

When do I need a Small Pond Approval From SCD?

Depending on where your development is located, the local stormwater management (SWM) approval authorities¹ are required to review your SWM design for compliance with local, state, and federal stormwater management regulations and ordinances. **Small Pond Approval is separate and in addition to local stormwater management approval.**

In the state of Maryland, anytime a reservoir, dam or waterway obstruction is constructed, reconstructed, changed or repaired, a Permit is required from the Maryland Department of Environment (MDE), unless it is exempt, or it can be reviewed and approved through the Cecil Soil Conservation District (CSCD).

The watershed size, embankment/dam height, storage, and hazard classification will determine the reviewing and approval authority. Some water impoundments (small ponds, ESDs, etc.) are exempt from needing Small Pond approval from MDE or CSCD. Those small impoundments will have small watersheds, small earth embankments/dams, small storage reservoirs, and are classified as low hazard structures. In these cases, your local stormwater management approval authority¹ will be the only one to review and approve those small water impoundments.

To determine whether your water impoundment is either 1) exempt, 2) requires CSCD approval, or 3) requires a permit from MDE, use the [February 25, 2025, MDE Stormwater, Dam Safety, and Flood Management Program Flow Chart for Determining Embankment Design Category and Approval Authority](#).

CSCD has created a WORD document in .DOCX format [CSCD Step by Step Decision Aid](#) that moves through the flow chart in a step-by-step method to perform the same evaluation.

In all cases, where MDE or CSCD must review and approve plans and computations for technical compliance, follow requirements in the [USDA NRCS MD Conservation Practice Standard POND CODE 378](#) dated January 2000 which is incorporated by reference in The Code of Maryland Regulations (COMAR) 26.17.02.01-1(B.(2)), and MDE policies and procedures.

Also, The MDE Dam Safety has issued Policy & Technical Memorandums pertaining to Small Pond Design which are available on the MDE website at the following addresses:

There is a total of 23 (1-23) MDE Dam Safety Policy Memoranda available at the following URL address as of the revision date of this document:
<https://mde.maryland.gov/programs/water/damsafety/pages/guidelines.aspx>

There is a total of 13 (1-12,16) MDE Technical Memoranda available at the following URL address as of the revision date of this document:
<https://mde.maryland.gov/programs/water/stormwatermanagementprogram/pages/planreviewforstateandfederalprojects.aspx>

Here are the local stormwater management approval authorities in Cecil County:

- Cecil County Government Department of Land Use and Development Services
Development Plans Review
- Town of Elkton Department of Public Works
- Charlestown Department of Public Works
- Town of Rising Sun Department of Public Works.

These agencies are responsible for reviewing and approving **ALL** stormwater management (SWM) facilities/plans within their jurisdiction.