

(2) THE APPLICANT HAS IDENTIFIED FISH, WILDLIFE, AND PLANT HABITAT WHICH MAY BE ADVERSELY AFFECTED BY THE PROPOSED DEVELOPMENT AND HAS DESIGNED THE DEVELOPMENT SO AS TO PROTECT THOSE IDENTIFIED HABITATS WHOSE LOSS WOULD SUBSTANTIALLY DIMINISH THE CONTINUED ABILITY OF POPULATIONS OF AFFECTED SPECIES TO SUSTAIN THEMSELVES.

(B) WITH REGARD TO ANY APPLICATION FOR PROJECT APPROVAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, A LOCAL APPROVING AUTHORITY SHALL REQUIRE SUCH ADDITIONAL INFORMATION FROM AN APPLICANT AS IS NECESSARY IN ORDER TO MAKE THE FINDINGS REQUIRED BY SUBSECTION (A).

(C) THIS SECTION SHALL REMAIN IN EFFECT IN A LOCAL JURISDICTION UNTIL SUCH TIME AS AN APPROVED PROGRAM BECOMES EFFECTIVE.

(D) THIS SECTION DOES NOT APPLY TO ANY APPLICATION INITIALLY FILED PRIOR TO MARCH 1, 1984.

~~8-1815-~~ 8-1814.

(A) AFTER 760 DAYS HAVE ELAPSED FROM THE DATE UPON WHICH CRITERIA ADOPTED BY THE COMMISSION BECOME EFFECTIVE, ANY STATE OR LOCAL AGENCY THAT PROPOSES DEVELOPMENT WHICH HAS NOT BEEN SUBJECT TO PROJECT APPROVAL BY THE LOCAL JURISDICTION UNDER AN APPROVED PROGRAM, INCLUDING BUILDINGS, TREATMENT PLANTS, ROADS, RAILROADS, AND AIRPORTS, IN THE CHESAPEAKE BAY CRITICAL AREA SHALL, BEFORE IT BEGINS THE DEVELOPMENT, RECEIVE THE APPROVAL OF THE COMMISSION IN ACCORDANCE WITH PROCEDURES OR EXCEPTIONS SET FORTH IN REGULATIONS ADOPTED BY THE COMMISSION USING THE STANDARDS SET FORTH IN § 8-1808(B)(1) THROUGH ~~(4)~~ (3) OF THIS SUBTITLE. THESE REGULATIONS SHALL BE PROMULGATED ON OR BEFORE SEPTEMBER 1, 1987, AND ONLY AFTER CONSULTATION WITH AFFECTED STATE AND LOCAL AGENCIES.

(B) THE SECRETARY SHALL CONSULT WITH THE COMMISSION IN MAKING CONSISTENCY DETERMINATIONS UNDER THE FEDERAL COASTAL ZONE MANAGEMENT PROGRAM.

(C) THIS SUBTITLE IS NOT INTENDED TO RELIEVE ANY OBLIGATION OTHERWISE IMPOSED BY LAW OR REGULATION TO OBTAIN LICENSES, PERMITS, OR APPROVALS FROM STATE AND LOCAL REGULATORY AGENCIES OR TO COMPLY WITH APPLICABLE STATE AND LOCAL REGULATORY PROHIBITIONS OR RESTRICTIONS.

~~8-1816-~~ 8-1815.

(A) ~~(1) -- THE COMMISSION MAY REQUEST A LOCAL JURISDICTION THAT HAS NOT PROSECUTED OR SOUGHT TO PENALIZE OR PREVENT AN ALLEGED VIOLATION OF ITS PROGRAM TO BEGIN AN INVESTIGATION OF THE ALLEGED VIOLATION WITHIN 30 DAYS AFTER THE REQUEST.~~

~~(2) -- IF THE LOCAL JURISDICTION FAILS TO BEGIN PROCEEDINGS AGAINST THE PERSON RESPONSIBLE FOR THE ALLEGED~~