

## **Pond Construction Guidelines** **For Agricultural Ponds**

These guidelines were developed for a typical pond. Every pond is different. Please consult with the agencies below to determine your exact needs. Local, state and federal permits can be applied for concurrently.

1. Contact a **professional engineer, registered surveyor or environmental consultant** to provide local and state agencies with the required pond information.
2. Contact the **local issuing authority** to determine if the pond will be classified as an agricultural pond and to determine if state waters are present. This information is needed for state and local permits.

**The land owner will be responsible for contacting the state and federal agencies and sending the appropriate documents for permits to construct the pond.**

3. **On trout waters**, mail the completed **WRD (Wildlife Resources Division) Pond Evaluation Form** and **pond design (optional)** to:

**\*\*Ponds on primary trout streams with a watershed of 50 or more acres are not allowed!\*\***

**Fannin, Gilmer, Dade, Walker, Catoosa, Bartow,  
Whitfield, Chattooga, Floyd, Haralson, Polk,  
Pickens, Murray, Cherokee, and Gordon Counties**

**Rabun, Towns, Union, Stephens, White,  
Lumpkin and Dawson Counties**

### **DNR Wildlife Resources Division**

Northwest Region  
Attn: Gary Beisser  
P. O. Box 519  
Calhoun, GA. 30703-0519  
(706) 624-1161

### **DNR Wildlife Resources Division**

Attn: Lee Keefer  
3695 Hwy 197N  
Clarksville, GA. 30523  
(706) 947-3112

Mail a copy of the **WRD Pond Evaluation Form**, design information and a letter from the local issuing authority. The letter from the local issuing authority (as applicable) should state that they have visited the site and have determined the presence of state waters. Mail to:

**Environmental Protection Division  
Erosion and Sediment Control Unit  
4220 International Parkway, Suite 101  
Atlanta, GA. 30354  
404-675-6240**

4. Contact the local **USDA - Natural Resources Conservation Service** to determine if a **Farm Pond Exemption** from the requirement of obtaining a Section 404 Clean Water Act permit from the **U.S. Army Corps of Engineers** can be issued. : To be eligible for a farm pond exemption, the applicant must be an agricultural producer who is **actively engaged in agricultural or livestock production**. Gilmer, Fannin, Union, Towns and Rabun counties contact:

**USDA – NRCS**  
185 Welborn St. Box 3  
Blairsville, GA. 30512  
(706) 745-2794 x3

**To locate additional USDA Service Centers  
visit: <http://offices.sc.egov.usda.gov/locator/app>**

In the event the pond **does not** meet the farm pond exemption guidelines, or if this is a **proposed agricultural operation**, contact the **U.S. Army Corps of Engineers**. The USACE will determine whether to exempt the pond from the Section 404 permit process.

**U. S. Army Corps of Engineers**  
1590 Adamson Parkway  
The Plaza, Suite 200  
Morrow, GA. 30260  
(678) 422-2721

5. Dams which meet certain height and storage capacities may require permitting through **Georgia DNR-EPD Safe Dams Program**. Please contact **Georgia Safe Dams at 404 362-2678** for permitting requirements.

The **Georgia Safe Dams Act**, as amended in 1984, requires that all dams greater than 25 feet in height or impounding more than 100 acre-feet (maximum storage) be inventoried and categorized by the Environmental Protection Division.

Landowners planning a dam that will potentially meet or exceed the size limits mentioned above should request that the EPD inventory and categorize the dam site. The category assigned to the site will determine the criteria used for final design and if a permit will be required before construction begins.

Request for categorization should be addressed to:  
Department of Natural Resources  
Environmental Protection Division  
Safe Dams Program  
4244 International Parkway, Suite 110  
Atlanta, GA. 30354

Each request should be accompanied by a completed **inventory and classification form**.

6. A **Notice of Intent (NOI)** may need to be filed with the state. Check with your local issuing authority for requirements.
7. After the landowner has received all the approved permits they should contact the **local issuing authority** for a land disturbing permit if required.

As of March 18, 2007, any impacts to wetlands and/or streams (both intermittent and perennial) for construction of a recreational pond will require coordination with the U.S. Army Corps of Engineers (USACE). You will not be authorized to construct your dam/impoundment until you receive written authorization from the USACE. The location and extent of impacts will determine which permit your project will qualify under. In general, private recreational ponds that are not located in trout stream watersheds may be permitted under Regional Permit 90. Within trout stream watersheds, your project will require either a Nationwide Permit or Individual Permit, depending upon the extent of impacts (ponds that exceed 300 feet of stream impact or 0.5 acre of wetland will require an Individual Permit). Please be aware that the USACE requires compensatory mitigation for any impacts that exceed 100 linear feet of stream/0.10 acre of wetland. Also note that your project must comply with the Endangered Species Act. For more information, please call the United States Army Corps of Engineers, Savannah District, at 678-422-2721 for further information.

**THIS INFORMATION IS PROVIDED AS A PUBLIC SERVICE. WHILE AN EFFORT HAS BEEN MADE TO PROVIDE A COMPLETE AND ACCURATE LISTING OF PERMITS THAT ARE REQUIRED, OMISSION OR OTHER ERRORS MAY OCCUR AND THEREFORE, OTHER AVAILABLE SOURCES OF INFORMATION SHOULD BE CONSULTED.**