

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Agriculture

8-603.

(A) (1) "AGRICULTURAL DRAINAGE PROJECT" MEANS THE CONSTRUCTION, RECONSTRUCTION, OR REPAIR, OR THE STRAIGHTENING, WIDENING, OR DEEPENING, OF ANY DITCH, DRAIN, CANAL, OR OTHER WATERCOURSE, NATURAL OR MAN-MADE, ~~CONTROLLED-OR-OWNED~~ FINANCED OR MANAGED BY A PUBLIC DRAINAGE ASSOCIATION FOR THE PURPOSE OF LOWERING THE WATER LEVEL IN THE SOIL OF ADJACENT LANDS FOR AGRICULTURAL PURPOSES.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF AGRICULTURE OR HEALTH AND MENTAL HYGIENE OR NATURAL RESOURCES OR ANY COMBINATION OF THEM.

(3) "PERSON" INCLUDES AN INDIVIDUAL, RECEIVER, FIDUCIARY OR REPRESENTATIVE OF ANY KIND, OR ANY PARTNERSHIP, FIRM, ASSOCIATION, PUBLIC OR PRIVATE CORPORATION, TRUST, OR ANY OTHER ENTITY.

(4) "SECRETARY" MEANS THE SECRETARY OF AGRICULTURE UNLESS THE CONTEXT REQUIRES OTHERWISE.

(B) THE GENERAL ASSEMBLY DETERMINES AND FINDS THAT THE LANDS AND WATERS COMPRISING THE WATERSHEDS OF THE STATE ARE GREAT NATURAL ASSETS AND RESOURCES. IT CONTINUES TO FIND THAT THE DRAINAGE OF SURFACE WATERS FROM LANDS FOR AGRICULTURAL PURPOSES BY PUBLIC DRAINAGE ASSOCIATIONS REPRESENTS A PUBLIC BENEFIT. AS ~~A--RESULT-OF-EROSION-AND-SEDIMENT-DEPOSITS-ON-LANDS-AND-IN-WATERS WITHIN-THE-WATERSHEDS-OF-THE-STATE,--A-POR-TION--OF--WHICH--RESULTS FROM--DRAINAGE--OF-AGRICULTURAL-LANDS-WITHOUT-APPROPRIATE-DESIGNS AND-CONTROLS,--THESE-WATERS-ARE-BEING-POLLUTED--AND--DESPOILED--TO SUCH--A--DEGREE,--THAT-FISH,--MARINE-LIFE,--AND-RECREATIONAL-USE-OF THE-WATERS-ARE-BEING-ADVERSELY-AFFECTED.~~ THE GENERAL ASSEMBLY FURTHER FINDS THAT AGRICULTURAL DRAINAGE PROJECTS, IF NOT PROPERLY DESIGNED, OPERATED, AND MAINTAINED, HAVE THE POTENTIAL TO CONTRIBUTE NONPOINT SOURCE POLLUTANTS TO THE WATERS OF THE STATE.

(C) TO PROTECT THE NATURAL RESOURCES OF THE STATE, THE SECRETARY AND THE SECRETARIES OF NATURAL RESOURCES AND HEALTH AND MENTAL HYGIENE, SHALL JOINTLY PROMULGATE BY REGULATION ON OR BEFORE JANUARY 1, 1985, CRITERIA FOR THE DESIGN, CONSTRUCTION, OPERATION, AND MAINTENANCE OF AGRICULTURAL DRAINAGE PROJECTS WHICH WILL ASSURE, TO THE MAXIMUM EXTENT PRACTICABLE, THE PREVENTION OF POLLUTION OF THE WATERS OF THE STATE. THESE RULES AND REGULATIONS SHALL CONTAIN STANDARDS OF REVIEW BY THE 3 SECRETARIES THAT RECOGNIZE THE REGULATORY ISSUES TO BE CONSIDERED BY EACH AND MINIMIZE DUPLICATION. THE RULES AND REGULATIONS SHALL ALSO ESTABLISH PROCEDURES FOR ADMINISTRATIVE HEARINGS AND PROVIDE FOR CONSOLIDATION WHERE DIFFERENT DEPARTMENTS HAVE