

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN NUMBER P-21185

BACKGROUND

1. On August 16, 2023, John Winkler, on behalf of the Papio-Missouri River Natural Resources District filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams and plan P-21185.
2. The plan, P-21185, is for the reconstruction of Silver Creek 30 Dam, which is subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the Southeast 1/4 of Section 34, Township 22 North, Range 10 East of the 6th P.M. in Burt County.
3. Daniel S. Lightbody, P.E. of Olsson Inc., 601 P Street, Suite 200, Lincoln, Nebraska 68508, prepared the plans and specifications.
4. The Papio-Missouri River Natural Resources District, 8901 South 154th Street, Omaha, Nebraska 68138, 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 will have "No Effect" on any state-listed threatened or endangered species or their critical habitat.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams and plan P-21185 are APPROVED subject to the following limitations and conditions:

1. This approval will remain in effect for purposes of construction until November 1, 2025.
2. The owner of the 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. 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 or plans P-16668 and P-21185.

- 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.
4. 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



September 6, 2023

Tom Riley, P.E., Director

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-21185, and a "Construction Certification Form for Dams" were mailed on September 6, 2023, to Papio-Missouri River Natural Resources District, c/o John Winkler, 8901 South 154th Street, Omaha, Nebraska 68138. Copies of this approval and a "Construction Certification Form for Dams" were mailed to Daniel S. Lightbody, P.E., Olsson Inc., 601 P Street, Suite 200, Lincoln, Nebraska 68508. Copies of this approval, engineering review report, and plan P-21185 were provided to the Department's field office in Lincoln, Nebraska.