

GUIDANCE DOCUMENT

AGENCY #33 - NEBRASKA GAME AND PARKS COMMISSION

Public Posting - June 6, 2022

Federal Coronavirus State Fiscal Recovery Fund pursuant to the Federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

LB1014, introduced and adopted during the second session of the 107th Nebraska State Legislature and signed by the Governor on April 13, 2022, appropriated \$8.1 million dollars to the Nebraska Game and Parks Commission from the Federal Coronavirus State Fiscal Recovery Fund pursuant to the Federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended.

The appropriated funds are assigned to agency identified wastewater treatment projects in critical need of attention and necessary to continue the proper operation of park infrastructure that includes cabin, campground and related public facilities at the following park locations:

Niobrara State Park
Branched Oak State Recreation Area
Two Rivers State Recreation Area
Lewis and Clark State Recreation Area
Mormon Island State Recreation Area

State approved processes for selection of qualified and professional engineering firms will ensure that project designs comply with all federal and state, (Nebraska Department of Environment and Energy), regulations requiring proper operation and maintenance of wastewater treatment facilities. Game and Parks will follow State of Nebraska procurement processes for selection of qualified contractual services for construction.

The Treasury Final Rule discusses necessary investments in water and sewer on pages 260 through 293. Treasury indicates it has aligned eligible uses of the State Fiscal Recovery Fund with the types of projects that are eligible under the Clean Water State Revolving Fund or Drinking Water State Revolving Fund (Administered by the Environmental Protection Agency). Specifically, the Final Rule provides that assistance can be provided to “any...state agency for construction of publicly owned treatment works...” as defined by section 212 of the Clean Water Act, which includes wastewater collection and treatment.