

91.

Any person who shall stop up, or in any way obstruct any ditch or drain or other improvement made pursuant to this subtitle so as to impede the free flow of water therein, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not exceeding [twenty dollars] \$500 for each offense. All [such] fines when collected shall be paid to the county treasurer, and placed to the credit of the public drainage association which suffered the damage; provided that properly constructed swinging water gates may be placed across any [such] ditch on the fence lines to prevent stock from trespassing through [said] THE ditch.

Article - Natural Resources

8-803.

(a) (1) ~~EXCEPT--FOR--THE--MAINTENANCE--OF--PUBLIC---OR PRIVATE--WATERSHED--OR--DRAINAGE--ASSOCIATIONS--AND--DRAINAGE PROJECTS; -|- A -|-~~ A person is required to obtain a permit from the Department to construct, reconstruct, or repair any reservoir, dam, or waterway obstruction or make, construct, or permit to be made or constructed, any change or addition to any reservoir, dam or waterway obstruction, or make, or permit to be made, any change in, addition to, or repair of, any existing waterway obstruction, or in any manner to change in whole or part the course, current, or cross section of any stream or body of water, within the State except tidal waters. The permit is obtained upon written application to the Department.

(C) AGRICULTURAL DRAINAGE SYSTEMS, FOR THE PURPOSE OF LOWERING THE LEVEL OF WATER IN THE SOIL, WITH A TOTAL DRAINAGE AREA OF 2,500 ACRES OR LESS ARE EXEMPT FROM THE REQUIREMENT OF OBTAINING A PERMIT FROM THE DEPARTMENT.

(D) THE PERIODIC MAINTENANCE OF AGRICULTURAL DRAINAGE SYSTEMS CONSTRUCTED UNDER THE AUSPICES OF A PUBLIC DRAINAGE OR WATERSHED ASSOCIATION IS EXEMPT FROM THE REQUIREMENT OF OBTAINING A PERMIT FROM THE DEPARTMENT IF:

(1) THE MAINTENANCE IS PERFORMED IN ACCORDANCE WITH A PERMIT FROM THE DEPARTMENT FOR THE ORIGINAL CONSTRUCTION OR RECONSTRUCTION OF THE DRAINAGE SYSTEM; OR

(2) THE MAINTENANCE IS PERFORMED IN ACCORDANCE WITH AN OPERATION AND MAINTENANCE PLAN APPROVED BY THE LOCAL SOIL CONSERVATION DISTRICT AND THE DEPARTMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.