

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN NUMBER P-20890

BACKGROUND

1. On January 12, 2022, Jesse Mintken, on behalf of the Central Platte Natural Resources District filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-20890, and associated specifications.
2. The plan, P-20890, is for the reconstruction of the Jones Creek 1-1 Dam, which is subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the SW $\frac{1}{4}$ of Section 09, Township 14 North, Range 03 West of the 6th P.M. in Polk County.
3. Dennis B. Stille, P.E. of JEO Consulting Group, 2000 Q Street, Suite 500, Lincoln, Nebraska, 68503, prepared the plans and specifications.
4. The Central Platte Natural Resources District, 215 Kaufman Avenue, Grand Island, Nebraska, 68803, owns the dam.
5. The plans and specifications were examined by a registered professional engineer of the Department and were found to be consistent with current standards.
6. Following consultation with the Nebraska Game and Parks Commission, the Department finds the project "May Affect, but is Not Likely To Adversely Affect" any state listed threatened or endangered species or their critical habitat as long as all required tree removal for the project is completed outside of the maternity roosting period (June 1 to July 30) for the threatened northern long-eared bat.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams, plan P-20890 and associated specifications are APPROVED subject to the following limitations and conditions:

1. This approval will remain in effect for purposes of construction until November 1, 2023.
2. The owner of a dam shall provide written notice to the Department at least ten days before construction of the dam is to begin. Notices must be in writing and addressed to the Chief Engineer of the Department's Dam Safety Section. Notices may be delivered to the Department by mail, facsimile, or electronic mail.
3. All required tree removal for the project must be completed outside of the maternity roosting period (June 1 to July 30) for the northern long-eared bat.
4. The dam owner must comply with all relevant statutes. This includes, but is not limited to, the following:

- A. Notify the Department of any change in ownership or address.
 - B. Receive written approval prior to taking any action that changes the storage capacity of the reservoir, the specifications, or plan P-20890.
 - C. Construct, operate and maintain the structure in accordance with Neb. Rev. Stat. § 46-241 and the *Safety of Dams and Reservoirs Act*, §§ 46-1601 to 46-1670.
 - D. Assume liability for all damages due to leakage, overflow or structural failure of the dam.
5. Upon completion of the construction, the owner shall file with the Department the enclosed "Construction Certification Form for Dams". Following receipt of this form, an approval to operate will be issued by the Department if it determines that the dam is safe to impound within the limitations outlined in this approval.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to any orders issued by the Director of the Department of Natural Resources may result in administrative penalty, criminal prosecution, or any combination thereof.

DEPARTMENT OF NATURAL RESOURCES



March 14, 2022

Thomas E. Riley, P.E., Director

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-20890, and a "Construction Certification Form for Dams" were mailed on March 14, 2022, to Jesse Mintken, Central Platte Natural Resources District, 215 Kaufman Avenue, Grand Island, Nebraska, 68803. Copies of this approval and a "Construction Certification Form for Dams" were mailed to Dennis B. Stille, P.E., JEO Consulting Group, 2000 Q Street, Suite 500, Lincoln, Nebraska, 68503. Copies of this approval, engineering review report, and plan P-20890 were provided to the Department's field office in Lincoln, Nebraska.