

**SEDIMENT CONTROL POND
(CODE 378)**

DESCRIPTION

A water impoundment made by constructing a dam or an embankment, or by excavating a pit or dugout. Sediment Control Ponds constructed by the first method are referred to as embankment ponds, and those constructed by the second are referred to as excavated ponds.

PURPOSE

To maintain or improve water quality by preventing pollutants from reaching the waters of the State.

CONDITION

This practice shall be applied to farmland on which a water impoundment structure is needed for erosion and sediment control. The Sediment Control Pond must reduce pollutants from being transported to the waters of the State through runoff.

POLICIES

1. Agricultural activity must occur on the farm parcel where the Sediment Control Pond is to be constructed and the agricultural activity must be the cause of pollutants within the watershed.
2. Soil loss calculations (demonstrating a trapping efficiency of 50 tons per year or more) must be based solely on runoff from the agricultural parcel upon which the Sediment Control Pond would be constructed.
3. ***The average rate of erosion/soil loss in the watershed of the agricultural parcel upon which the sediment control pond would be constructed must be above the acceptable soil loss level of "T" to be eligible for a MACS grant.*** The soil loss is calculated by dividing the amount of acreage by the total soil loss *before* the practice is implemented (item #28 and #29 on the Water Quality Project form).
4. The cost-effectiveness must be shown to be \$55/ton of soil saved or less to be eligible for MACS funding up to 87.5% of the total eligible cost. If the cost-effectiveness of the proposed BMP exceeds \$55/ton of soil saved, use the variable rate formula to determine the maximum amount of cost-share funds the applicant could receive from all funding sources.
5. The sediment trapping characteristics of the pond must not be impaired by any design feature or intended future use of the pond.
6. If alternative best management practices will solve the problem, the most cost-effective solution must be considered for cost-sharing. If an applicant is only willing to install a

particular practice, which is not the most cost-effective, cost-sharing will be provided up to the amount estimated for the most cost-effective practice. Detail this on the required Sediment Control Pond Cost-Effectiveness Questionnaire.

7. Cost-sharing *is authorized* for the installation of Permanent Fencing (Code 382) to protect water quality and/or the water body banks and beds from damage by domestic livestock. This should be listed as a separate BMP on the Water Quality Project form.
8. Cost-sharing *is not authorized* for the following:
 - a. Any pond in the farm headquarters area for which the primary purpose is irrigation water, recreation, household water, the commercial production of fish or other aquatic life, or the supply of water to troughs and tanks.
 - b. Any pond to impound water on areas to be periodically drained for crop production.
 - c. Pipelines or troughs to furnish water to farm buildings.
9. Since ponds are considered a practice of last resort when no other BMP can be used to manage a sediment problem, an applicant may not receive additional MACS funding for other erosion control BMPs within the same drainage area after installing a Sediment Control Pond (SECTION III, #12).
10. Structures which provide multiple benefits in addition to erosion control and water conservation will be encouraged.
11. Consideration shall be given when feasible to the needs of wildlife in the area when designing or installing any Sediment Control Pond.
12. A current Soil Conservation and Water Quality Plan is required for the farm on which the pond is to be constructed.
13. NRCS Standards and Specifications for Ponds (Code 378) shall be followed when applying this practice.
14. This practice must be properly maintained for a minimum of fifteen (15) years. The applicant agrees to provide all equipment, labor and materials needed to meet this requirement. Cost-sharing is not authorized for pond clean-outs during the maintenance life of a Sediment Control Pond.
15. The applicant and the farm's Nutrient Management Plan must be in compliance with Maryland's Nutrient Management regulations (COMAR 15.20.08) at the time of Application. No Applications will be approved without a Nutrient Management Plan Certification Form submitted with the Application (SECTION III, #30).

REBUILDS AND DAM BREACHES

Cost-share is available at the rate of 65% of eligible costs with a cap of \$20,000 for a Sediment Control Pond *rebuild* project. ***If a landowner chooses to breach, rather than rebuild, an existing Sediment Control Pond, a Critical Area Seeding (Code 342) should be applied for rather than a Sediment Control Pond (Code 378).*** Cost-share for the Critical Area Planting associated with a **dam breach** is cost-shared at the rate of 87.5% of eligible costs with a cap of \$20,000 per project.

COST-SHARE RATE

The State cost-share payment will not exceed 65% of the total eligible cost, not to exceed \$150,000 for a new construction project. The State cost-share payment for a Sediment Control Pond rebuild will not exceed 65% of the total eligible cost, not to exceed \$20,000 per pond rebuild project.

ATTACHMENTS

Applicant(s) with an outstanding Unsatisfactory On-Farm Status Review of BMP Maintenance and Use of previous project(s) may be ineligible for MACS Cost-Share funding. When a previous project expires with outstanding unsatisfactory status, the applicant is ineligible for any future MACS funding.

The following items are needed:

1. A copy of a notarized deed for the farm. If the current, appropriate deed is already on file in the MACS office, then record both the deed reference (agreement number of the file where the deed is kept) and the liber/folio numbers under the General Comments section of the Water Quality Project form.
2. A copy of the Real Property Data Search page from the Maryland Department of Assessments and Taxation's website (www.dat.maryland.gov) indicating the Maryland Property View Account ID Number and owner information.
3. An aerial photograph indicating the property lines as well as all existing and proposed BMPs. For sediment control practices, indicate the drainage area and the direction of flow.
4. A Pond Responsibility form with an original signature must accompany the MACS Water Quality Project form.
5. A copy of the trapping efficiency worksheet for new ponds. (This worksheet is not required for rebuilds. Soil loss and cost-effectiveness information is required for new ponds as well as rebuilds).
6. The Sediment Control Pond Cost-Effectiveness Questionnaire for all new pond construction (SECTION III, # 13). *This questionnaire is not required for rebuilds.*
7. A plan view sketch graphically demonstrating the layout and details of the proposed BMP.
8. Nutrient Management Plan Certification Form shall be submitted with the Application (SECTION III, #30).