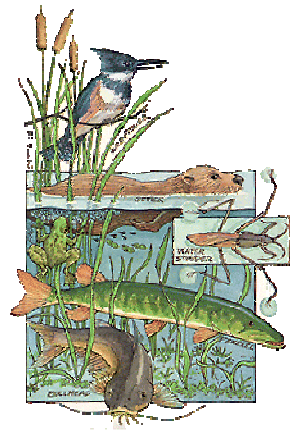




Pond Fact Sheet *for Landowners with a DEP* *Conservation Easement*



This fact sheet is being provided as a quick reference guide for activities that need Notice and Approval under a DEP Conservation Easement.

Where can I find Pond information in my Conservation Easement Deed?

Building and maintaining Ponds is addressed in Section 4.5B and defined in Section 2V as *Stream Work*.

When do I need Approval?

When you want to build or maintain a Pond on the property covered under a DEP Conservation Easement.

What does DEP want to see when it is considering Pond activities?

Building and maintaining Ponds should be designed and carried out to minimize harmful impacts to surface water quality by:

- in some cases, it may be worth hiring a consultant with expertise in pond design and construction, especially if a dam or other water control device is going to be required,
- impacting no more than a small percentage of the on-site wetlands and watercourses,
- minimizing the heating of Pond water and watercourses entering and leaving the Pond by planting and not disturbing pond and streamside vegetation,
- minimizing excavation and filling (i.e. loss) of wetlands,
- establishing tree, shrub and cattail cover along the southwestern half of the pond margin;
- shading the pond outlet and releasing pond water to a shaded watercourse,
- minimizing dredging needs by siting ponds away from sediment sources,
- using native plants and actively discouraging the spread of exotic invasive plants,
- minimizing oxygen loss and the use of herbicides by discouraging algae blooms or heavy aquatic weed growth,
- using hand-pulling or other non-chemical methods for weed management,
- maintaining vegetation along Pond edges to discourage geese and additional nutrient inputs,
- intercepting or reducing sediment before it enters the Pond,
- minimizing Pond dredging and reducing bank, soil, and vegetation disturbance.

Why do I need Approval?

Watercourses and wetlands are given a high level of protection by a DEP Conservation Easement. High oxygen levels in stream water, and low levels of dissolved nutrients, such as nitrogen, are indicators of excellent water quality. Ponds can dramatically reduce oxygen levels in surface water, increase nutrient levels, and attract wildlife such as geese that further reduce

water quality. Careful planning and design that minimizes disturbance of wetlands, streams and riparian areas during and after construction is a necessity for any stream work project.

How should I begin?

Proposals for building a Pond should be reviewed in the following sequence:

- Begin to think about your project considering locations, time frames, goals, and begin to gather maps. Additional copies of the baseline documentation map or other site maps and aerial photos are available from DEP,
- If you need assistance with the planning phase, please contact your DEP Land Steward for a pre-application meeting and site walk,
- Additional assistance may be available from the DEP Stream Management Program, your local Soil and Water Conservation District, or the USDA Natural Resource Conservation Service,
- Research, and obtain as necessary, the required permits from federal, state, and local agencies,
- Complete an application form along with required documents,
- Obtain final CE activity review and approval or requests for modifications.

This Fact Sheet is subject to modification – Please refer to your Conservation Easement deed!



Where do I send my application?

**Director of Land Management
City of New York, Department of Environmental Protection
71 Smith Ave, Kingston, NY 12401**

Version: February, 2006
CE 1.0