

Charlotte Storm Water Services



Title: **Pond and Dam Policy**

ID #: POL-27

Division/Program Manager: Jim Schumacher

Approval: _____

Original Date: 7/01/98

Revised Date: 3/6/07

Revision #: 1

Introduction

- Maintenance of the dam and pond of privately owned wet ponds/lakes is the responsibility of the private owner(s). A pond and dam will qualify for City-funded improvements and maintenance only when it is determined by the City that the pond/lake provides significant public benefits, such as flood control, pollution control, and/or safety.
- Dam structures subject to the State Dam Safety Law are under the purview of the NC Department of Natural Resources. Dam modifications required by the state do not qualify for City funding unless the City Engineer determines that appropriate public benefits can also be achieved in accordance with this policy.
- The control of issues such as algae, mosquitoes, fish kills, and trash removal is not a public benefit that qualifies for maintenance or improvements through this policy.

Requirements for study

The following conditions as evaluated by the City Engineer must be met in order to qualify for study and consideration of City funding for dam and pond improvements:

- The pond/lake must provide, or be able to provide, a significant flood control benefit downstream of the structure, that represents cost avoidance to the City in the construction and maintenance of drainage infrastructure.

OR

- The pond/lake must provide the opportunity to remove at least 10,000 pounds of pollutants annually.

OR

- The dam must pose a significant threat and impending hazard to public property, such as a public street.

OR

- The pond/lake is part of a larger, comprehensive watershed management plan or water quality plan.

AND

- The pond/lake is not a regulatory requirement associated with residential or commercial development.
- The pond/lake is not receiving a storm water fee credit.
- The owner(s) dedicate drainage and/or conservation easements at no cost to the City and sign maintenance agreements, all as determined appropriate by the City Engineer.

Implementation

- Ponds and dams that qualify for study through the above criteria will be evaluated, as City funding allows, to determine the extent of public benefits that can be achieved by improvements and/or ongoing maintenance.
- The City Engineer may allow the owner(s) to contribute to the cost of the analysis and improvements to address existing or potential private benefits and schedule drivers.
- Ponds and dams that are determined to provide, or have the ability to provide, significant public benefits will be ranked by criteria including cost/benefit ratios, flood control benefits, water quality benefits, safety, infrastructure needs, and coordination with other City investments and policies.
- The highest ranking pond and dam improvement projects will be submitted for funding in accordance with the City's Capital Improvement Budgeting Process.