

Appendix
B.1.2

MDE Dam Safety Division Small Pond Review Criteria

MDE Dam Safety Division Small Pond Review and Approval Criteria

The following criteria are established for the MDE Dam Safety Division small pond review and approval:

- 1) If any of the following apply, a permit is required from the MDE Dam Safety Division:
 - a) Drainage area of the pond is greater than 640 acres.
 - b) Dam embankment height is greater than 20 feet (top of dam to lowest point on the upstream toe).
 - c) Pond is an intermediate or high hazard structure the failure of which is likely to cause damage to homes, public transportation, loss of life or property (NRCS Class b & c).
- 2) If the pond is in a USE III watershed, a permit is required if the pond will be:
 - a) Capturing a flowing stream (stream with a base flow*),
 - b) Capturing any spring, or
 - c) A wet pond, or
 - d) Located within 100 feet of a flowing stream, or
 - e) Proposes extended detention for the one year storm longer than 12 hours.
- 3) If the pond is located within the drainage of the Gwynns Falls, Jones Falls, or Herring Run streams situated in or adjacent to Baltimore City, approval is required in accordance with the provisions of the Maryland Environment Article 5-503.
- 4) If the pond is to be constructed across a stream, excluding USE III waters, **SCD** may approve the pond with verification that the 100 year pool based on ultimate development with current zoning does not increase flooding on adjacent properties or is in a floodplain easement. The in-stream closure period must be noted on the plans.
- 5) If the pond is in the floodplain, an MDE Nontidal Wetlands and Waterways Permit may be required. The pond will be evaluated for potential impacts in the floodplain and to nontidal wetlands. However, the pond construction plans may be approved by the **SCD**.

* “Base Flow” or “Dry Weather Flow” - Stream flows originating from groundwater or spring contributions that are not influenced by storm events. Base flow measurements should not be made within two days of a storm event.

Appendix B.1.2. Small Pond Approval Criteria

Figure B.1.2.1 Small Pond Review Flow Chart

This flow chart is intended to determine whether MDE or the local SCD will review construction plans. SCD pond approval does not relieve the applicant from obtaining other necessary approvals associated with pond construction such as impacts to nontidal wetlands.

