

Suggested Steps for Agricultural Pond Evaluation & Approval to Build

Revised July 16, 2009

1. Contact your local USDA-NRCS or County Soil & Water office to complete a "Preliminary Site Assessment for New Ponds"
2. Review the potential alternatives for your agricultural water needs.
3. Review potential regulatory requirements. US Army Corps of Engineers Farm Pond or other Irrigation Exemption Request should be completed and placed in the file unless requesting a Department of Army permit. Note: exemptions will only be granted when the size of the pond does not exceed agricultural water needs.
4. Consult with your local USDA-NRCS or County Soil & Water office to determine if technical and / or financial assistance is available.
5. After consultation with your local USDA-NRCS or County Soil & Water office, have a preliminary pond layout developed. Preliminary layout may be either from a local grading company who may be used to build the pond or from a professional civil, agricultural, or environmental engineer. Owner may contact the NC Division of Land Resources to determine dam permit requirements.
6. If the building site of the pond is on a USDA-FSA Farm Serial Number review and sign a "Confidentiality Agreement" that will allow USDA-NRCS to discuss your potential pond site with various federal and state agencies. After signing the "Confidentiality Agreement", consult with USDA-NRCS to determine if the Swampbuster "WX" exemption applies. Following that determination, the USDA-NRCS can provide guidance to whether you need to contact the Army Corps of Engineers, NC Division of Land Resources-Dam Safety Program and/ or North Carolina Division of Water Quality for regulatory requirements.
7. If the proposed pond site does not have a USDA-FSA Farm Serial Number, the landowner should take a copy of the "Preliminary Site Assessment for New Ponds" and a preliminary pond layout to the appropriate Army Corps of Engineers office, NC Division of Land Resources-Dam Safety Program and North Carolina Division of Water Quality for a preliminary assessment of regulatory requirements.
8. Begin the pond construction only after determining and securing the required permits or exemptions based upon completion of the above recommended steps.