

(3) FOR A LOT OR PARCEL GREATER THAN ONE-HALF ACRE AND LESS THAN ONE ACRE IN SIZE, TOTAL IMPERVIOUS SURFACES DO NOT EXCEED IMPERVIOUS SURFACE LIMITS IN SUBSECTION (D)(3) OF THIS SECTION OR 5,445 SQUARE FEET, WHICHEVER IS GREATER;

~~(2)~~ (4) WATER QUALITY IMPACTS ASSOCIATED WITH RUNOFF FROM THE NEW IMPERVIOUS SURFACES CAN BE AND HAVE BEEN MINIMIZED THROUGH SITE DESIGN CONSIDERATIONS OR USE OF BEST MANAGEMENT PRACTICES APPROVED BY THE LOCAL JURISDICTION TO IMPROVE WATER QUALITY; AND

~~(3)~~ (5) THE PROPERTY OWNER PERFORMS ON-SITE MITIGATION AS REQUIRED BY THE LOCAL JURISDICTION TO OFFSET POTENTIAL ADVERSE WATER QUALITY IMPACTS FROM THE NEW IMPERVIOUS SURFACES, OR PAYS A FEE-IN-LIEU OF MITIGATION TO THE LOCAL JURISDICTION.

(G) ALL FEES-IN-LIEU COLLECTED BY A LOCAL JURISDICTION UNDER SUBSECTION (F)(3) OF THIS SECTION MUST BE USED TO FUND PROJECTS THAT IMPROVE WATER QUALITY WITHIN THE CRITICAL AREA CONSISTENT WITH THE JURISDICTION'S LOCAL CRITICAL AREA PROTECTION PROGRAM.

[(f)] (H) A local jurisdiction may grant a variance from the provisions of this section in accordance with regulations adopted by the Commission concerning variances as part of local program development set forth in COMAR 27.01.11 and notification of project applications set forth in COMAR 27.03.01.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

May 23, 1996  
The Honorable Casper R. Taylor, Jr.  
Speaker of the House  
State House  
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 1125.

This bill establishes within the Department of Natural Resources a Black Bear Damage Reimbursement Fund to reimburse farmers for bear damage to agricultural products and livestock under specified conditions. The fund consists of proceeds from the sale of Black Bear Conservation Stamps or Decals and any other gifts or grants.

Senate Bill 730, which was passed by the General Assembly and signed by me on May 14, 1996, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1125.

Sincerely,  
Parris N. Glendening  
Governor