

(B) THE COMMISSION MAY BY REGULATION DETERMINE THE CLASSES OF SUCH PROJECTS FOR WHICH COMMISSION APPROVAL IS NOT REQUIRED, THE TYPES OF SUCH PROJECTS FOR WHICH PROPOSALS MUST BE SUBMITTED DIRECTLY TO THE COMMISSION FOR REVIEW, AND THE TYPES FOR WHICH PROPOSALS MAY BE SUBMITTED TO THE COMMISSION THROUGH THE APPROPRIATE OFFICES OR AGENCIES OF A SIGNATORY. THE COMMISSION AFTER CONSULTATION WITH THE APPROPRIATE OFFICES OR AGENCIES OF THE SIGNATORIES, SHALL ESTABLISH THE PROCEDURE OF SUBMISSION, TIMELY REVIEW AND CONSIDERATION OF PROJECTS.

(C) THE COMMISSION SHALL APPROVE A PROJECT UNLESS IT DETERMINES THAT THE PROJECT, ALONE OR IN CONJUNCTION WITH OTHER PROJECTS, IS NOT IN THE PUBLIC INTEREST IN THE CONSERVATION, DEVELOPMENT, UTILIZATION OR MANAGEMENT OF THE WATER RESOURCES OF THE BASIN AS PROVIDED FOR IN THIS COMPACT, OR IS IN SUBSTANTIAL CONFLICT WITH THE COMPREHENSIVE WATER RESOURCES PLAN. IN EITHER CASE IT MAY REQUIRE MODIFICATION THEREOF AND APPROVE AS MODIFIED, OR MAY DISAPPROVE THE PROJECT. IF THE COMMISSION DOES NOT ACT ON A PROJECT PURSUANT TO THIS SECTION WITHIN NINETY (90) DAYS OF ITS SUBMISSION, THE PROJECT SHALL BE DEEMED TO HAVE BEEN APPROVED, EXCEPT THAT IF THE COMMISSION REQUESTS MODIFICATIONS IN THE PROJECT AS SUBMITTED, A REASONABLE TIME SHALL BE ALLOWED FOR THE MAKING OF SUCH MODIFICATIONS AND FOR RESUBMISSION TO THE COMMISSION. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT THE COMMISSION AND THE APPLICANT FROM EXTENDING THE NINETY (90) DAY PERIOD PROVIDED HEREIN BY MUTUAL WRITTEN CONSENT.

(D) PROPOSALS FOR FEDERAL PROJECTS WHICH COME WITHIN ONE OR MORE OF THE CLASSES ENUMERATED IN SUBSECTION (A) OF THIS SECTION 3.08 AND WHICH REQUIRE CONGRESSIONAL AUTHORIZATION SHALL BE SUBMITTED TO THE COMMISSION FOR REVIEW AND RECOMMENDATION FOR A PERIOD OF NOT LESS THAN NINETY (90) DAYS; AND THE RECOMMENDATIONS AND VIEWS OF THE COMMISSION THEREON SHALL BE INCLUDED IN ANY REPORT THEREON SUBMITTED BY THE SPONSORING FEDERAL AGENCY TO THE CONGRESS.

3.09. EFFECT ON THE CHESAPEAKE BAY.—WITH RESPECT TO ANY ACTION TAKEN BY IT UNDER THIS COMPACT, THE COMMISSION SHALL CONSIDER THE ACTUAL OR POTENTIAL EFFECT OF SUCH ACTION UPON THE RECEIVING WATERS OF THE CHESAPEAKE BAY.

3.10. ADVISORY COMMITTEES.—THE COMMISSION MAY CONSTITUTE, AND PRESCRIBE THE FUNCTIONS OF, SUCH