

2016 SDPG Grant Progress Report

CFDA Number: 20.720

Award Number: DTPH5616GSDP18

Project Title: State Damage Prevention (SDP) Program Grants - 2016

Date Submitted: 03/27/2017

Submitted by: Caria Nakano-Jensen

Specific Objectives of the Agreement

Under this grant agreement, the recipient will:

Use the grant funds to develop a State Damage Prevention Program through legislation and in coordination with a Governor appointed Damage Prevention Board. The Idaho Damage Prevention Board will be created and made part of the DBS. The purpose of this board is to reduce damages to underground facilities, promote safe excavation practices, review complaints of alleged violations of Idaho Code, and assessing appropriate civil penalties. As part of the legislation, underground facility owners and excavators who observe, suffer, or cause damage to an underground facility will be required to report such information to the board. The board will consist of members, each of whom shall be appointed by the governor with power of removal for cause. All members of the board shall be qualified by experience, knowledge, and integrity in formulating rules, reviewing complaints referred to it and assessing penalties, and properly performing functions of the board. The main goals of DBS and the Damage Prevention Board will be to create a system of self-regulation and education addressing the prevention of damage to underground facilities. A system will be developed to collect, store and disseminate data related to underground facility damage and excavator downtime.

Workscope

Under the terms of this grant agreement, the Recipient will address the following applicable elements listed in the approved application, pursuant to 49 U.S.C. §60134 (a),(b).

- **Element 1 (Effective Communications): (Not Applicable)**
- **Element 2 (Comprehensive Stakeholder Support): (Not Applicable)**
- **Element 3 (Operator Internal Performance Measurement): (Not Applicable)**
- **Element 4 (Effective Employee Training): (Not Applicable)**
- **Element 6 (Dispute Resolution): (Not Applicable)**

Element 5 – Public Education

“A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities.”

Objectives:

One of the main goals of the DBS and the Damage Prevention Board is to promote public education about the importance of damage prevention. It is the intent of the DBS, working with the Damage Prevention Board, to create a statewide damage prevention awareness program. We will utilize different forms of advertising to get the message spread throughout the entire state. TV ads and PSA's, radio spots, print media and DBS website will be used to accomplish this objective. Total Budget: \$34,104.00

Accomplishments:

As of February 28, DBS has put out to bid for print materials to start the campaign and website develop has begun. There has not been any other activity at this point as this was planned for the second half of the grant year. Spent: \$0.0

Element 7 – Enforcement

“Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority.”

Objectives:

The Idaho Damage Prevention Board will be created and will be part of the DBS upon acceptance of proposed legislation during the 2016 Idaho legislative session. The purpose of the board is to reduce damages to underground facilities, promote safe excavation practices, and review complaints of alleged violations. The administrator of the DBS will have the responsibility to administer the proposed legislation and exercise such powers and duties that are necessary to enforce the proposed legislation.

The Damage Prevention Board will consist of eleven (11) members, each appointed by the governor. The members will be representative of the stakeholders in the state of Idaho.

The board:

- Will be authorized and directed to prescribe and amend rules consistent with legislation.
- Will hold meetings and publish rules pertaining to legislation.
- Shall make investigation or inquiry, conduct hearings, report findings and enter orders.
- Will impose civil penalties and conduct hearings related to violations of legislation and rules of the board.
- Will delegate to the administrator the power to perform ministerial functions, conduct investigations, recommend and collect civil penalties.
- Will establish by administrative rule the fines to be paid for penalties issued for violations.

Total Budget: \$35,249.50

Accomplishments:

Effective September 1, 2016, the Damage Prevention Board was created with 11 members representing various stakeholders in the state of Idaho. Upon its inception the board has held four board meetings. The first meeting held on September 8, 2016, the board held elections, drafted a rule to establish a fee to support future board activities, discussed possible public service announcements for future use, and set dates for future meetings to establish legislative rules.

The second meeting held on September 22, 2016 was to draft the emergency fee rule, develop sub-committees to address the violation process and civil penalties.

The third board meeting was held on November 10, 2016, during this meeting the 2017 board meeting schedule was voted on and approved, this will include 5 pre-scheduled meetings to occur before September 28, 2017. The board decided on using the DIRT tool to report any incidents that occur in Idaho regarding damage to utilities. The board also heard their first complaint regarding the Damage prevention laws. This meeting also included progress report of sub-committees that are working on the rules that will define civil penalties and training requirements.

The last meeting held was on January 26, 2017 this included review of sub-committee work on new legislative rules, damage prevention website, DIRT review, and financial status.

Total Spent to-date: \$12,990.79

Personnel:

Patrick Grace, Legal counsel: \$2,386.50

Caria Nakano-Jensen, grant/program specialist: \$1,166.40

Laurie Jilbert, administrative assistant: \$4,989.60

Ron Whitney, Deputy Administrator: \$1,875.00

Travel: \$2,175.29

Other: \$398.00 (Board packets)

[Element 8 – Technology](#)

“A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs.”

Objectives:

DBS will create and implement an online system for reporting damages. The in-house IT department will create the online forms and databases to gather and store the information. DBS will create and analyze reports from the database and report to the Damage Prevention Board all findings during scheduled board meetings.

Total Budget: \$4,284.00

Accomplishments:

There is a sub-committee of the Board working on the wording for the complaint form and there is an action vote scheduled for March 23, 2017 board meeting to approve review the form and approve purchase of the DIRT reporting tool. Once these have been approved, then the building of the database will begin and reports will be developed.

Spent: \$0

Element 9 – Damage Prevention Program Review

“A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews.”

Objectives:

DBS plans to develop an online reporting site to report damages. The information collected will be stored in databases at DBS and reported to the Damage Prevention Board. This will provide one statewide site, instead of facility owners having to report to various places. The information gathered will be held and stored by the state for analyzing and reporting purposes. The board will determine from the reports ways to improve damage prevention and determine which areas need more education or assistance.

Total Budget: \$10,000.00

Accomplishments:

DBS staff in coordination with the board members have started development of online questionnaires and subsequent reports. In addition, the analytical software has been purchased and field development has begun.

Spent: \$ 2,566.26