

North St. Louis Soil and Water Conservation District

October 27, 2004

Dear Mr. Landowner:

Thank you for contacting the Soil and Water Conservation District (SWCD) regarding ponds. I am enclosing a DNR publication titled "Excavated Ponds for Waterfowl" that should provide you with valuable information about the construction of a pond. If you have access to the internet, I would recommend the following websites for more pond information:

www.dnr.state.mn.us MN DNR Waters
www.ducks.org Ducks Unlimited, Inc.

www.fws.org US Fish and Wildlife
www.wildlife.org The Wildlife Society

The Minnesota Wetland Conservation Act (WCA) regulates excavation in the permanently and semi-permanently flooded areas of Type 3, 4, or 5 wetlands, and in all eight wetland types if excavation includes filling or draining or results in conversion to non-wetland. This means that excavation in Type 1, 2, 6, 7 or 8 wetlands is not regulated, as long as the excavation is not greater than 2 meters (6.6 feet), no draining of the wetland occurs, and no excavated material is placed in a wetland.

Wetland Types

- Type 1 wetlands include seasonally flooded basins and bottomland hardwoods.
- Type 2 wetlands are meadows containing grasses, sedges, and forbs.
- Type 3 wetlands are shallow marshes consisting of cattails, rushes, and forbs.
- Type 4 wetlands are deep marshes with bulrush, wild rice, and floating vegetation.
- Type 5 wetlands are open water shallow lakes fringed by floating vegetation.
- Type 6 wetlands are shrub swamps containing willow, alder, and dogwood.
- Type 7 wetlands are wooded swamps that may have broadleaf or evergreen trees.
- Type 8 wetlands are bogs with sphagnum moss, shrubs, and scattered trees.

The U.S. Army Corps of Engineers (ACOE) also regulates wetlands in Minnesota. Due to the fact that the ACOE permit process includes a 60 day comment period, I would advise you to submit the enclosed Basic Application Form for Water/Wetlands Projects to the Corps of Engineers if you may impact any wetlands. Submitting a completed application form for your proposed project at least two months ahead of construction will allow time for agency staff to address concerns they may have or relay specific project modifications for an oversight of a county ordinance (setback from property line, lake or river) or other state/federal regulation you may not have taken into consideration in the planning process.

Please feel free to contact me at 218-742-9505 with any further questions you may have or for further assistance with this project.

Sincerely,

Julie C. Klejeski
Resource Conservationist