Agricultural Pond Repair/Retrofit

Definition/Purpose

Repair, retrofit or expansion of existing agricultural pond systems. Benefits may include water supply, erosion control, flood control, and sediment and nutrient reductions from farm fields.

Policies

1. The pond shall be for agricultural use.

2. For projects involving dam, spillway, or overflow pipe upgrades:

    a. The design and final repair/retrofit/expansion must be certified by a professional engineer or an individual with appropriate job approval authority.

    b. Cost share will be based on actual cost with receipts required not to exceed the cap, for repair/retrofit/expansion plus engineering costs, if applicable.

3. The pond repair must be designed to the references below based on its hazard classification:
    a. For excavated ponds in which the depth of water is less than 3 feet at the auxiliary spillway elevation, the pond will be designed in accordance with the NRCS Standard 378.
    b. Low Hazard Classification – All designs must meet *either* NRCS Standard 378 (Pond) *or* the NC Dam Safety Law (15A NCAC 02K .0100) regardless of if they fall under the Dam Safety Permitting Requirements. The design components may not be mixed within the two standards. A modified Emergency Action Plan shall be completed for all repairs for low hazard class structures.
    c. Intermediate Hazard Classification – All designs for repairs must meet the NC Dam Safety Law (15A NCAC 02K .0100) regardless of if they fall under the Dam Safety Permitting Requirements.
        i. An Emergency Action Plan shall be completed for all repairs for intermediate hazard class structures.
        ii. If pond was originally designed to meet low hazard class standards and now classed as intermediate hazard then,
            1. For intermediate repairs where principle spillway has to be removed then design to state dam safety law.
            2. For intermediate repairs where the existing principle spillway can be repaired, the minimum design shall be such that the auxiliary spillway is only activated once every 10 years and the auxiliary spillway shall be designed to pass the dam safety intermediate hazard class criteria.
    d. High Hazard Classification – All designs must meet NC Dam Safety Law (15A NCAC 02K .0100).

4. While it is encouraged that all existing structures be upgraded to meet current standards when there is construction on the structure, it is not automatically required. For excavated and structures with a low hazard classification, the engineer shall make a determination on the need for structural upgrades and repairs during an evaluation of the overall system.

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5. Operation and Maintenance Plan is required. For existing excavated ponds and those with low hazard classification, trees six inches in diameter or greater can remain in the embankment if they are not dead or unhealthy, and if they are located such that they could not pose structural damage to pipes, or spillway structures etc. All other trees, shrubs and woody vegetation shall be removed as noted in the Operation and Maintenance Plan.

   It is the producer's responsibility to ensure the entire structure is maintained for the life of the contract (10 yrs.). In the event the landowner chooses not to act on deficiencies noted by the engineer and the structure fails, the landowner is not eligible for additional cost share and will be responsible for repairing the structure at their expense or repayment of cost share funds based on a prorated amount.

6. Livestock shall be excluded from the pond. In cases of emergency, cooperators may contact their district and request a temporary exception. Duration of exception will be determined by the district and supporting notes will be included in the contract file. Emergencies may be defined as power outages, pump failures, extreme periods of drought and/or depletion or contamination of the existing water source.

7. Ponds for irrigation only, without livestock access, do not require fencing.

8. Gallons of agricultural water storage increase or protected is required on the contract.

9. Cooperators are responsible for obtaining and complying with all required permits.

10. Minimum life of BMP is 10 years.

11. If the pond is no longer used for agriculture during the maintenance period, the cost share contract shall be considered out of compliance.

12. The District shall inspect the site annually during the maintenance period.

13. For an individual pond, cooperators are eligible to receive cost share assistance for either the Agricultural Pond Repair/Retrofit or the Agricultural Pond Sediment Removal BMP, but not both.

Standards

North Carolina NRCS Technical Guide, Section IV, Code #378 (Pond), Code #402. (Dam), NC Dam Safety Law (15A NCAC 02K .0100)