

SUCH WATERS UNCLEAN OR NOXIOUS SO AS TO BE DETRIMENTAL TO THE PROPAGATION, CULTIVATION OR CONSERVATION OF ANIMALS, FISH OR AQUATIC LIFE, OR UNSUITABLE WITH REASONABLE TREATMENT, FOR USE AS PRESENT OR POSSIBLE FUTURE SOURCES OF PUBLIC WATER SUPPLY OR UNSUITABLE FOR COMMERCIAL, INDUSTRIAL, AGRICULTURAL, RECREATIONAL OR OTHER REASONABLE USES. IT SHALL ALSO INCLUDE THE DISCHARGE OR DEPOSIT OF ANY SUBSTANCE WHICH, BECAUSE OF ITS TEMPERATURE, IS DETRIMENTAL TO OR UNSUITABLE FOR ANY OF THE ABOVE DESCRIBED USES OF WATERS OF THE STATE.

12.

(A) FROM AND AFTER JANUARY 1, 1934, IT SHALL BE UNLAWFUL FOR THE STATE OR ANY AGENCY THEREOF, ANY PERSON OR PERSONS, PARTNERSHIP, ASSOCIATION, PRIVATE OR PUBLIC CORPORATION, COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE, TO CONSTRUCT, RECONSTRUCT OR REPAIR ANY RESERVOIR, DAM OR WATERWAY OBSTRUCTION; OR TO MAKE OR CONSTRUCT OR PERMIT TO BE MADE OR CONSTRUCTED, ANY CHANGE THEREIN OR ADDITION THERETO; OR TO MAKE, OR PERMIT TO BE MADE, ANY CHANGE IN, ADDITION TO, OR REPAIR OF, ANY EXISTING WATERWAY OBSTRUCTION; OR IN ANY MANNER TO CHANGE THE COURSE, CURRENT, OR CROSS-SECTION OF ANY STREAM OR BODY OF WATER, WHOLLY OR PARTLY, WITHIN THIS STATE, WITHOUT A PERMIT FROM THE DEPARTMENT, IN WRITING, PREVIOUSLY OBTAINED, UPON WRITTEN APPLICATION THEREFOR TO SAID DEPARTMENT. NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO APPLY TO ANY DAM OR OBSTRUCTION WHICH IS TEN FEET OR LESS IN HEIGHT ABOVE THE ELEVATION OF THE STREAM BED OR WATERWAY, NOR SHALL IT APPLY TO ANY RESERVOIR WITH A STORAGE CAPACITY OF LESS THAN ONE MILLION GALLONS, NOR SHALL IT APPLY TO ANY RESERVOIR TO BE DESIGNED, CONSTRUCTED AND OPERATED AS A WASTE STABILIZATION LAGOON UNDER PERMIT OF THE STATE DEPARTMENT OF HEALTH, NOR SHALL IT APPLY TO ANY STRUCTURE FOR THE IMPOUNDING OF WATER LESS THAN FOUR FEET IN DEPTH, OVER TIDAL AND NON-TIDAL SWAMP LANDS FOR THE PROPAGATION OF MUSKRATS AND OTHER WILDLIFE SPECIES; NOR SHALL IT APPLY TO DRAINAGE SYSTEMS DESIGNED EXCLUSIVELY FOR THE PURPOSE OF COLLECTION, CONVEYANCE, OR DISPOSAL OF STORM WATER.

15.

As soon as convenient after the filing with the Department of any application for a permit to appropriate or use any waters of the State, or to construct or reconstruct or repair any reservoir,