

INITIATED ADMINISTRATIVE PROCEEDINGS ARISING FROM THE SAME OR RELATED ACTIVITIES.

(D) (1) EFFECTIVE JANUARY 1, 1985, BEFORE INITIATING AN AGRICULTURAL DRAINAGE PROJECT, A PUBLIC DRAINAGE ASSOCIATION SHALL OBTAIN FROM THE SECRETARY APPROVAL OF CONSTRUCTION, OPERATION, AND MAINTENANCE PLANS FOR THE PROJECT.

(2) THE SECRETARY SHALL NOT APPROVE ANY CONSTRUCTION, OPERATION, OR MAINTENANCE PLAN FOR AN AGRICULTURAL DRAINAGE PROJECT UNLESS THE PLAN HAS BEEN REVIEWED AND APPROVED BY THE SECRETARIES OF NATURAL RESOURCES AND HEALTH AND MENTAL HYGIENE OR THEIR DESIGNEES. THE SECRETARY SHALL FORWARD COPIES OF ANY PLAN SUBMITTED SIMULTANEOUSLY TO THE SECRETARIES OF NATURAL RESOURCES AND HEALTH AND MENTAL HYGIENE, WHO SHALL HAVE 60 CALENDAR DAYS TO APPROVE, RECOMMEND MODIFICATIONS, OR DISAPPROVE REVIEW THE PLAN. FAILURE OF EITHER THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR NATURAL RESOURCES TO ACT WITHIN 60 CALENDAR DAYS SHALL BE DEEMED TO CONSTITUTE APPROVAL OF THE PLAN AS SUBMITTED.

(E) (1) AN AGRICULTURAL DRAINAGE PROJECT SHALL BE CONSTRUCTED, OPERATED, AND MAINTAINED IN ACCORDANCE WITH THE APPROVED PLANS.

(2) THE SECRETARIES OF AGRICULTURE, HEALTH AND MENTAL HYGIENE, OR NATURAL RESOURCES MAY PURSUE ANY SANCTION OR REMEDY PROVIDED IN THIS SUBTITLE FOR A VIOLATION OF THIS SUBTITLE. HOWEVER, THE SECRETARIES OF HEALTH AND MENTAL HYGIENE AND NATURAL RESOURCES MAY NOT PURSUE ANY SANCTION OR REMEDY UNDER THIS SUBTITLE UNTIL THEY HAVE FIRST CONSULTED WITH THE SECRETARY OF AGRICULTURE AND GIVEN THE SECRETARY OF AGRICULTURE A REASONABLE PERIOD OF TIME TO ALLEVIATE THE PROBLEM.

{2} (F) (1) THE SECRETARY OF A DEPARTMENT MAY ISSUE ORDERS FOR CORRECTIVE MEASURES TO ANY PERSON BELIEVED TO BE VIOLATING ANY PROVISION OF THIS SECTION, ANY RULE OR REGULATION ADOPTED UNDER THIS SECTION, OR ANY REQUIREMENT OF APPROVED AGRICULTURAL DRAINAGE PROJECT PLANS.

{3} (2) THE PERSON TO WHOM AN ORDER IS ISSUED MAY, ON REQUEST, CONTEST THE ORDER IN A HEARING GOVERNED BY THE ADMINISTRATIVE PROCEDURE ACT. WHETHER OR NOT AN ORDER FOR CORRECTIVE MEASURES HAS BEEN ISSUED OR CONTESTED, THE SECRETARY OF A DEPARTMENT MAY, AT ANY TIME, REFER AN ALLEGED VIOLATION OF THIS SECTION, OF ANY RULE OR REGULATION ADOPTED UNDER THIS SECTION, OR OF ANY APPROVED PLAN REQUIREMENT, DIRECTLY TO THE ATTORNEY GENERAL FOR APPROPRIATE COURT ACTION.

{F} (G) (1) IN ADDITION TO ANY OTHER SANCTION UNDER THIS SECTION, A PERSON WHO CONSTRUCTS, OPERATES, OR MAINTAINS AN AGRICULTURAL DRAINAGE PROJECT WITHOUT APPROVED PLANS OR IN VIOLATION OF APPROVED PLAN REQUIREMENTS SHALL BE LIABLE TO THE STATE IN A CIVIL ACTION FOR DAMAGES IN AN AMOUNT EQUAL TO DOUBLE THE COST OF THAT PORTION OF CONSTRUCTING, OPERATING, OR MAINTAINING THE PROJECT THAT WAS NOT DONE IN ACCORDANCE WITH APPROVED PLANS.