

# SMALL POND REVIEW FLOW CHART



**DETERMINE IF ANY OF THE FOLLOWING APPLY:**

1. Drainage area greater than 640 acres.
2. Embankment height greater than 20 feet at upstream toe.
3. Structure hazard class b or c.

**YES**  
WMA Dam Safety permit required

**NO**  
Determine if pond is in a Use III watershed.

**YES**  
Determine if pond is:  
1. Capturing flowing water during May through September (base flow), or  
2. Capturing any spring, or  
3. A wet pond.

**YES**

WMA Dam Safety permit required

**NO**  
Determine if pond is constructed across a stream.

**NO**  
Determine if pond is:  
1. Located within 100 feet of a flowing stream, or  
2. Designed with extended detention > 12 hours.

**YES**

WMA Dam Safety permit required

**NO**  
Pond is in the regulated 100 year floodplain (COMAR 26.17.04.03) or impacts nontidal wetlands.

**YES**  
SCD pond 378 approval only.

**YES**  
WMA approval for project impacts.

**SCD Approval with:**

1. Verification that the 100 year pool does not increase flooding on adjacent properties.
2. In-stream closure period\* noted on plans.

Note: Other WMA approvals (i.e. Nontidal Wetlands) may be required.

\* Instream closure periods:  
Use I, I-P: March 1 through June 15, inclusive  
Use III, III-P: October 1 through April 30, inclusive  
Use IV, IV-P: March 1 through May 31, inclusive

## Maryland Department of the Environment Water Management Administration

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### WATER MANAGEMENT ADMINISTRATION SMALL POND REVIEW CRITERIA

The following criteria are established for WMA - Dam Safety Division small pond review and approval:

1. If any of the following apply, a permit is required from WMA 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/SCS Class b & c).

2. If the pond is in Use III watershed, a WMA permit is required, if the pond will be:

- a) Capturing a flowing stream (stream with base flow\*), or
- 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, WMA approval is required in accordance with the provisions of the 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 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, a WMA Nontidal Wetlands & Waterway 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 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 2 days of a storm event. This flow chart is intended to determine whether WMA or local SCD will review the 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.