

DNR Pond Permitting FAQs



When Does Construction of a New Pond Require a Waterway Permit?

- When the pond is within 500 feet of, or connected to, a navigable waterway

A DNR Waterways permit is required to construct or enlarge a pond that is within 500 feet of a navigable waterway or connected to a navigable waterway. A pond is considered connected to a waterway if it discharges into the waterway during normal flow conditions outside of storm events through any channel or drainage whether it's natural or artificial, open or closed.

When Does Construction of a New Pond Require a Wetland Permit?

Please note that pond projects must avoid wetlands to the greatest extent practicable, meaning if there is an upland area on a property it will be difficult to justify constructing a pond in a wetland area. Storm water and landscape ponds are not eligible for a general permit in wetlands. Wildlife ponds are typically only eligible in wetlands for restoration purposes if the wetlands are degraded and dominated by agricultural crops or invasive species.

When is a New Pond Exempt from DNR Waterway and Wetland Permitting?

Construction of a pond is exempt under [s. 30.19\(1m\), Wis. Stats.](#), from DNR Waterway permitting if any of these is true:

- The pond is located in Milwaukee County
- The pond is for an agricultural use - aquaculture; beekeeping; dairying; egg production; feedlots; grazing; floriculture; raising of livestock; raising of poultry; raising fruits, nuts and berries; raising grains, grass, mint and seed crops; raising vegetables; and sod farming.
- The pond is constructed by WisDOT as a borrow pit.

*Proposing a new dam requires a [DNR Dam Permit](#) under ch. 31, Wis. Stats.

Construction or maintenance of farm ponds, stock ponds, or irrigation ditches is exempt from DNR wetland permitting under [s. 281.36\(4\)\(c\), Wis. Stats.](#)

How do I Screen My Property for Mapped Wetlands and Waterways?

-See [DNR Wetland Map Screening Steps](#) for full instructions and for information regarding wetland identification and permitting.

If I Need a Permit for a New Pond, Which One Should I Apply for?

Waterway Permits | A new pond constructed within 500 ft. of a navigable waterway that is not in a wetland area may be covered under the Ponds General Permit if it meets all eligibility criteria in the general permit checklist below:

[-Ponds General Permit Checklist](#)

If the pond does not meet the general permit standards or is proposed as a connected enlargement, then you may apply for a pond individual permit.

Wetland Permits | A new pond proposed in a wetland area for wildlife restoration must be covered under a wetland permit. The pond may be eligible for the Wetland Conservation General Permit if it meets all eligibility criteria in the general permit checklist below:

[-Wetland Conservation Activities General Permit Checklist](#)

If the pond meets the wetland general permit criteria, then a waterway permit is not needed.

If the pond does not meet the wetland general permit standards, then you may apply for a wetland individual permit.

Do I need a Permit to Dredge or Enlarge an Existing Pond?

If the pond is artificial and not in a wetland, and not connected to or within 500 ft. of a navigable waterway, then no DNR waterway or wetland permits are needed.

If a DNR permit was previously issued for pond construction and/or maintenance, then maintenance that does not change the pond footprint can be completed according to the previous permit.

If the pond is connected to a navigable waterway, is within 500 ft. of a navigable waterway, has a history of being a public water, or has public land access rights, it may be a public water, and permits may be required for dredging and other maintenance. In this case, please send a location and description of proposed maintenance and any other activities to the [Waterways permitting general question form](#).

Do I Need a Permit for Vegetation Management on My Pond?

Vegetation removal using herbicides, mechanical equipment, or manual pulling in a pond may require a [DNR Aquatic Plant Management Permit](#). For other frequently asked questions about weed management using herbicides, aerators, specialty products, etc. please see [Aquatic Plant Management FAQ](#).

Can I Stock Fish in My Pond?

Fish stocking is not eligible for ponds constructed under a waterway or wetland general permit, and ponds constructed for wildlife habitat purposes in a wetland cannot stock fish.

For other private ponds where it is allowed, see [DNR Fish Stocking](#) for details on how to apply for a pond stocking general permit.

What Other Permits May be Required for Pond Projects?

Stormwater Notice of Intent (NOI): Most construction projects that result in land disturbance of 1 acre or more are required to submit a Notice of Intent (NOI) for coverage under the Construction Site Storm Water Runoff General Permit through the DNR Storm Water Program. See [DNR Storm Water Construction Permit Overview](#) for details.

Floodplain and Shoreland Zoning Authorizations: Local or county zoning approvals may be required for potential impacts to the shoreland or floodplain zone. Please contact your city or [county zoning authority](#) [\[exit DNR\]](#).

USACE Permit: To determine if a federal permit is required for your project, contact the [U.S. Army Corps of Engineers – St. Paul District Office](#) [\[exit DNR\]](#). Permit applications submitted to the DNR are reviewed by a USACE St. Paul District project manager. A USACE checklist will be required with the application as a screening tool. The federal permitting process is a separate process.