting.

It is always interesting to learn what data banders collect on the birds and where they have traveled to do this type of work. I don't believe that in all the years I have been attending this field trip with my students I have seen the same bander twice, which in my opinion is great. This means there are more experiences and more knowledge to share with my students.

This field trip has always been free of cost which is why I am able to bring my students back year after year. There have been a few years that this is the only field trip we are able to go on. This field trip is educational, fun, outdoors, active and a great resource in our area. I would really hate to see this station closed and this trip/activity canceled. It would be a great loss of a wonderful resource and experience for the students in the panhandle of Nebraska.

Amy McManigal
5th & 6th Science teacher
Potter-Dix Schools.

Application: 20-189-3

Project Sponsor: University of Nebraska – Lincoln

Project Name: Nebraska Farmers and Farmland Owners Attitudes of Targeted Conservation

Attachment: Page 11-33

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for One-Year Extension to Project:

As stated in their letter of request, UNL is requesting a one-year extension. This project surrounds research about the factors that facilitate or constrain Nebraska farmers and farmland owners' willingness to adopt precision agriculture and targeted conservation practices. Due to the University's travel restrictions, they were unable to complete interviews for their research. They also had two of the original principal investigators leave the University during this project. With this extension, there will be no change in the project's approved scope of work. The plan to continue conducting focus groups and/or semi-structured interviews of Nebraska farmers and farmland owners to complete their study.

Recommended motion: *"I move to approve/deny UNL's request to extend project 20-189-3 for one year."*

21 April 2023

Nebraska Environmental Trust
700 S 16th St.
Lincoln, NE 68508

Dear Nebraska Environmental Trust Board,

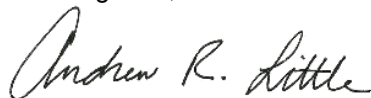
The purpose of this letter is to request a 12 month, no-cost extension on grant application 20-189-3. This research project focused on identifying factors that facilitate or constrain Nebraska farmers and farmland owners' willingness to adopt precision agriculture and targeted conservation practices. To complete this project, we hired 2 graduate students: Morgan Register and Corrin Winter. Ms. Register surveyed a group of Nebraska conservation specialists and identified that many participants are using precision agriculture practices in their conservation positions. However, Ms. Register's research also identified important communication gaps amongst participants regarding these new agricultural technologies. Ms. Winter's conducted a complimentary study that built on the idea of communication gaps by surveying >7,500 farmers and farmland owners' across Nebraska. Her research identified important barriers to their willingness to adopt precision agriculture and targeted conservation practices. These two research projects also elucidated the need for increased training opportunities, and improved communication and engagement between conservation specialists and farmers and farmland owners' across Nebraska.

While each of the complementary components of this study were successful, we are missing a critical part of the original research proposal— conducting focus groups and/or semi-structured interviews with Nebraska farmers and farmland owners'. We originally planned to use a mixed-methods approach that combined the findings from the graduate research projects with focus groups and/or semi-structured interviews, but due in part to University travel restrictions, we were unable to complete these interviews. Furthermore, two of the original principal investigators on this project left the University during this study. With current University personnel, we believe the focus groups and/or semi-structured interviews will improve our understanding of the limitations, and potential solutions to increase precision agriculture and targeted conservation adoption across Nebraska.

The current balance is \$107,545. There will be no change in the project's approved scope of work. We will utilize these funds to conduct focus groups and/or semi-structured interviews of Nebraska farmers and farmland owners', which covers personnel, travel, supplies, transcription services, and analytical software licenses.

Please let us know if you have any questions. We look forward to hearing from you!

Best regards,



Andrew R. Little
Assistant Professor
University of Nebraska-Lincoln
School of Natural Resources

Application: 19-162-3

Project Sponsor: University of Nebraska – Lincoln

Project Name: Protecting the terns and plovers of Nebraska and mentoring the next generation

Attachment: Page 11-35

Current Expiration Date: 6/30/23

Previous Extensions: 1 – One-Year Extension (*approved 4/7/22*)

Request for One-Year Extension to Project:

As stated in their letter of request, UNL is requesting a one-year extension. While there have been no changes in objectives or methods outlined in the proposal, one change has been the inclusion of a graduate student and other assistants to the project. This was due to changes in the coordinator position. Thus, they have used NET funds for the technicians, however, they have not used the anticipated amount. This extension will provide for additional training for this year into the next and will allow for us to continue our successful work.

Recommended motion: *"I move to approve/deny UNL's request to extend project 19-162-3 for one year."*



April 13, 2023

Nebraska Environmental Trust
700 S 16th Street, PO Box 94913
Lincoln, NE 68509-4913

RE: No-Cost Extension 19-162-3

The University of Nebraska-Lincoln would like to request a 12-month no-cost extension for 19-162-3.

The no-cost extension is needed to fully use the grant request to its full potential. While there have been no changes in the objectives or methods outlined in the grant, the one change has been the inclusion of a graduate student and other assistants to the project, partially due to the changes in the Coordinator position. The grant originally identified the use of 3 technicians during each field season, but with the graduate student and other assistance, there's been only a need to hire technicians over the past couple of field seasons. Thus, while we have used the grant for the technicians, we have not used the anticipated amount.

This grant has – and would continue – to meet the goals of our project. In the past 3 field seasons, we had 5 technicians that have been trained and obtain valuable field experience for their careers. This extension will provide for additional training this year and into next year and our continued success. Indeed, one of the technicians currently being hired for this project is a second-generation technician!

The no-cost extension will allow UNL to meet our cost share obligation and continue to meet the objectives of the project.

Thank you for your consideration.

Mark Vrtiska
Professor of Practice
Wildlife Management Specialist
School of Natural Resources

MV/bg

Application: 20-127-3

Project Sponsor: The Nature Conservancy

Project Name: Increasing Fire Capacity and Rangeland Impact in the Sandhills

Attachment: Page 11-37

Current Expiration Date: 6/30/2023

Previous Extensions: None

Request for One-Year Extension to Project:

As stated in their letter of request, the Nature Conservancy is requesting a one-year extension. Due to COVID restrictions and drought they have not been able to implement on the ground fire as much as anticipated. They have created a new prescribed burn association in the Eastern Sandhills and continue to build support throughout the Sandhills with implementing prescribed fire. This one-year extension will allow them to fully meet all grant-required deliverables.

Recommended Motion: *"I move to approve/deny the Nature Conservancy's request to extend project 20-127-3 for one year."*



The Nature Conservancy
Nebraska Field Office
1007 Leavenworth St.
Omaha, NE 68102

Tel (402) 342-0282
Fax (402) 342-0474
nature.org

April 24, 2023

Board of Directors
The Nebraska Environmental Trust
P.O. Box 94913
Lincoln, NE 68509-4913

Re: Project No. 20-127 Increasing Fire Capacity and Rangeland Impact in the Sandhills

Dear Board of Directors:

The Nature Conservancy respectfully requests a one-year no-cost extension on the above-referenced agreement, which currently ends June 30, 2023.

TNC continues to coordinate with partners on ways to implement prescribed fire trainings in Nebraska. Because of COVID-19 restrictions and drought we have not been able to implement on the ground fire as much as anticipated. We have created a new prescribed burn association in the eastern sandhills and continue to build support throughout the sandhills with implementing prescribed fire. With COVID restrictions we were not able to hire staff to increase our capacity as planned. We hired two seasonal staff in 2022 and have again in 2023 to fill this need. This one year no-cost extension will allow us to fully meet all grant deliverables.

For these reasons, we are requesting a one-year extension to grant 20-127. The new end date would be June 30, 2024.

Thank you for your consideration. If you have questions, please contact me at 515-314-0261 or lnorian@tnc.org

Sincerely,

A handwritten signature in blue ink that reads "Laura Norian".

Laura Norian
Grants Specialist

Cc: Rich Walters

Application: 19-123-3

Project Sponsor: The Nature Conservancy

Project Name: Fire Training Exchange in Nebraska

Attachment: Pages 11-39

Current Expiration Date: 6/30/2023

Previous Extensions: 1 – One-Year Extension (*approved 4/7/22*)

Request for One-Year Extension to Project:

As stated in their letter of request, the Nature Conservancy is requesting a one-year extension. Due to COVID restrictions and drought, they could not host a large training event during the last three years. Instead, they have implemented smaller training events with landowners. These hands-on events have been well received. With this extension, they plan on scheduling a full hands-on training event for the late summer/fall at the Niobrara Valley Preserve. This one-year extension will allow them to fully meet all grant-required deliverables.

Recommended motion: *"I move to approve/deny the Nature Conservancy's request to extend project 20-127-3 for one year."*



The Nature Conservancy
Nebraska Field Office
1007 Leavenworth St.
Omaha, NE 68102

Tel (402) 342-0282
Fax (402) 342-0474
nature.org

April 24, 2023

Board of Directors
The Nebraska Environmental Trust
P.O. Box 94913
Lincoln, NE 68509-4913

Re: Project No. 19-123 Fire Training Exchange in Nebraska

Dear Board of Directors:

The Nature Conservancy respectfully requests a one-year no-cost extension on the above-referenced agreement, which currently ends June 30, 2023.

TNC continues to coordinate with partners on ways to implement prescribed fire trainings in Nebraska. Because of COVID-19 restrictions and drought, we could not host a large TREX training event during the last three years. Instead, TNC has implemented smaller training events with landowners. These hands-on events include classroom and field training and are well received. We are accomplishing the same goals by hosting multiple smaller events vs larger events. We did complete a spring 2023 TREX and will work on scheduling a full TREX event for the late summer/early fall at the Niobrara Valley Preserve. A one-year extension on this award will allow TNC to fully complete the grant deliverables.

For these reasons, we are requesting a one-year extension to grant 19-123. The new end date would be June 30, 2024.

Thank you for your consideration. If you have questions, please contact me at 515-314-0261 or lnorian@tnc.org

Sincerely,

A handwritten signature in blue ink that reads "Laura Norian".

Laura Norian
Grants Specialist

Cc: Rich Walters

Application: 20-104

Project Sponsor: Middle Niobrara NRD

Project Name: LPCW Restoration Phase 3

Attachment: Pages 11-41 through 11-47 & 11-59

Current Expiration Date: 6/30/23

Previous Extensions: 2 – One-Year Extension (*approved 11/3/20*) and a One Year Extension (*approved 12/2/21*) with the stipulation that no further extensions would be eligible

Request for One-Year Extension to Project:

As stated in their letter of request, the Middle Niobrara NRD is requesting a one-year extension. They have run into several unanticipated delays; these delays include garnering permissions from the US Army Corps of Engineers which are taking longer than expected, receiving bids that were higher than the original estimated costs, the contractor not being able to start work due to the amount of snow on-site, and the closest quarry predicting they will not be able to keep up with the demand for the large amount of riprap required for the project (which means that they will have to use an alternative quarry that is further away).

They state:

“We understand that time is of the essence, but there have been factors with this project that are out of our control. This project is important to the overall health of the watershed and works in conjunction with other projects, including those with NET, NDEE, NRCS, and MNDRD funding.”

Recommended motion: *"I move to approve/deny Middle Niobrara NRD's request to extend project 20-104 for one year."*

Application: 21-133

Project Sponsor: Middle Niobrara NRD

Project Name: LPCW Restoration Phase 4

Attachment: Pages 11-41 through 11-47 & 11-59

Current Expiration Date: 6/30/23

Previous Extensions: None – *Project was awarded 2 years to complete project*

Request for One-Year Extension to Project:

The reason for their request is the same for both 20-104 (*see previous explanation*) and 21-133.

Recommended motion: *"I move to approve/deny Middle Niobrara NRD's request to extend project 21-133 for one year."*



MIDDLE NIOBRARA NATURAL RESOURCES DISTRICT

303 E Hwy 20
Valentine, NE 69201

Phone: (402) 376-3241
Fax: (402) 376-1040

May 4th, 2023

Dear, Nebraska Environmental Trust (NET) Board of Director's,

The Middle Niobrara Natural Resources District (MNNRD) is writing regarding the awarded NET 20-104 Long Pine Creek Watershed (LPCW) Phase 3 Grant

The MNNRD and Houston Engineering have been working endlessly to see this stream restoration project come to fruition, negotiating several unanticipated factors that have played into the final stages of the grant/project completion schedule.

- The U.S. Army Corps of Engineers (USACE) permitting review and approval took longer than anticipated. This set back the completion of the final design and bid letting.
- The MNNRD received bids from three different contractors, all of where were 29% - 50% higher than the original estimated cost when design was completed, and permits were submitted for approval. The MNNRD was able to modify the design, work with the low bid contractor to adjust the final cost to remain within the available funding, and to implement a successful project.
- The contractor was not able to begin work right away due to the amount of snow that plagued the Ainsworth, NE area this winter and render the site inaccessible for an extended period of time.
- The closest (and least expensive from a project perspective) quarry does not think it will be able to keep up with the demand of the large amount of riprap these projects need in the short amount of time available. Using an alternative quarry, several hours away versus one hour, is likely to add an additional \$100,000 to these projects with the cost of riprap, travel, delivery, etc.

We understand that time is of the essence, but there have been factors with this project that are out of our control. This project is important to the overall health of the watershed and works in conjunction with other projects, including those with NET, NDEE, NRCS, and MNNRD funding.

All required permits have been obtained and construction will begin immediately when weather and site conditions allow. We anticipate a large portion of construction will be complete prior to the current grant deadline.

With an extension, the MNNRD would be able to fully utilize the NET LPCW Phase 3 grant funding and complete the NET LPCW Phase 3 project. Please consider extension request #2 for NET 20-104 NET LPCW Phase 3 to continue assisting the LPCW landowners in addressing resource concerns.

Sincerely,

Mike Murphy, General Manager - MNNRD



MIDDLE NIOBRARA NATURAL RESOURCES DISTRICT

303 E Hwy 20
Valentine, NE 69201

Phone: (402) 376-3241
Fax: (402) 376-1040

May 4th, 2023

Dear, Nebraska Environmental Trust (NET) Board of Director's,

The Middle Niobrara Natural Resources District (MNNRD) is writing regarding the awarded NET 21-133 Long Pine Creek Watershed (LPCW) Phase 4 Grant

The MNNRD and Houston Engineering have been working endlessly to see this stream restoration project come to fruition, negotiating several unanticipated factors that have played into the final stages of the grant/project completion schedule.

- The U.S. Army Corps of Engineers (USACE) permitting review and approval took longer than anticipated. This set back the completion of the final design and bid letting.
- The MNNRD received bids from three different contractors, all of where were 29% - 50% higher than the original estimated cost when design was completed, and permits were submitted for approval. The MNNRD was able to modify the design, work with the low bid contractor to adjust the final cost to remain within the available funding, and to implement a successful project.
- The contractor was not able to begin work right away due to the amount of snow that plagued the Ainsworth, NE area this winter and render the site inaccessible for an extended period of time.
- The closest (and least expensive from a project perspective) quarry does not think it will be able to keep up with the demand of the large amount of riprap these projects need in the short amount of time available. Using an alternative quarry, several hours away versus one hour, is likely to add an additional \$100,000 to these projects with the cost of riprap, travel, delivery, etc.

We understand that time is of the essence, but there have been factors with this project that are out of our control. This project is important to the overall health of the watershed and works in conjunction with other projects, including those with NET, NDEE, NRCS, and MNNRD funding.

All required permits have been obtained and construction will begin immediately when weather and site conditions allow. We anticipate a large portion of construction will be complete prior to the current grant deadline.

With an extension, the MNNRD would be able to fully utilize the NET LPCW Phase 4 grant funding and complete the NET LPCW Phase 4 project. Please consider extension request #1 for NET 21-133 NET LPCW Phase 4 to continue assisting the LPCW landowners in addressing resource concerns.

Sincerely,

Mike Murphy, General Manager - MNNRD



MIDDLE NIOBRARA
NATURAL RESOURCES DISTRICT

303 E Hwy 20
Valentine, NE 69201

Phone: (402) 376-3241
Fax: (402) 376-1040

May 4th, 2023

NET Board of Director's Meeting

**Long Pine Creek Watershed (LPCW) NET Phase 3 (20-104) and Phase 4 (21-133)
Extension Request Handout**

The Middle Niobrara Natural Resources District (MNNRD) is providing this handout to supplement the Extension Letter of Request and to assist with the explanation of factors that have led to considerable impacts and delays to the final completion of the Phase 3 and Phase 4 projects in the LPCW.

Permitting

- The projects faced challenges with the permitting process, review, and approval timeline

Final Design

- The delay of USACE permitting compounded with the intricacies of a constantly changing stream corridor and volatile market led to delays in the final design of Phase 3 and Phase 4, which occurred in December 2022.

Invitation To Bid and Pre-Bid Meeting

- The Invitation To Bid both projects was advertised from the beginning of December 2022 to the beginning of February 2023.
- MNNRD and Houston Engineering attempted to host Pre-Bid Meetings on December 16th, 2022, at both project locations, but these were canceled due to high snow amounts and blizzarding conditions.
- With such high snowfall and the future forecast of negative daytime/nighttime temperatures, MNNRD and Houston Engineering decided to host the Pre-Bid Meeting virtually on January 13th, 2023.

Bid Letting

- On February 8th, 2023, the MNNRD received three bids from three different contractors, all of which were 29% - 50% higher than the original estimated costs when designs were completed, and permits was issued.

Second Final Design

- Houston Engineering modified and finalized the design (February 2023 – March 2023) to work with the low bid contractor, adjusting final quantities and subsequent costs to remain within the available funding, while still implementing a successful project.

Pre-Construction Meeting

- After a month of trying to meet everyone’s schedules, Houston Engineering, MNNRD, & Landowner(s), were finally able to have a Pre-Construction Meeting in April 2023 at both project locations.

Construction/Implementation Impacts

- One of the biggest and most concerning impacts is the supply and demand of rock riprap. The closest quarry does not think they will be able to keep up with the demand of the large amount of rock riprap these projects need in the short amount of time available. If the contractor had to use an alternative quarry, several more hours away, it would add an additional \$100,000 to these projects with the cost of riprap, travel, delivery, etc.
- Harsh winter weather conditions and snowpack, which rendered the sites inaccessible for extended periods of time, delayed the construction start date. the selected low bid contractor was not able to begin work as soon as they would have liked to render the site accessible for an extended period of time.

Progress

- Both projects are currently underway with a goal of being finished by the last day of June 2023. An extension for both Phase 3 and Phase 4, would allow the contractor more time to sufficiently and adequately utilize their time and resources to successfully implement the projects. It would also give the contractor more room if Brown County, NE receives a heavy dose of rain and/or snow this spring/early summer that would impact site access and workability.

Phase 3 Pre-Construction Meeting



Phase 4 Pre-Construction Meeting



Improving Statewide Performance of Conservation Investments on Eastern Redcedar Invasions

Request for a no-cost extension submitted to the Nebraska Environmental Trust

Original project timeline: 1 June 2020 through 30 June 2023

- Length of additional time required to complete project objectives:
 - A one-year no-cost extension is requested to complete project objectives.
- Justification for the extension:
 - A candidate was recruited and on track to start employment on June 1, 2020, however, a university-wide hiring freeze, due to the COVID-19 pandemic, prevented hiring of key personnel for this grant and delayed spending for the project. An exemption from the university hiring freeze was eventually granted for this position in 2021, which resulted in the hiring of the current coordinator on May 1, 2021.
 - The requested one-year no-cost extension provides necessary time to build on accomplishments from the previous two years and complete the project's remaining objectives (please see below for a summary of project objectives and their status).
- Summary of project achievements and status for objectives:
 - **Objective 1 Summary:** Environmental monitoring technologies developed by Twidwell and his team have been adopted by multiple Nebraska partners spanning agriculture and conservation. Nationally, every major conservation group in the Great Plains has adopted these new technologies as tools for large-scale conservation planning. These products, due to a partnership with other universities/states to make rangeland technologies more freely available, have been released on the USDA-NRCS Working Lands for Wildlife website (<https://www.wlfw.org>). These products are serving as key tools for partner engagement and more strategic planning throughout the Great Plains. The one-year no-cost extension will allow the coordinator and science team to transition these products to an online Rangeland Informatics platform, that will be hosted in Dirac Twidwell's lab at the University of Nebraska. The site will add additional products to better support planning for woody encroachment in grasslands.
 - **Objective 2 Summary:** Through extensive coordination and engagement, the Nebraska Great Plains Grassland Initiative (NE GPGI) has emerged as rallying point for collaborative agricultural/wildlife conservation partnerships in Nebraska to advance technically-sound and science-backed delivery of programs and conservation expenditures. This initiative, in tandem with Twidwell's vulnerability guide, have led to massive adoption of new principles

- for managing woody encroachment. Partnerships for this effort include (but are not limited to) Nebraska NRCS, Nebraska Cattlemen, Pheasants Forever, USDA-NRCS Working Lands for Wildlife, Nebraska Prescribed Fire Council, Sandhills Task Force, Loess Canyons Rangeland Alliance, Rainwater Basin Joint Venture, Nebraska Grazing Lands Coalition, Nebraska Game and Parks Commission, U.S. Fish and Wildlife Service, U.S. Forest Service, The Nature Conservancy, Nebraska Department of Environment and Energy, Maddux Cattle Company, Cooksley Ranch, and the University of Nebraska Extension. Together, these partnerships represent capacity for improved statewide management of eastern redcedar invasions. The one-year no-cost extension will allow the coordinator funded by this project to build upon these partnerships and further integrate new principles for addressing woody encroachment with the delivery of conservation programs. The coordinator is currently working on a field training handbook that will be the first product to integrate new management principles with the conservation planning process used to deliver conservation investments on rangelands.
- **Objective 3 Summary:** Twidwell and Fogarty have developed a [vulnerability guide](#) that now serves as the national standard for identifying best management practices to solve the woody encroachment problem. To date, over 21,000 copies have been requested, printed, and distributed to conservation partners throughout the Great Plains. The one-year no-cost extension will allow us to meet the increased demand by Nebraska partners to develop materials for workshops and trainings, which have been funded by other grants relevant to the mission of this NET award.
 - **Objective 4 Summary:** We have documented improved management outcomes in areas of Nebraska that have been key recipients of NET-investments for eastern redcedar control. Importantly, our new guidance is estimated to save \$25-500 per acre compared to past guidance, allowing Nebraska partners to more efficiently manage woody encroachment, increase the acres they are managing, and better prevent re-invasion after initial restoration treatments. Additional documented outcomes include the stabilization of grassland landscapes that were transitioning toward woody dominance, increased rangeland production, and the prevention of rangeland agricultural losses. The one-year no-cost extension will provide the coordinator and science team to develop a long-term strategy to continue tracking the outcomes of state investments on eastern redcedar and other invading woody plants for Nebraska partners.
 - **Objective 5 Summary:** We have built an external mass communications team that includes core representation from Nebraska Game and Parks Commission, Nebraska Department of Environment and Energy, Nebraska Grazing Lands Coalition, Backyard Farmer, USDA-NRCS Working Lands for Wildlife, and Rainwater Basin Joint Venture. This effort has resulted in over 90 communications products to better communicate the threat of woody

encroachment and success of new conservation strategies. Communication outlets include National Geographic, Omaha World Herald, BEEF Magazine, Discover Magazine, Wired Magazine, Pheasants Forever Journal, Nebraskaland, Progressive Farmer, Audobon Magazine, The Fence Post, Backyard Farmer, Farmers.gov, Lincoln Journal Star, and the Wildlife Management Institute's Bulletin. Original articles produced through this effort have been reprinted or shared in over 30 local media outlets in Nebraska such as the North Platte Post and Sandhills Express. The one-year no-cost extension will allow the coordinator to continue to build on the above achievements and highlight examples of progress in grassland conservation.

Application: 20-150-3

Project Sponsor: Middle Niobrara NRD

Project Name: Sandhills Interactive Natural Resources Education Complex (SINREC)

Attachment: Pages 11-49 through 11-58 & 11-59

Current Expiration Date: 6/30/23

Previous Extensions: None

Request for One-Year Extension to Project:

Please Note: This request includes items (*the education and project coordinators and Heartland Scenic Studies*) that were proposed in their 2023 Phase 2 application (23-120), which was not awarded.

As stated in their letter of request, Middle Niobrara NRD is requesting a one-year extension due to delays in the project from COVID. They have been having issues hiring positions. With this extension, they would like to utilize the funds to hire two full-time project coordinators and educators for the indoor classroom portion of their project (*see their budget modification request below*).

Even with their delays, the project was able to develop most of the key parts of the outdoor education center. They would like to spend more time on developing the indoor center portion of this project.

Budget Modification:

They are also requesting to move \$201,915.23 from Technical Assistance and \$13,946.89 from Equipment into the Information and Education Category. They intend to utilize the \$215,862.12 to continue work with Heartland Scenic Studios.

Budget Category	Amount	Modification	Modified Budget	Spent	Remaining
Supplies and Materials	\$21,623.03		\$21,623.03	\$4,986.16	\$16,636.87
Equipment	\$35,783.56	(\$13,946.89)	\$21,836.67	\$21,836.67	\$0.00
Information and Education	\$63,598.07	\$215,862.12	\$279,460.19	\$1,278.26	\$278,181.93
Real Estate	\$0.00		\$0.00	\$0.00	\$0.00
Technical Assistance	\$291,403.67	(\$201,915.23)	\$89,488.44	\$19,488.44	\$70,000.00
Totals:	\$412,408.33		\$412,408.33	\$47,589.53	\$364,818.80

Recommended Motion: *"I move to approve/deny Middle Niobrara NRD's request to extend project 20-150-3 for one year, and to move \$215,915.23 from their Technical Assistance and Equipment categories into the Information and Education Category."*



Dear Nebraska Environmental Trust,

The Middle Niobrara NRD's and its partners are writing to you today to request a one (1) year extension and a modification of funds for grant 20-150-3: Sandhills Interactive Natural Resources Educational Complex (SINREC). While the project has hit numerous goals, objectives, and public benefits during the 3-year grant period, unavoidable situations have kept the project from capitalizing on all the NET funds and In-Kind match.

NET Grant 20-150-1 (SINREC) began in June of 2019 and was full steam ahead until COVID struck in March of 2020. This project has a large cast of supporting members from many different public and private organizations and meeting project timelines because of social distancing and policy restrictions became extremely difficult. Projects slated for Year 1 were not completed until Year 2 and projects projected for completion in Year 2 were pushed to Year 3. Even through the delays, the project was able to develop most of the key parts for the outdoor education center as well as the start of design and content development for the indoor center. Equipment and learning materials have been acquired and the project is nearly ready to begin holding regular outdoor training courses and to dive into the further development of the indoor center.

The main reason for requesting the modification and extension is to utilize the funds set aside for a Project Coordinator and to continue the work of Heartland Scenic Studios on the indoor education center. Funds were budgeted starting in year 2 for two full-time project coordinators and educators. With the delays due to COVID we found no luck in hiring a project coordinator, as everyone is familiar with the extreme difficulty of hiring employees post-COVID. A full-time coordinator and educator will better facilitate the development of the indoor education center and Phase 2 of the project. Heartland Scenic Studios is starting to wrap up the initial design, but still has a long road ahead to final creation and implementation. Last September's SINREC Phase 2 application, which was for the final development, creation, and installation of the indoor educational center with Heartland, was unfortunately denied. Phase 2 is the second step of the current SINREC 20-150-1:3 grant and if approved, would have brought this project to near completion of the original design from 2019. Approval of this extension and modification would immensely help this project meet initial goals and deliverables, as well as long term project goals stretching into portions of Phase 2. The MNNRD and its partners would greatly appreciate another year to utilize these funds to forge ahead on this innovative project. We would also like to again extend invitations to come visit the project and see all the exciting things coming together, as it is hard to put into words and a few pictures the immensity of this project.

Thank you for your consideration,

A handwritten signature in blue ink that reads "Mike Murphy". The signature is written in a cursive, flowing style.

Mike Murphy – General Manager MNNRD

Funds Modification Request:

1. Move all but \$70,000 from Technical Assistance to Information and Education, allowing for the hiring of one full-time project coordinator.
2. Move remaining funds from the Equipment category to Information and Education category.
3. Leave remaining funds in Supplies and Materials for utilization of more educational resources for the outdoor educational complex.
4. Utilize funds in the Information and Educational category to continue work with Heartland Scenic Studios. Final deliverables and a timeline have been identified, and a progress plan have been laid out.

Extension Request:

1. Extend timeline to utilize funds until June of 2024.



Fully Functional 121' center pivot irrigation system donated by Lindsay -Zimmatic. Set up with the newest FieldNet technology and 7 different sprinkler packages.



One of Three dedicated observations wells. All wells have different casing, protective covers, measuring equipment, and technology seen across the state.



Fully functional irrigation well, multiple spots for flow meters, the newest technology at the panel, and ready for chemigation setups.



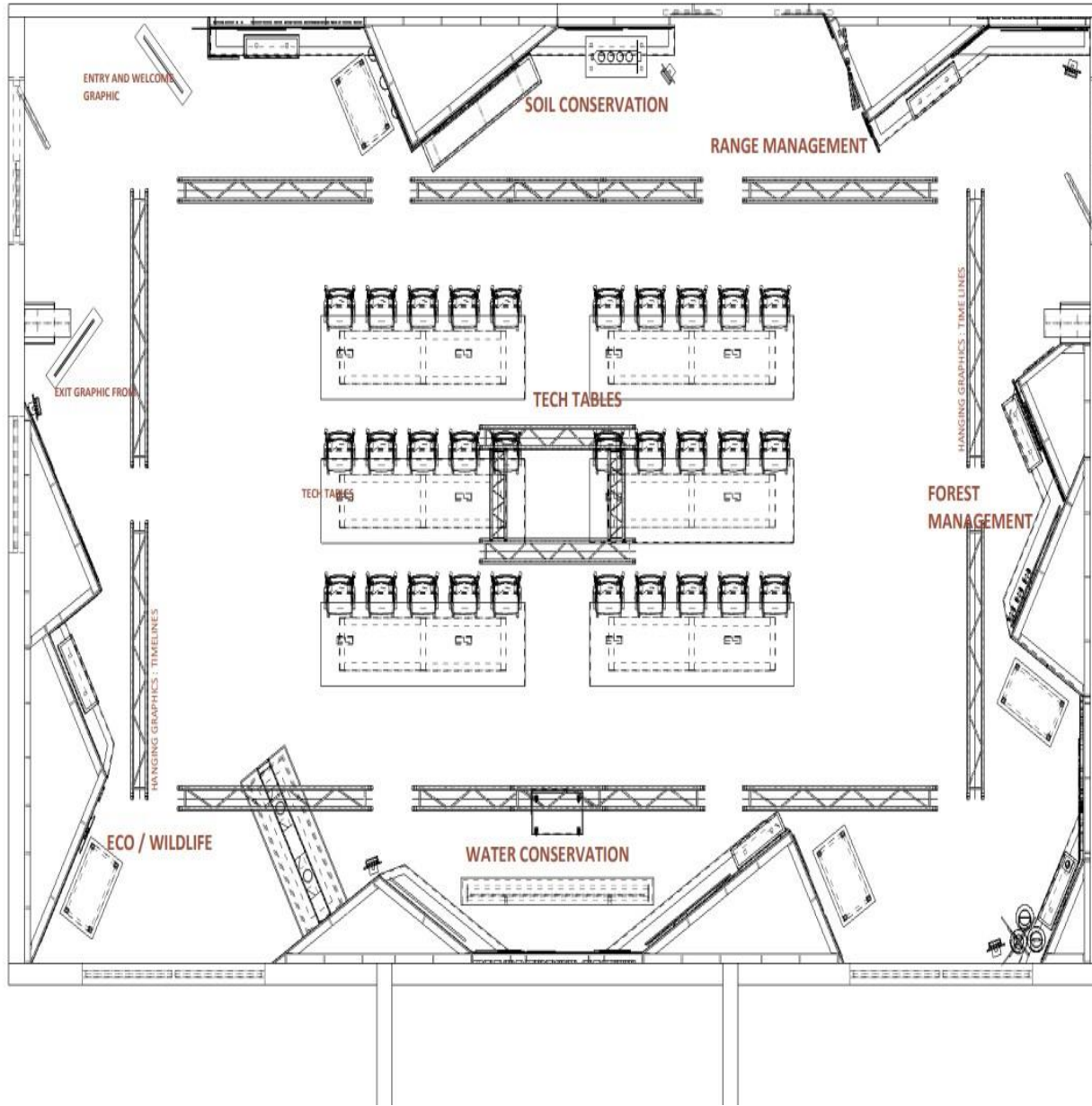
Multiple different types of flowmeters and a high tech panel board allows for many educational opportunities.



Nebraska Department of Environment and Energy and UNL-CS&D putting on an education training looking at the clear well casing and well construction with the downhole camera. July 2022.

Overview of the proposed indoor education center.





Proposed educational layout of the indoor education center.



MIDDLE MICHIGAN NRD :: 303 E HIGHWAY 20, VALENTINE, NE 68201 :: July 29, 2021 ::
 10-5 :: SINREC ::

An example of one of the graphic displays being developed by Heartland Scenic Studios. These displays will feature hands on, descriptive information about a variety of topics relating to natural resources.

Middle Niobrara NRD Lone Pine Creek WQMP Phases

	Grant Year	Grant Number		Awarded	Remaining	Expended	
Phase I	2015	15-216		\$187,400	0		
	2016	15-216-2		\$62,600	0	\$250,000	
		Contract signed	4/28/2015				
		Expired	6/30/2017				
		Extension	6/30/2018				
		Extension	6/30/2019				
		Extension	6/30/2020				
Extension	12/31/2020						
Phase II	2018	18-175		\$282,780	0		
	2019	18-175-2		\$168,750	0	\$451,530	
		Contract signed	4/12/2018				
	Expired	6/30/2020					
Phase III	2020	20-104		\$485,000	\$394,308	\$90,692	
		Contract signed	6/16/2020				
		Expired	6/30/2021				
		Extension	6/30/2022				
		Extension	6/30/2023				
	Request	6/30/2024					
Phase IV	2021	21-133		\$810,000	\$658,200	\$151,800	
		Contract signed	5/10/2021				
		Expires	6/30/2023				
		Request	6/30/2024				
Phase V	2023	23-117		\$547,100	\$547,100		
		23-117-2		\$547,100	\$547,100		
		23-117-3		\$547,100	\$547,100		
		Contract sent	3/8/2023				
		Expires	6/30/2026				
Totals			\$3,637,830	\$2,693,808	\$944,022		

Closeout Reports of Grants

NET Board Agenda Materials

Item #: 12

Object: To review the closeout of expired grants

Contact Person: Karl Elmshaeuser & Holly Adams

For: REVIEW

Attachment: 2 pages

BACKGROUND

Once a project contract has reached the end date, a final report by the grantee is required to be submitted. NET Staff reviews reports, disbursement requests, and balances of projects when the contract date has ended. Staff creates a summary report for the Board for review of the final status of each of the grants prior to staff closing out projects in the Grants Portal.

Prior to creating the final status report for the NET Board, if a project is in breach of contract, NET's director will send a written 15-day notice. Failure by the grantee to comply may result in a revocation of the grant, a withholding of grant disbursements or a requirement to reimburse the fund for money already disbursed under the agreement. This summary information is provided to the NET Board in the final status report.

EXPLANATION

NET Policy, Section VII, Post-Completion Procedure and Report

D. Following these review activities, staff will prepare a written report for the Board. This report will contain a) summary of staff findings, to include certification of expenditures and itemization of variances or irregularities discovered; b) any continuing conditions or requirements which were imposed upon the grantee by the Board in the grant award; and c) the schedule of monitoring and review of the project, which the Trust shall undertake following closure of the grant file.

PROPOSAL

Recommended motion: "I move to approve the grant closeout report provided and presented by NET Staff on May 4, 2023, for the closeout of the projects presented in the report."

Closeout Report of Grants

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Remaining Balance	Final Report Submitted	Extensions	Approved Project Modifications	Audit	15 Day Notice	Notes
16-189-3	University of Nebraska-Lincoln	Enhancing Soil Ecosystem Services with Cover Crops	6/30/2022	\$ 252,471.00	\$ 32,610.68	Yes	3 - One Year	None		12/20/2022	
18-166	University of Nebraska-Lincoln	Reduction of Landfill Gas Emission through an Interim Cover with Co-Extruded EVOH Geomembrane in Nebraska Landfills	6/30/2022	\$ 233,974.00	\$ 7,483.15	Yes	2 - One Year	None			
19-138-3	University of Nebraska-Lincoln	Developing a decision-support tool for the successful incorporation of cover crops into Nebraska cropping systems	6/30/2022	\$ 117,610.00	\$ 2.52	Yes	None	1		10/6/22 & 12/20/22	
19-159-2	University of Nebraska-Lincoln	Low-cost Biological Odor Treatment Using an Adsorption/ Desorption Concentrator Unit for Reducing Sulfur Emission in Nebraska	6/30/2022	\$ 195,324.00	\$ 3,390.23	Yes	2 - Six Month	2			
19-186-3	University of Nebraska-Lincoln	Water Use and Soil-Water Storage Effect of Individual & Mixed Cover Species and Impacts on Soil Quality Variables	12/31/2022	\$ 391,756.00	\$ 148,722.74	No	1- Six Month	1		3/7/2023	
19-205-2	University of Nebraska-Lincoln	Citizen Science: A valuable approach for monitoring groundwater quality in the Bazile Groundwater Management Area	12/31/2022	\$ 172,977.00	\$ 5,475.15	Yes	1 - One Year & 1 - Six Month	None			
21-169	Chadron State College	Math Science Building Initiative	12/31/2022	\$483,500.00	\$2,565.00	Yes	1- Six Month	None			
16-130	Community Investment Opportunit	Environmental Improvement Demonstration Project	6/30/2021	\$37,500.00	\$7,013.40	No	4 - One Year	1		3/15/2023	Project was denied closure at the 12/2/21 board meeting. Following this meeting, steps were taken to resolve the project's issues. Sponsor was not responsive. A 15 day notice was sent via email and certified mail.
18-152	Cook Grow Sew	Fostering Soil Health through Waste Diversion, Composting, Research, and Education	6/30/2021	\$ 199,715.00	\$ 80,362.83	No	1 - One year & 2 - Six Month	1		3/15/2023	Project was denied closure at the 12/2/21 board meeting. Following this meeting, steps were taken to resolve the project's issues. Sponsor was not responsive. A 15 day notice was sent via email and certified mail.
19-165-2	Creighton University	The Nebraska Sandhills: An Interdisciplinary Study of Place Through Ecology, Culture, and Film	6/30/2022	\$ 198,254.00	\$ 13,119.02	Yes	2 - Six Month	1		10/6/2022	
19-152	Habitat for Humanity of Sarpy County	Habitat Sarpy County Home Store	12/31/2020	\$ 38,000.00	\$ -	No	1 - Six Month	None		3/15/2023	Project was denied closure at the 12/2/21 board meeting. They merged with Habitat for Humanity of Omaha and this project got lost in the merger. The purchased equipment has been located and is still in use. This project is now up to date.
20-142-2	High Plains Weed Management Association	North Platte River Invasive Species Control Project Phase 5	6/30/2022	\$ 500,000.00	\$ 96,161.50	Yes	None	None	10/11/2022	2/23/2023	
22-217	Metropolitan Utilities District	Used Oil Filter Recycling Project	6/30/2023	\$ 9,097.00	\$ -	Yes	None	None			
19-194	Nebraska Game and Parks Commission	Cool Water Stream Management in Nebraska	12/31/2022	\$200,000.00	\$ 46.93	Yes	1 - One Year & 1 - Six Month	None			
19-111-2	Nebraska Public Power District	Battery Energy Storage System	12/31/2022	\$ 490,000.00	\$ -	Yes	1 - One Year & 1 - Six Month	None			
20-145-2	Nebraska Recycling Council	Recycling Equipment Grants and Consultation	12/30/2022	\$ 580,032.00	\$ 8,810.55	Yes	1 - One Year	None			
19-110-3	Northeast Nebraska Resource Conservation & Development Council Inc.	Household Hazardous Waste Collections	12/31/2022	\$ 40,540.00	\$ 21,173.00	Yes	1 - Six Month	None			

Closeout Report of Grants

App ID	Sponsor	Project Name	Expiration Date	Award Amount	Remaining Balance	Final Report Submitted	Extensions	Approved Project Modifications	Audit	15 Day Notice	Notes
21-139	Southwest Weed Management	Western Republican River Basin Riparian Habitat Project	6/30/2023	\$ 97,000.00	\$ -	Yes	None	2			
19-132-3	The Xerces Society	Nebraska Bumble Bee Atlas	12/31/2022	\$ 304,356.00	\$ 13,901.89	Yes	1 - Six Month	1			
20-116-3	Trailblazer RC&D	Electronics Recycling Events	6/30/2023	\$ 89,850.00	\$ 7,007.80	Yes	None	None			
21-106	Village of Stapleton	Recycling Building 100 X 60SaveCancelOpen Portal Record	6/30/2023	\$ 293,500.00	\$ -	Yes	None	None			

NET Board Agenda Materials
Sale of Property with Conservation Easement from Grant 09-134-3

Item #: 13

Object: To review sale of property with easement request

Contact Person: Holly Adams, Karl Elmshaeuser

For: ACTION

Attachment: 3 pages

BACKGROUND

Nebraska Environmental Trust received a letter from an attorney representing the McCord family notifying NET that a property with a conservation easement, which was purchased using NET grant funds in project 09-134-3, is being sold. The conservation easement will remain in place with no modifications with this sale.

EXPLANATION

In this easement, the following is stated: *9. Notice of Approvals. 9.1 (b) - Nebraska Environmental Trust Rights.* This property/easement was acquired in part with grant funds provided by the Nebraska Environmental Trust and will be managed for the purposes set out in the grant, in accordance with applicable state law. This property may not be sold, leased, transferred, exchanged, mortgaged or encumbered in any manner, or used for purposes inconsistent with the grant without the prior written approval of the Nebraska Environmental Trust, P.O. Box 94913 - Lincoln, NE 68509-4913.

In the grant contract between NET and the Northern Prairies Land Trust: J. TRANSFER/DISPOSAL OF REAL OR PERSONAL PROPERTY - The Sponsor will not sell, lease, transfer, exchange, mortgage or encumber in any manner whatsoever all or any portion of any real (including land acquisitions, easements or improvements) or other property acquired in whole, or in part, by Trust funds without the prior written permission of the Trust, which will not be unreasonably withheld. The Sponsor shall notify the Trust in writing of any proposed sale, lease, transfer, exchange, mortgage or encumbrance at least thirty days in advance and obtain written approval from the Trust. In the event that the Trust does not agree to the sale, lease, transfer, exchange, mortgage or encumbrance of said property, the Sponsor may repay the value of the grant to the Trust and is released from all further obligations. Otherwise repayment will be calculated according to the adopted policies of the Trust board regarding the transfer or sale of Trust funded equipment. The Sponsor will notify the Trust when any equipment purchased in whole or in part with grant funds is no longer usable during the service life of the equipment.

PROPOSAL

The Northern Prairies Land Trust holds the easement. The sale of the property will not alter the conservation easement in place. Section 9. Notice of Approvals. 9.1 (b) and Section J. of the grant contract requires the landowner to receive prior written permission from the NET before the sale of the property.

Relevant Conservation Easement Language:

9. Notice and Approvals.

9.1 *Notice.* Prior to transfer, lease, mortgage or other encumbrance of the Property, Grantor shall provide written notice to Northern Prairies Land Trust. Northern Prairies staff will contact NE Game & Parks Commission staff, and others, as needed to seek approvals which address:

(a) *U.S. Fish and Wildlife Service Rights.* The Easement on the Protected Property was acquired in part with grant funds provided by the U.S. Department of Interior, Fish and Wildlife Service, through the Landowner Incentive Program, and will be managed for the purpose of this grant, in accordance with applicable Federal and State law. The Protected Property may not be encumbered, disposed of in any manner, or used for purposes inconsistent with the Program for which it was acquired without the prior written approval of the U.S. Fish and Wildlife Service, Region 6, Denver, Colorado.

(b) *Nebraska Environmental Trust Rights.* This property/easement was acquired in part with grant funds provided by the Nebraska Environmental Trust and will be managed for the purposes set out in the grant, in accordance with applicable state law. This property may not be sold, leased, transferred, exchanged, mortgaged or encumbered in any manner, or used for purposes inconsistent with the grant without the prior written approval of the Nebraska Environmental Trust, P.O. Box 94913 – Lincoln, NE 68509-4913.

Relevant 09-134 Grant Contract Language:

J. TRANSFER/DISPOSAL OF REAL OR PERSONAL PROPERTY

The Sponsor will not sell, lease, transfer, exchange, mortgage or encumber in any manner whatsoever all or any portion of any real (including land acquisitions, easements or improvements) or other property acquired in whole, or in part, by Trust funds without the prior written permission of the Trust, which will not be unreasonably withheld. The Sponsor shall notify the Trust in writing of any proposed sale, lease, transfer, exchange, mortgage or encumbrance at least thirty days in advance and obtain written approval from the Trust. In the event that the Trust does not agree to the sale, lease, transfer, exchange, mortgage or encumbrance of said property, the Sponsor may repay the value of the grant to the Trust and is released from all further obligations. Otherwise repayment will be calculated according to the adopted policies of the Trust board regarding the transfer or sale of Trust funded equipment. The Sponsor will notify the Trust when any equipment purchased in whole or in part with grant funds is no longer usable during the service life of the equipment.

Management
Sales
Auctions
Appraisals



AGRI AFFILIATES, INC.

Providing Farm - Ranch Real Estate Services

North Platte, NE
Kearney, NE
Hastings, NE
McCook, NE
Arnold, NE

Jerry Weaver, AFM
J. Michael Polk
Bruce A. Dodson, AFM
Bart A. Woodward, ARA
Bryan Danburg
Tony Eggleston, ARA
Adam D. Pavelka, JD
Chase Dodson

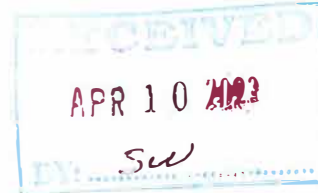
HASTINGS OFFICE
747 N. Burlington Ave., Suite 310
P.O. Box 519, Hastings, NE 68902

(402) 519-2777
www.agriaffiliates.com

Bonnie Downing, ARA
Mike Wilken
Erica L. Adams
Don Walker
Brian Reynolds
Dallas Dodson
Brad Atkins
Jeffrey D. Parr
Dave Masek

April 7, 2023

Nebraska Environmental Trust
P.O. Box 94913
Lincoln, NE 68509-4913



Re: McCord Farm & Ranch – Conservation Easement

Greetings:

Pursuant to Paragraph 9 in a conservation easement between James & Ann McCord and Northern Prairies Land Trust dated August 9, 2012, I hereby provide notice that the heirs of James & Ann McCord have entered into a purchase contract to sell certain real estate which is under a conservation easement with you. This agreement is scheduled to close on or before May 12, 2023.

This property is south of Fairbury, Nebraska. A copy of the conservation easement is enclosed here with. Contact information for the Buyers and their Lender is as follows:

Milton Ag Consulting, L.L.C. & Eric Milton (Buyer)
P.O. Box 248
Milligan, NE 68406
(402)641-0216
emilton@milliganagency.com

Aegon USA (Lender requiring a Deed of Trust)
% Justin Robinson
(785)820-0282
jusrobinson@aegonusa.com

Please let me know if you have any questions, and kindly provide your approval of this buyer/lender and the proposed transfer/encumbrance as soon as you are able.

Nebraska Environmental Trust
P.2

Best regards,



Adam D. Pavelka, J.D.
Real Estate Broker & Farm Manager
adam@agriaffiliates.com

ADP/anf

Encl.

cc: Joe Murray (*with enclosures*)
Dan Klaus (*with enclosures*)
Eric Milton (*with enclosures*)

Policy Change

NET Board Agenda Materials

Item #: 14.a

Object: To amend NET policy Section II: Committees, C.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated. NET Section II: Committees, C. Grants Committee was adopted in 2001 and revised in 2003.

EXPLANATION

The Notice policy provision is mandatory under Neb. Rev. Stat. § 81-15,175(5) because the Grants Committee is subject to the Nebraska Open Meetings Act therefore the policy is redundant.

Members of the Grants Committee do not visit applicant site locations.

The NET follows the State Agencies General Records Schedule 124 so the Records Policy is redundant and inconsistent with current electronic grant scoring processes.

The Additional Funds Available is a goal and not a policy.

C: Grants Committee

~~Notice of all meetings of the Grants Committee will be published. Proposed Date: 11/14/2001
Legislative Program Evaluation Unit~~

Adopted Date: 11/14/2001

Revised Date: 07/31/2003

~~Members of the Grants Committee who visit a site where an application is filed and under consideration for funding shall report on the visit to the Committee at the next meeting following the visit.~~

Adopted Date: 04/03/2002

Records Policy:

~~1. Staff recommendations will be part of the grant file and provided to applicants upon request only.~~

~~2. Committee members will sign their score sheets so that they can be returned to them. Staff will record the individual scores and retain them, as well as the average score, in order to substantiate the average if questioned. Committee~~

~~member abstentions will be recorded with each vote concerning a grant where a possible conflict of interest is noted.~~

~~3. Staff will retain working documents of the committee for one year following issue of recommendations. Committee members will retain their own notes and voting records at their own discretion.~~

Proposed Date: 11/01/2002 Grants Committee

Adopted Date: 11/01/2002

Policy on "Additional Funds" Available Prior to Grant Awards:

~~1. The Grants Committee will have a "goal" not to carryover more than \$200,000 to the next grants cycle. The committee will also strive to provide better lottery transfer projections and to avoid tie rankings.~~

Proposed Date: 07/20/2007 Grants Committee

Adopted Date: 07/20/2007 Board Action

PROPOSAL

These policies have not been updated for 16 to 21 years.

Recommended motion, "I move to delete all of Section II: Committees, C. Grant Committee polices that are currently in place."

Policy Change

NET Board Agenda Materials

Item #: 14.b

Object: To amend NET policy Section V: Grant Applications, A.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.
NET Section V: Grant Applications A. Duplication of Grant Awards with NDEE*

EXPLANATION

Additional agencies should be contacted to assure that grant funding is not duplicated such as the Nebraska Department of Agriculture, Nebraska Game and Parks, Nebraska Department of Natural Resources and potentially others.

A. Duplication of Grant Awards with other agencies. ~~NDEE*~~

To prevent duplication of grant awards by the Nebraska Environmental Trust and other agencies ~~the Nebraska Department of Environment & Energy~~, Trust staff will:

1. Provide a full list of applications submitted to the program following each application deadline to the other ~~agencies~~ ~~agency~~ for review.
2. All Nebraska Environmental Trust recycling grants will be provided to the NDEE staff for technical review.
3. The rank order and draft recommended funding list will be provided to NDEE staff as soon as available for review.

Proposed Date: Interagency Agreement

Adopted Date: 07/20/1999

PROPOSAL

This policy has not been updated for almost 24 years.

Recommended motion, "I move to amend Section V: Grant Applications A. Duplication of Grant Awards as presented."

Policy Change

NET Board Agenda Materials

Item #: 14.c

Object: To amend NET policy Section V: Grant Applications, G.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.

NET Section V: Grant Applications G. Public Notice of Applications Received and Rank Order List

EXPLANATION

The Notice policy provision is mandatory under Neb. Rev. Stat. § 81-15,175(5) because the Grants Committee is subject to the Nebraska Open Meetings Act. Therefore, the policy is redundant.

G. Public Notice of Applications Received and Rank Order List

~~After all grant applications for a given year have been received and processed, staff will post the summary report of applications on the Internet, issue a press release advising the public that the report is available.~~ Information is available through the Nebraska Open Meetings Act.

PROPOSAL

Recommended motion, "I move to amend Section V: Grant Applications G. Public Notice of Applications Received and Rank Order List as presented since that information can be provided through the Nebraska Open Meetings Act."

Policy Change

NET Board Agenda Materials

Item #: 14.d

Object: To amend NET policy Section V: Grant Applications H.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.
NET Section V: Grant Applications H. Comment Process on Grant Applications and Rank Order List

EXPLANATION

The Notice policy provision is mandatory under Neb. Rev. Stat. § 81-15,175(5) because the Grants Committee is subject to the Nebraska Open Meetings Act therefore the policy is redundant. Through grant application process improvements, the dates and timing has been shortened. A hearing is still required in Title 137.

H. Comment Process on Grant Applications and Rank Order List

~~When the Grants Committee reports the results of its ranking process to the Chairperson, staff shall issue a press release of the rank order list. The list will be posted on the Internet and be made available via U.S. mail upon request. Written public comment will be accepted until one week prior to the vote to award. Any correspondence and other documents (not part of the application) will be forwarded to the full Board by November meeting or put in the February and/or April meeting 14 days prior to the board meetings. Materials notwithstanding revisions or subsequent L of this section. Only materials submitted for hearing. All materials will not be made part of record for the public hearing. A public hearing will be scheduled for the meeting at which the Board votes to award grants.~~

Proposed Date: 11/14/2001 Legislative Program Review Committee

Adopted Date: 04/03/2002

Information is available through the Nebraska Open Meetings Act.

PROPOSAL

This policy has not been updated for 21 years.

Recommended motion, "I move to amend Section V: Grant Applications H. Comment Process on Grant Applications and Rank Order List as presented since that information can be provided through the Nebraska Open Meetings Act."

Policy Change

NET Board Agenda Materials

Item #: 14.e

Object: To amend NET policy Section V: Grant Applications, I.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.
NET Section V: Grant Applications I. Recognition Grant

EXPLANATION

The grant application is standardized in the electronic NET Grant Portal System.

I. Recognition Grant

~~The Board may approve a simplified application form to facilitate applications for grants of less than \$15,000.~~

Proposed Date: 12/13/1994 Public Hearing

Adopted Date: 02/07/1995

PROPOSAL

This policy has not been updated in 28 years.

Recommended motion, "I move to delete the Section V: Grant Applications I. Recognition Grant policy."

Policy Change

NET Board Agenda Materials

Item #: 14.f

Object: To amend NET policy Section V: Grant Applications, J.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.
NET Section V: Grant Applications J. Statement of Intent

EXPLANATION

Available funds for grants can and are committed for up to three years pending grantee's meeting contractual milestones. This enables grantees to proceed on sound footing for a multi-year funded grant. Restricting second- and third-year funding could limit high scoring grant applications.

J. Statement of Intent

The Grants Committee may issue multi-year grant awards in total from funds on account or may issue statements of intent to fund projects for up to two years forward, pending available funds and satisfactory progress and compliance with grant conditions.

~~Second year statements of intent may not exceed 40% (25% new and 15% carried forward) of the total amount available to be awarded in a given year and third year intents may not exceed 15% of that total.~~

Proposed Date: 08/11/1997

Adopted Date: 08/12/1997

Revised Date: 04/03/2002

PROPOSAL

This policy has not been updated in 21 years.

Recommended motion, "I move to delete the second paragraph of Section V: Grant Applications J. Statement of Intent as presented."

Policy Change

NET Board Agenda Materials

Item #: 14.g

Object: To amend NET policy Section V: Grant Applications, L.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.
NET Section V: Grant Applications L. Application Submission Requirements

EXPLANATION

The policy is outdated as NET moved to an electronic grant application process in 2018.

L. Application Submission Requirements

1. All essential components including partner letters must be submitted by the deadline, with the original application filing.
2. ~~The email version of the application and the paper version must be identical, with no material changes to the nature, scope or components of the project.~~ Only electronic applications through the NET Grant Portal System will be accepted.

Proposed Date: 04/17/2006

Adopted Date: 04/17/2006

PROPOSAL

This policy has not been updated in 17 years.

Recommended motion, "I move to delete the email and paper application versions of Section V: Grant Applications L. Application Submission Requirements as presented and only allow electronic grant applications through the NET Grant Portal System."

Policy Change

NET Board Agenda Materials

Item #: 14.h

Object: To amend NET policy Section VI: Grantee Conditions, F.

Contact Person: Mark Quandahl, Josh Andersen, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

As a result of reviewing Title 137 additional policy items need to be updated.
NET Section VI: Grantee Conditions, F. Payment on Tax on Real Property
The proposed amended language in Title 137 would require property taxes to continue.

005. Any grant contract which includes the transfer or acquisition of real property which is taxable before such transfer or acquisition shall specify a mechanism to address the continued payment of property taxes or payments in lieu of property taxes.

EXPLANATION

F. Payment of Tax on Real Property

The Nebraska Environmental Trust recognizes the importance of maintaining the property tax base to local communities. All government grantees are required to pay taxes or payments in-lieu of taxes in accordance with applicable state or federal laws on real property acquired with Trust funding. All private grantees, for-profit or non-profit, are required to pay property taxes on real property acquired with Trust funding in full in perpetuity.

~~Grants issued for the purpose of acquiring title to real property to a grantee(s) which does not have the statutory ability to pay property taxes shall be accompanied by a one-time payment to the county (ies) affected. The payment shall be 15 (fifteen) times the amount of the total property tax due in the last calendar year, less the levy amount which would have been due to the grantee(s).~~

Proposed Date: 10/27/1999 Ad-Hoc Committee on Property Tax Abatement

Adopted Date: 11/09/1999

Revised Date: 04/07/2005

PROPOSAL

This policy has not been revised in 18 years.

Recommended motion, "I move to delete the second paragraph of Section VI: Grantee Conditions, F. Payment on Tax on Real Property as presented with an effective date that coincides with Secretary of States posting of the approval of the amendments to Title 137."

Policy Change

NET Board Agenda Materials

Item #: 14.i

_ Object: To amend NET policy Section IX: Trust Staff, B.

Contact Person: Tim McCoy, Karl Elmshaeuser

For: ACTION

Attachment: none

BACKGROUND

This is a cleanup item.

EXPLANATION

Under Neb. Rev. Stat. § 81-15,170 the executive director serves at the direction of the board.

“The executive director shall serve at the pleasure of the board and be solely responsible to it.”

Also,

“The Game and Parks Commission shall provide administrative support, including, but not limited to, payroll and accounting functions, to the board.”

B. Staff Supervision

The Executive Director approves all routine activities for Trust staff. The Executive Director approves operating expenditures within the guidelines established by the Trust Board and within authority granted by the Nebraska Legislature. ~~The Director of the Nebraska Game and Parks Commission approves routine activities for the Executive Director.~~

Proposed Date: 12/27/2001 Legislative Program Evaluation Unit

Adopted Date: 02/13/2002

PROPOSAL

This policy has not been updated in 21 years.

Recommended motion, “I move to amend Section IX: Trust Staff, B. Staff Supervision as presented, removing the reference to the Director of the Nebraska Game and Parks Commission, to be in alignment with the state statute.”