

(9) -- MAY DESIGNATE SHORELINE AREAS THAT ARE SUITABLE FOR PORTS, MARINAS, AND INDUSTRIES THAT USE WATER FOR TRANSPORTATION OR DERIVE ECONOMIC BENEFITS FROM SHORE ACCESS,

(10) -- SHALL REQUIRE THAT ALL HARVESTING OF TIMBER IN THE CHESAPEAKE BAY CRITICAL AREA BE IN ACCORDANCE WITH A PLAN APPROVED BY THE DISTRICT FORESTRY BOARD,

(11) -- SHALL REQUIRE THE REMOVAL, WITHIN A PERIOD OF NOT LESS THAN 5 YEARS, OF MAN-MADE DEBRIS OR UNOCCUPIED DILAPIDATED STRUCTURES FROM AN AREA EXTENDING 100 FEET FROM THE MEAN HIGH WATER LINE OF CHESAPEAKE BAY AND TRIBUTARIES AND STREAMS IDENTIFIED UNDER § 8-1807, AND

(12) -- SHALL REQUIRE THE INSTALLATION OF NEW UTILITIES SO AS NOT TO INTERFERE WITH THE SCENIC QUALITIES OF THE SHORELINE.

(A) THE INITIAL PLANNING AREA FOR DETERMINATION OF THE CHESAPEAKE BAY CRITICAL AREA CONSISTS OF:

(1) ALL WATERS OF ISLANDS IN, AND LANDS UNDER THE CHESAPEAKE BAY AND ITS TRIBUTARIES TO THE HEAD OF TIDE AS INDICATED ON THE STATE WETLANDS MAPS, AND ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 9 OF THIS ARTICLE; AND

(2) ALL LAND AND WATER AREAS WITHIN 1,000 FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 9 OF THIS ARTICLE.

(B) (1) (I) IN DETERMINING THE CHESAPEAKE BAY CRITICAL AREA WITHIN ITS BOUNDARIES, A LOCAL JURISDICTION MAY EXCLUDE THOSE PORTIONS OF THE PLANNING AREA DESIGNATED IN SUBSECTION (A) OF THIS SECTION WHICH THE LOCAL JURISDICTION FINDS TO BE:

1. PART OF A DEVELOPED, URBAN AREA IN WHICH, IN VIEW OF AVAILABLE PUBLIC FACILITIES AND APPLICABLE LAWS AND RESTRICTIONS, THE IMPOSITION OF A PROGRAM WOULD NOT SUBSTANTIALLY IMPROVE PROTECTION OF TIDAL WATER QUALITY OR CONSERVATION OF FISH, WILDLIFE, OR PLANT HABITATS; OR

2. LOCATED AT LEAST 1,000 FEET FROM OPEN WATER AND SEPARATED FROM OPEN WATER BY AN AREA OF WETLANDS WHICH IT IS FOUND WILL SERVE TO PROTECT TIDAL WATER QUALITY AND FISH, WILDLIFE, OR PLANT HABITATS FROM ADVERSE IMPACTS OF DEVELOPMENT IN THE EXCLUDED AREA.

(II) A PORTION OF URBAN AREA TO BE EXCLUDED SHALL BE AT LEAST 50 PERCENT DEVELOPED AND MAY NOT BE LESS THAN 2,640,000 SQUARE FEET IN CONTIGUOUS AREA OR THE ENTIRE INITIAL PLANNING AREA LOCATED WITHIN THE BOUNDARIES OF A MUNICIPALITY, WHICHEVER IS LESS.

(2) A LOCAL JURISDICTION SHALL INCLUDE IN ANY PROGRAM SUBMITTED TO THE COMMISSION UNDER § 8-1809 A DESIGNATION OF THOSE