

**Maintenance Dredging of Accumulated Sediment**

The following excerpts discuss the requirements for the removal of accumulated silts and sediments from reservoirs impounded by dams. Please be sure to read this page in its entirety.

Pursuant to Section 105.131(c) of the Department’s Rules and Regulations, removal of accumulated sediments from the reservoir of a jurisdictional dam is considered maintenance and does not require a permit under the Dam Safety and Encroachments Act.

Section 105.12(a)(14) of the Department’s Rules and Regulations waives the requirement of a Water Obstruction and Encroachment Permit for removal of accumulated sediments from an artificial pond or reservoir impounded by a non-jurisdictional dam.

Any activity expanding the reservoir area or its depth does not qualify as maintenance and therefore, requires a Water Obstruction and Encroachment Permit.

Because the reservoir impounded by a dam is considered Waters of the United States, Federal authorization may be required under the provision of Section 404 of the Clean Water Act, as amended, and/or Section 10 of the Rivers and Harbors Act of 1899.