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**Know what's below.
811 before you dig.**

Biennial Report of the Nebraska One-Call Board of Directors

**Presented to the Honorable Pete Ricketts, Governor of
Nebraska, and the State of Nebraska Legislature**

December 1, 2021

Questions may be directed to Nebraska811 P.O. Box 649, Elkhorn, NE 68022

Please accept the following report from the Nebraska One-Call Board of Directors presented on December 1, 2021, for the period of January 1, 2019 through December 31, 2020 to fulfill the requirements of Neb. Rev. Stat. 76-2319.01

This report will review when the One-Call System Act was passed into legislation, giving a brief description of the act and the make-up of the Nebraska One Call Board of Directors and their responsibilities. The report will also include an assessment of the effectiveness of the enforcement programs and enforcement actions, as well as the Nebraska811 damage prevention and public awareness programs.

The Nebraska One-Call Notification System Act was passed into Legislation in 1994. Sections **76-2301** to **76-2332** shall be known and may be cited as this act.

76-2302. Legislative intent.

(1) It is the intent of the Legislature to establish a means by which excavators may notify operators of underground facilities in an excavation area so the operators can identify and locate the underground facilities prior to excavation and so that the excavators may then observe proper precautions to safeguard the underground facilities from damage.

(2) It is the purpose of the One-Call Notification System Act to aid the public by preventing injury to persons and damage to property and the interruption of utility services resulting from accidents caused by damage to underground facilities.

76-2319.01 Board of directors; duties; report.

The board of directors shall assess the effectiveness of the enforcement programs, enforcement actions, and its damage prevention and public awareness programs and make a report to the Governor and the Legislature no later than December 1, 2021, and by December 1 every odd-numbered year thereafter.

Nebraska811 Board of Directors Responsibilities/Limitations

The State Fire Marshal (SFM) Agency houses the Pipeline Safety Program for Nebraska. Part of the Federal Requirements for these programs is for each state to have a system for protecting underground utilities from excavation damage. In Nebraska, The Nebraska One-Call Notification System Act was passed into Legislation in 1994. Sections 76-2301 to 76-2332 shall be known and may be cited as this act. Within this Act the One-Call Board of Directors were given the responsibility of overseeing the operation of the statewide One-Call notification center known as Nebraska811 (Neb. Rev. Stat. §76-2319). Neb. Rev. Stat. §76-2319 provides that the One-Call Board of Directors has as its primary responsibility the selection and oversight of the vendor operating the One-Call Center. The Board shall also establish operating procedures and technologies needed for the One-Call Center pursuant to rules and regulations of the State Fire Marshal. The Board may make suggestions to the State Fire Marshal Agency regarding the best practice for marking, location, and notification of proposed excavations. Any suggestions may be adopted and promulgated by the State Fire Marshal Agency through the rule or regulation process. The Board does not have any other authority, via rulemaking or otherwise, beyond the selection of vendor and operating processes of the One-Call Center.

Members of the One-Call Board of Directors are appointed by the State Fire Marshal. The Board is a non-profit Board, whose members are volunteers. It is not a state agency and does not receive state funds. The Board meets quarterly, with its main priority item being the operating procedures of the One-Call Center. Its second priority item is damage prevention education and outreach. In the last two years, its third priority item is the recommendation of damage prevention best practices for the State Fire Marshal Agency as they engage in rulemaking.

The Board is periodically awarded funds from federal grants to use towards damage prevention education and outreach. The Board receives a surcharge from the vendor based on a percentage of total tickets issued by the Center. The surcharge money is collected from the member utilities, based on the number of tickets associated to each facility. This surcharge money is also used for damage prevention education and outreach.

The current members of the Board of Directors are representatives of a cross-section of underground facilities and excavators throughout the state as provided by the rules of the State Fire Marshal. These representatives work full-time

for their companies/entities in various aspects, including damage prevention. They are not trained mediators or trained in dispute resolution.

Each Board member must have at least three years' experience in one of the following: a) using the One-Call System in the area of excavating or facility operations or b) work in the area of damage prevention to underground utilities. The Board is composed of 18 voting members representing the following:

- Three members representing municipally owned utilities.
- Two members representing public power districts with more than forty million dollars in gross revenue.
- Two members representing public power districts with less than forty million dollars in gross revenue.
- Three members representing telecommunications companies.
- Two members representing gas distribution companies.
- Two members representing transmission pipeline companies.
- Four members representing excavators, with one member specializing in trenchless excavation activities and one member representing county governments.

The State Fire Marshal or designee is a non-voting, technical advisor to the Board.

THE NEBRASKA811 DAMAGE PREVENTION AND PUBLIC AWARENESS PROGRAM

The Nebraska811 Damage Prevention and Public Awareness program's mission is to reach all industry stakeholders and anyone planning to dig to make them aware of the importance of contacting 811 before digging and to provide tools to help with the One-Call process so that damages to underground facilities are avoided. The program is assessed internally every year to adjust for current industry trends and budget allowances. A study of the industry stakeholders is conducted to assess past effectiveness and guide future initiatives.

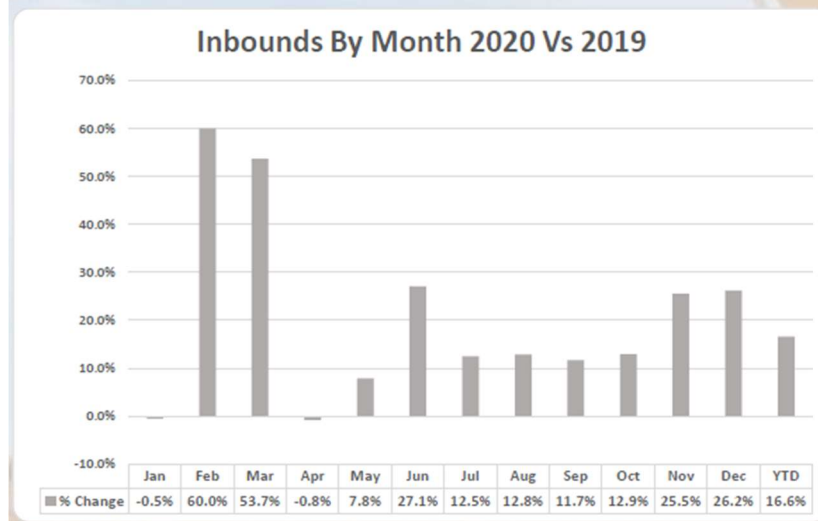
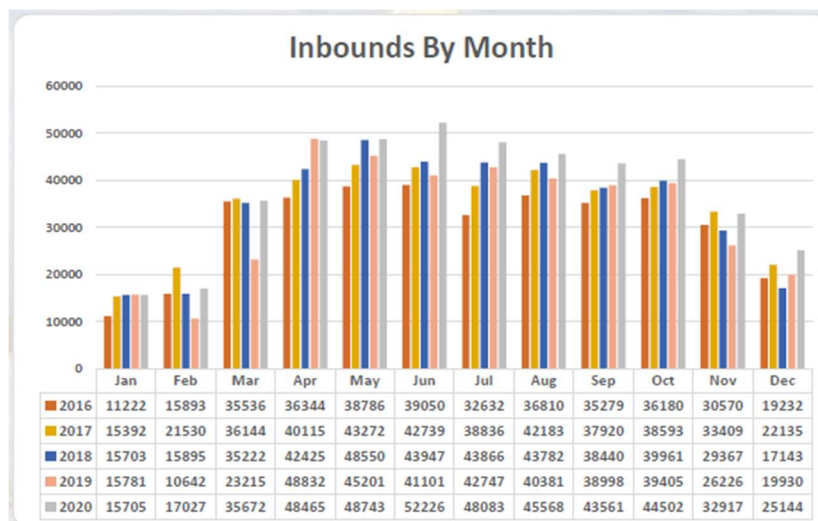
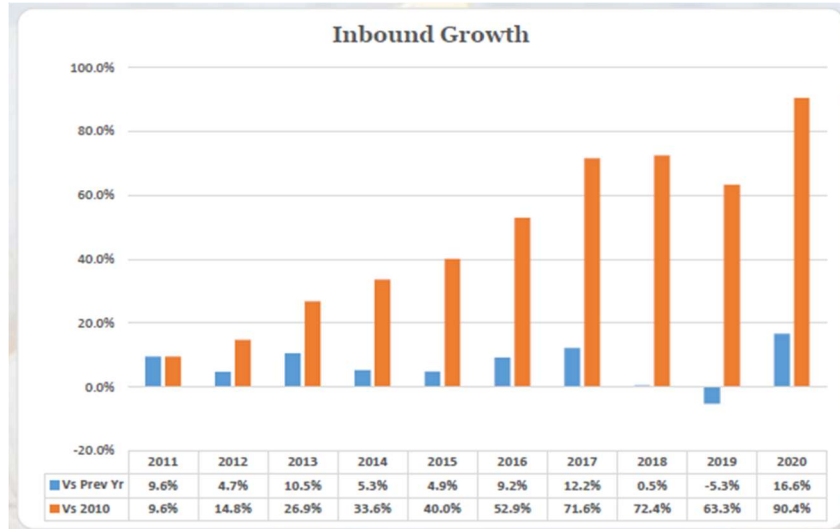
The program is divided into four categories used to reach a diverse group of One-Call system users: Media Advertising, Industry Outreach Programs, Public Outreach Programs and Public Awareness Educational Material. The Board of Directors also receives an award through the Federal One-Call Grant Program, which is administered by the Pipeline and Hazardous Materials Safety Administration (PHMSA). These awarded funds are received periodically and used to supplement damage prevention programs, with initiatives that comply with the priorities established within PHMSA. The application, pass through, and tracking documentation of these funds is coordinated through the State Fire Marshal Agency, as a part of the overall Pipeline Safety Program.

To carry out this program, the One-Call Board of Directors has formed committees to review policy, legislation, and outreach. Along with their legal duty to contract with a vendor that provides the notification service, the Board has also required that the vendor have a representative serve as an outreach coordinator for Nebraska811. This person coordinates and executes the outreach program and provides a report at each Board meeting.

In general, statistics show a trending increase in locate request volume in several categories. The Board has made strategic outreach decisions based on reviewing the incoming ticket data. Efforts to increase homeowner awareness were made during the recent pandemic, as data showed more homeowner projects were being completed. Other outreach activities were initiated with companies who rent excavation equipment for such projects. These real time, targeted marketing and outreach activities enhanced the Board's effectiveness in one of their primary missions—reducing or preventing damage to underground utilities.

An increase in ticket volume is generally regarded as a positive indication of damage prevention due to the decreased likelihood of a damage if underground lines are marked. Ticket increases also may be considered a result of an effective public awareness program. Other ticket increases or decreases may include weather, economic, and pandemic influences.

The graphs below show a steady increase in ticket volume over the past several years, except for a few outliers that exist due to weather variations. These variations may reduce excavation activities. Inbounds on the graph below are ticket excavation requests to the Center.



INDUSTRY OUTREACH

Educational presentations are conducted each year throughout the state of Nebraska at meetings hosted by Nebraska811 and at industry gatherings. The Nebraska811 meetings are attended by excavators, facility owners, representatives of the Nebraska One-Call Board and the State Fire Marshal Agency. The meeting goals include discussing damage prevention tools and interacting in a roundtable fashion. This technique has proven effective in helping stakeholders to understand all perspectives and find areas where improvements are needed.

In addition to the meetings held by Nebraska811, the State Fire Marshal's office also provides damage prevention education. Through their investigation of pipeline incidents, they find opportunities for damage prevention education both at the incident site and within the organizations involved in those incidents. These opportunities help to advance their goal of working toward more awareness and improved understanding of the One-Call law.

The damage prevention message is also conveyed to stakeholders via a wide variety of industry outreach campaigns outlined below:

- **2019**
 - Meetings/presentations/conferences: 45
 - Outreach programs: Industry related campaigns conducted in 2019 include an excavation safety summit with over 900 in attendance, an excavator event on 811 day where over 60 dig sites were visited in person, and two educational material mailing campaigns where white flags and wall calendars were distributed. Industry organizations are supported through participation in their conferences and activities, advertising in their publications, and membership in their organizations. Partnerships for advertising campaigns took place between Nebraska811 and utility companies throughout the state through dig site visits and shared booths which allowed the message to reach more eyes and ears.
- **2020**
 - Meetings/presentations/conferences: 23 (the number of in person meetings was greatly reduced due to the pandemic)
 - Outreach programs: Six major programs were conducted in early 2020 including a free excavation safety summit with over 1,100 stakeholders in attendance, 85 visits to dig sites throughout the state on 811-day, email campaigns, educational wall calendar distribution, English and Spanish excavation manual distribution, and three major mailing campaigns to distribute educational materials and promotional items.

Feedback received from stakeholders confirms that the industry outreach program is working. The Excavation Safety Summit is a one-day event held annually in Lincoln and is free to all attendees. Nebraska811 and Common Ground Nebraska present the event. Over 1000 excavation stakeholders come together to promote damage prevention and safe digging practices. The Excavation Safety Summit is referenced at other events throughout the year indicating the great impact that it has on those in the digging industry.

Nebraska 811 also sponsors a Damage Prevention Class in collaboration with the State Fire Marshal Agency. This three-hour class is held throughout the state, four times per year. During the pandemic, classes had to be cancelled, but have since resumed.

Another example of the enhanced damage prevention awareness that has been achieved through an industry outreach initiative is the dig site visits conducted on or around August 11th or 811 day in 2019 and 2020. These were direct contact situations which provided the opportunity for an in-depth discussion of safe digging and damage prevention. Photos taken at these visits are included in the wall calendars distributed throughout the state which provides additional lasting impressions and reminders to protect the underground utilities.

PUBLIC OUTREACH PROGRAMS

Nebraska811's comprehensive public awareness campaign is directed toward anyone that plans to dig in the state of Nebraska. Strategies are carefully evaluated to ensure that the most effective methods are used to distribute materials, deliver impressions, and reach members of the public who excavate. Impressions are any interaction with a piece of viewed content or are shared with an audience member. Public outreach events are a valuable tool for reaching the diverse audience with the 811 public awareness message. Outlined below are some of the campaigns that were utilized for public awareness in 2019 and 2020.

- **2019 – 23 INITIATIVES/EVENTS**

- Governor proclamation – safe digging month
- Poster contest/school educational presentations – (11)
- Sports sponsorship advertising
 - Teams – (3) college level and above
 - Individuals – (1)
- Parades – (2)
- State Fair exhibit
- Husker Harvest Days event
- Children's museum "Call before you dig" exhibit (10/2019 to 4/2020)
- Charitable event sponsorships with promotional item distribution (2)

- **2020 – 19 INITIATIVES/EVENTS**

- Poster contest/school educational presentations – (7)
- Sports Team Advertising – 7 teams – college level and above
- Individual sports sponsorships – (3) Rodeo cowboy, race car driver, UFC fighter
- Homeowner mailing campaign – face mask giveaway with educational mailer
- Charitable event sponsorships – (2) Run/walk event and drive through giveaway event.

The Nebraska811 Safe Digging Poster Contest is a great example of how an outreach campaign has reached a diverse group and proves to be effective for many years. After watching a short educational video about 811, students made posters and submitted them to be reviewed for how well they convey the "safe digging" message. Winning schools were invited to the Governor's Proclamation ceremony and received a tree, park bench and an educational presentation which drew community leaders, local Senators, and media attention. Often, students will stop by the 811 State Fair booth and convey how they learned about 811 many years ago at their school presentation for the poster contest. The simple message is remembered and shared with others long after the event and most likely before any digging takes place in their adult life.

MEDIA ADVERTISING

Nebraska811 uses a variety of media channels to ensure that the damage prevention message is delivered throughout the state. A comprehensive campaign was conducted utilizing television, radio, billboards, digital and print advertising, as well as the Nebraska811 website, social media, and public service announcements. In 2020, the online advertising budget was expanded to include additional types and frequency of digital advertising based on the increase in consumption of this type of media caused by the pandemic. Changes were made to the types of spots and creative aspects of the advertising which resulted in increased impressions. The use of a celebrity in various forms of advertising allowed Nebraska811 to draw more exposure. This tactic proved particularly successful in a campaign focused on the use of public service announcements and in ads targeting the importance of preventing damage to our critical facilities.

PUBLIC AWARENESS EDUCATIONAL MATERIAL

The use of educational and promotional material has proven to be a valuable tool for public awareness and education. Materials are distributed at all Nebraska811 events and are also made available for distribution by 811 representatives including Board members, State Fire Marshal Agency deputies, sponsored representatives, member utilities and the like. Some material is made available to the public for free and can be ordered from the Nebraska811 website.

The items to be distributed are chosen on a basis of frequency of use and longevity to provide repeated exposure of the 811 message. The act of giving out a promotional item provides an opportunity for one-on-one education about 811 and a visual reminder of 811. Whether the item being distributed is a t-shirt or a chip clip, the result is impactful. Recipients have often commented about how they appreciate it and use the items regularly. One such item is the lip balm that many excavators carry in their pocket daily. In 2020, face masks were hugely popular with stakeholders who wore them frequently not only to advertise 811 but also to keep them safe as essential workers. In 2019, approximately 97,000 items were distributed to a wide swath of the digging public including homeowners and professional excavators. In 2020, giveaway totals decreased to around 59,000 due to the lack of opportunities to have an in-person exchange considering the pandemic.

One item that more directly impacts damage prevention is the white flag with pre-printed 811 information. By pre-marking the proposed dig area with a white flag, communication to the locator is enhanced which increases the likelihood of an accurate locate, thus reducing the chances of an excavator damaging a line. In 2019 and 2020, as in several years prior, white flags are made available from Nebraska811 for free. Over 30,000 were distributed in 2019 and approximately 26,000 in 2020.

ONE CALL GRANT INITIATIVES

PHMSA has awarded Nebraska a grant for several years which supports Damage Prevention programs held within the state. In 2019 and 2020, funds were granted for the following programs:

- Damage prevention mailing to excavators
- Stakeholder meetings and locating workshops
- Public education materials

In 2020, an extension was granted for meetings that were cancelled due to the pandemic.

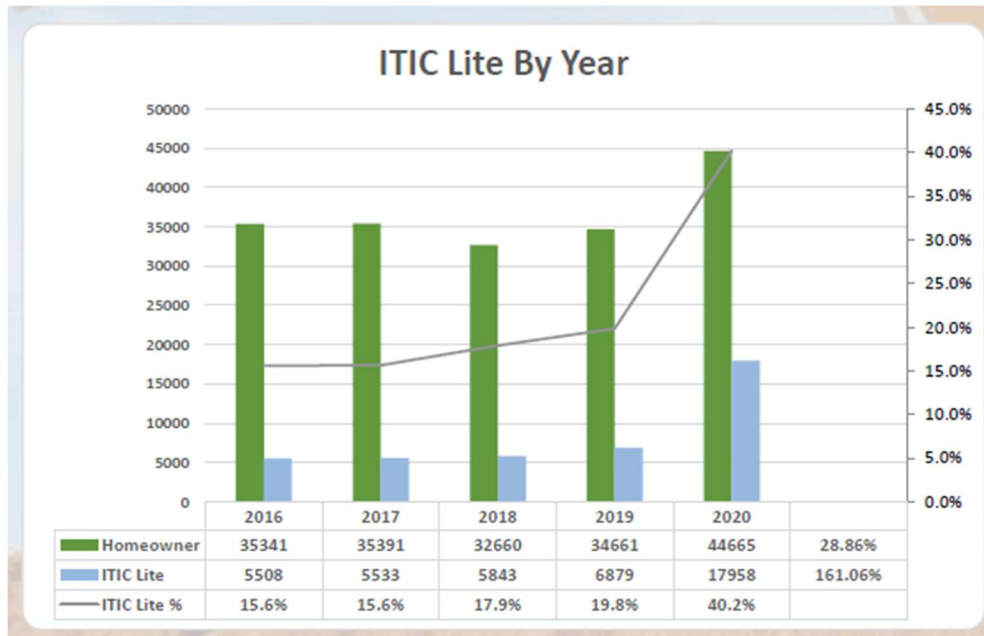
THE PANDEMIC'S IMPACT ON PUBLIC AWARENESS AND DAMAGE PREVENTION PROGRAMS IN 2020

Adjustments to the 2020 public awareness plan were necessary as many in-person programs such as conferences, meetings, parades, state fair booths, sports, and school visits were cancelled due to the pandemic. These adjustments included the following:

- Virtual meetings and presentations replaced in-person meetings when possible.
- Promotional item distribution changed to access safer channels of distribution such as mailing or drive-through events. Also, the items distributed changed to include items utilized frequently during the pandemic such as face masks.
- Budgets for programs that were cancelled were used to expand digital advertising (television, online, social media) programs due to the increase in frequency of use of the internet.
- Funds for sports sponsorships that could not be carried out were transferred to those sporting events that were able to be held such as hockey and soccer.
- Mailing campaigns were added to get materials and educational messages to homeowners and excavators.

A significant increase in homeowner locate requests was noted around the beginning of the pandemic. From March 2020 to December 2020, the homeowner ticket volume increased 27.33 percent in Nebraska indicating a prior knowledge of the One-Call system and awareness of the importance of damage prevention to underground utilities.

Additional homeowner centered campaigns were initiated based on trends indicating the likelihood of continued homeowner digging projects. The graph below illustrates the increase in homeowner locate requests including the type of ticket that homeowners are encouraged to use (ITIC lite) when placing locate requests online.



GENERAL ASSESSMENT OF ENFORCEMENT PROGRAMS ACTIONS, DAMAGE PREVENTION AND PUBLIC AWARENESS PROGRAMS

The One-Call Board of Directors has historically requested information regarding enforcement activities from the Attorney General’s Office, as this is the entity granted enforcement authority through the Nebraska statutes. This information has been shared at the quarterly Board meetings, either by a representative of the Attorney General’s office or in the pass through of reporting documents received by the State Fire Marshal Agency from the Attorney General. The One-Call Board has utilized this information along with anecdotal statements and their own work experience to stay informed regarding the state of enforcement of the One-Call law. The Board has been made aware of concerns regarding the timeliness of enforcement actions within the One-Call System.

For the One-Call Board of Directors to do a formal assessment and report on enforcement programs and actions, more specific information such as data on processes, timelines and obstacles is needed. Future committee work will include a formal request to meet with members of the Attorney General’s staff on a semi-annual basis to obtain and discuss this information. Once this plan is in place, a more regular and thorough assessment of the enforcement program can occur with a goal of improving enforcement where necessary.

Throughout 2019 and 2020, the damage prevention and public awareness programs executed by the One-Call Board of Directors have been effective, considering the pandemic and the changing environment. The public awareness initiatives have been numerous, far reaching, and diverse resulting in an increase in awareness and thus, damage prevention. Despite drastic changes in 2020 that were necessary due to the pandemic, the overall damage prevention plan was a success especially considering the adjustments that were made. In the future, the programs will continue to evolve in accordance with the changing environment and to continually work toward the organization’s objective to look for ways to help improve enforcement, increase awareness among the excavating community in Nebraska and prevent damages to the underground infrastructure.