

(2) -- THE LOCAL JURISDICTION SHALL PERMIT SUCH A PERSON TO TRANSFER OR CONVEY THE RIGHT TO CONSTRUCT 1 SINGLE FAMILY DWELLING IF THE PERSON HAS NOT EXERCISED THAT RIGHT.

(3) -- THE LOCAL JURISDICTION SHALL REQUIRE THAT CONSTRUCTION PERMITTED IN ACCORDANCE WITH THIS SUBSECTION COMPLY WITH APPLICABLE SETBACK, BUFFER AREA, AND LAND CLEARANCE REQUIREMENTS OF THE LOCAL JURISDICTION.

(C) (1) -- IF A PROJECT APPROVAL HAS BEEN GRANTED AND THE TIME FOR APPEAL HAS NOT EXPIRED BEFORE JULY 1, 1984, THE EXECUTIVE DIRECTOR OF THE COMMISSION MAY ACT UNDER PARAGRAPH (2) OF THIS SUBSECTION ON OR BEFORE SEPTEMBER 1, 1984.

(2) -- DURING THE TIME PERIOD STATED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXECUTIVE DIRECTOR MAY:

(i) -- APPEAL THE PROJECT APPROVAL ON ANY LEGALLY SUFFICIENT GROUNDS, OR

(ii) -- FILE A CIVIL ACTION IN THE CIRCUIT COURT FOR THE COUNTY WHERE THE LAND INVOLVED IS LOCATED TO ENJOIN ACTION PERMITTED BY THE PROJECT APPROVAL ON THE GROUNDS THAT IT IS LIKELY TO HARM:

1. -- THE WATER QUALITY OF THE CHESAPEAKE BAY OR ITS TRIBUTARIES,

2. -- FISHERIES, WILDLIFE OR PLANT HABITAT IN THE CHESAPEAKE BAY CRITICAL AREA, OR

3. -- THE EXISTING SCENIC QUALITIES OF THE CHESAPEAKE BAY CRITICAL AREA.

(3) -- IN A PROCEEDING BROUGHT UNDER PARAGRAPH (2) (ii) OF THIS SUBSECTION, THE CIRCUIT COURT SHALL ENJOIN ACTION PERMITTED BY A PROJECT APPROVAL IF IT IS CONVINCED BY A PREPONDERANCE OF THE EVIDENCE THAT THE ACTION IS LIKELY TO CAUSE THE HARM STATED IN PARAGRAPH (2) (ii). THE EXECUTIVE DIRECTOR NEED NOT DEMONSTRATE A LACK OF AN ADEQUATE REMEDY AT LAW. FROM JUNE 1, 1984 WITH REGARD TO ANY SUBDIVISION PLAT APPROVAL OR APPROVAL OF A ZONING AMENDMENT, VARIANCE, SPECIAL EXCEPTION, CONDITIONAL USE PERMIT OR USE OF A FLOATING ZONE, AFFECTING ANY LAND OR WATER AREA LOCATED WITHIN THE INITIAL PLANNING AREA IDENTIFIED IN SECTION 8-1807(A) OF THIS SUBTITLE, FOR WHICH APPLICATION IS COMPLETED AFTER THAT DATE, THE APPROVING AUTHORITY OF THE LOCAL JURISDICTION IN RENDERING ITS DECISION TO APPROVE AN APPLICATION SHALL MAKE SPECIFIC FINDINGS THAT:

(1) THE PROPOSED DEVELOPMENT WILL 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; AND