



Small Pond Approval Updates

The Maryland Department of the Environment (Department) is moving forward with finalizing a small pond approval policy that aims to address the gap in technical review capability resulting from [NRCS Bulletin 210-21-01](#). This small pond approval policy is to be followed by local Soil Conservation Districts (SCDs) and the Department's designees when approving small ponds in accordance with both state laws and regulations. Accordingly, the local engineering and design community, as well as dam and small pond owners should familiarize themselves with the policy.

The Department has worked with the local SCDs, the Maryland Association of Soil Conservation Districts (MASCD), the Maryland Department of Transportation State Highway Administration (MDOT SHA), the Maryland Department of Agriculture (MDA), the Department of Natural Resources (DNR) and the Natural Resources Conservation Service (NRCS) over the past year to develop these documents to clarify the expectations of small pond approvals to ensure the intent of the law and regulations are met and that the process and standards are clear. The Department wishes to thank local SCDs, NRCS, MASCD, DNR, MDA, and MDOT SHA for your comments, questions, suggestions and input during this process.

Draft policy documents were distributed for comments in early spring and early summer of this year. The Department has received comments from many SCDs, NRCS, and MDOT SHA on these draft documents. The Department has held a number of virtual meetings to discuss potential issues and answer questions. The Department has reviewed all of the comments and has made changes to the draft documents as needed. Included as an attachment to this email is a response to comments received.

At this time we are moving forward with the enclosed updated Small Pond Approval Policy and Appendices. All small pond approvals from local SCDs or the Department's Designee issued after **January 1, 2023** shall be done in accordance with these policies in order to be recognized by the Department as an acceptable alternative to obtaining an MDE issued dam safety permit. In the coming months, the Department will schedule training sessions for the SCD plan review staff, SHA plan review staff, and local review agency staff. In addition, the Department will be available to provide technical assistance to the SCD and Department designees, as requested.

Please forward any comments, thoughts, or concerns to Jennifer Smith, Program Manager, Stormwater, Dam Safety, and Flood Management Program, at jenniferm.smith@maryland.gov, or John Roche, Chief, Dam Safety Permits Division at John.Roche@Maryland.gov

[Small Pond Approval Process Policy](#)

[Pond Summary Sheet \(Replaces MD-14\)](#)

[Small Pond Design Review Checklist - Draft](#)

[Technical Review Affidavit](#)

[Template Small Pond Approval Document](#)

[As-Built Submission Checklist](#)

[As-Built / Project Completion Affidavit](#)

[Dam and Small Pond Approval Guidelines in Coldwater Resource Watersheds - Draft](#)

Joint Permit Application Update

Please note that there is a new Dam and Small Pond appendix to the Joint Permit Application (JPA). Effective immediately, all JPAs that include a dam or small pond within the project scope should include a completed [Appendix B](#), and include the requested project documentation (e.g., breach analysis, construction plans). The JPA screening and intake process will route projects that include small ponds to the Dam Safety Program, even if local SCD approval is being sought. The new Appendix B will assist Dam Safety staff in more efficiently processing a "Small Pond Exemption" where local approval is being sought.

Seats Still Available for Dam Owner Workshop! The Association of State Dam Safety Officials (ASDSO) annual conference is taking place in Baltimore this September - and as an added benefit to the Maryland Dam Community, our Annual Dam Owner workshop will be taking place on September 20th at the Baltimore Convention Center. This years topic will focus on Operation and Maintenance of Dams. The registration cost for the Dam Safety Workshop is \$35 per person and attendees must register in advance.

Check-in for the workshop will open at 7:45 am and the workshop will begin at 8:00 a.m. and end by 5:00 p.m. Information will be available throughout the day and you will have the opportunity to meet and network with MDE staff, well-known experts in the field of dam safety, and other dam owners. In addition, attendees can access the Dam Safety 2022 exhibit hall where you can network with dam safety officials from across the country and visit with over 100 conference exhibitors and sponsors.

For more information please visit damsafety.org/MD22

[Download Registration Flyer \(submit to \[info@damsafety.org\]\(mailto:info@damsafety.org\) or call 859.550.2788\)](#)



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