

PORTIONS OF THE CHESAPEAKE BAY CRITICAL AREA PROPOSED FOR EXCLUSION UNDER PARAGRAPH (1) OF THIS SUBSECTION, TOGETHER WITH ALL FACTUAL INFORMATION AND EXPERT OPINION SUPPORTING ITS FINDINGS UNDER THIS SUBSECTION.

(3) THE COMMISSION SHALL APPROVE A LOCAL JURISDICTION'S DESIGNATION OF PORTIONS TO BE EXCLUDED UNLESS THE COMMISSION FINDS, BASED ON STATED REASONS, THAT THE DECISION OF THE LOCAL JURISDICTION WAS:

(I) NOT SUPPORTED BY COMPETENT AND MATERIAL EVIDENCE; OR

(II) ARBITRARY OR CAPRICIOUS.

(4) IF THE COMMISSION DEVELOPS THE PROGRAM TO BE APPLIED IN A LOCAL JURISDICTION, IT SHALL EXCLUDE AREAS AS APPROPRIATE TO MEET THE INTENT OF PARAGRAPH (1) OF THIS SUBSECTION.

(C) THE CHESAPEAKE BAY CRITICAL AREA SHALL CONSIST OF:

(1) THOSE AREAS DESIGNATED IN SUBSECTION (A) OF THIS SECTION, EXCEPT ANY AREAS EXCLUDED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION; AND

(2) ADDITIONAL AREAS PROPOSED FOR INCLUSION BY LOCAL JURISDICTIONS AND APPROVED BY THE COMMISSION.

8-1808.

(A) (1) IT IS THE INTENT OF THIS SUBTITLE THAT EACH LOCAL JURISDICTION SHALL HAVE PRIMARY RESPONSIBILITY FOR DEVELOPING AND IMPLEMENTING A PROGRAM, SUBJECT TO REVIEW AND APPROVAL BY THE COMMISSION.

~~(2) -- THE -- GOVERNOR -- SHALL -- INCLUDE -- IN -- THE -- 1986 -- FISCAL -- YEAR -- BUDGET -- ONLY, -- A -- SUM -- OF -- MONEY -- TO -- REIMBURSE -- EACH -- LOCAL -- JURISDICTION -- AN -- AMOUNT -- OF -- MONEY -- THAT -- IS -- SUFFICIENT -- TO -- DEFRAY -- THE -- COSTS -- INVOLVED -- IN -- DEVELOPING -- A -- PROGRAM -- UNDER -- THIS -- SECTION.~~

(2) THE GOVERNOR SHALL INCLUDE IN THE BUDGET A SUM OF MONEY TO BE USED FOR GRANTS TO REIMBURSE LOCAL JURISDICTIONS FOR THE REASONABLE COSTS OF DEVELOPING A PROGRAM UNDER THIS SECTION. EACH LOCAL JURISDICTION SHALL SUBMIT TO THE GOVERNOR BY OCTOBER 31, 1984, A DETAILED REQUEST FOR FUNDS THAT ARE EQUIVALENT TO THE ADDITIONAL COSTS INCURRED IN DEVELOPING THE PROGRAM UNDER THIS SECTION.

(B) A PROGRAM SHALL CONSIST OF THOSE ELEMENTS WHICH ARE NECESSARY OR APPROPRIATE TO:

(1) MINIMIZE ADVERSE IMPACTS ON WATER QUALITY THAT RESULT FROM POLLUTANTS THAT ARE DISCHARGED FROM STRUCTURES OR CONVEYANCES OR THAT HAVE RUN OFF FROM SURROUNDING LANDS;