

(E)-(1)--IF--A--PERSON--FAILS--TO--OBTAIN--OR--COMPLY--WITH--A--REQUIRED--PROJECT--APPROVAL--FOR--DEVELOPMENT--IN--THE--CHESAPEAKE--BAY--CRITICAL--AREA,--THE--EXECUTIVE--DIRECTOR--OF--THE--COMMISSION--MAY,--EITHER--BEFORE--OR--AFTER--PROCEEDINGS--ARE--BEGUN--UNDER--ANY--OTHER--SUBSECTION--OF--THIS--SECTION,--FILE--A--CIVIL--ACTION--IN--THE--CIRCUIT--COURT--FOR--THE--COUNTY--WHERE--THE--LAND--INVOLVED--IS--LOCATED--TO--ENJOIN--THE--VIOLATION--AND--FOR--SUCH--OTHER--RELIEF--AS--THE--COURT--CONSIDERS--PROPER,--THE--EXECUTIVE--DIRECTOR--NEED--NOT--DEMONSTRATE--A--LACK--OF--AN--ADEQUATE--REMEDY--AT--LAW.

(2)--NEITHER--THE--FILING--NOR--THE--PROSECUTION--OF--THIS--ACTION--RELIEVES--ANY--PARTY--FROM--ANY--PENALTY--PROVIDED--FOR--ELSEWHERE--IN--THIS--SECTION. VIOLATORS OF THE PROVISIONS OF PROGRAMS APPROVED OR ADOPTED BY THE COMMISSION SHALL BE SUBJECT TO PROSECUTION OR SUIT BY LOCAL AUTHORITIES, WHO MAY INVOKE THE SANCTIONS AND REMEDIES AFFORDED BY STATE OR LOCAL LAW.

(B) WHENEVER THE CHAIRMAN HAS REASON TO BELIEVE THAT A LOCAL JURISDICTION IS FAILING TO ENFORCE THE REQUIREMENTS OF A PROGRAM APPLICABLE TO A PARTICULAR DEVELOPMENT, THE CHAIRMAN SHALL SERVE NOTICE UPON THE LOCAL ENFORCEMENT AUTHORITIES. IF WITHIN 30 DAYS AFTER SERVICE OF SUCH NOTICE, THE LOCAL AUTHORITIES HAVE FAILED TO INITIATE AN ACTION TO REMEDY OR PUNISH THE VIOLATION, THE CHAIRMAN MAY REFER THE MATTER TO THE ATTORNEY GENERAL.

(C) UPON REFERRAL OF -A- AN ALLEGED VIOLATION UNDER SUBSECTION (B) OF THIS SECTION, THE ATTORNEY GENERAL MAY INVOKE ANY SANCTION OR REMEDY AVAILABLE TO LOCAL AUTHORITIES, IN ANY COURT OF COMPETENT JURISDICTION IN WHICH THE LOCAL AUTHORITIES WOULD BE AUTHORIZED TO PROSECUTE OR SUE THE VIOLATOR.

(D) IN ADDITION TO ANY OTHER SANCTION OR REMEDY AVAILABLE, THE ATTORNEY GENERAL MAY BRING AN ACTION IN EQUITY TO COMPEL COMPLIANCE OR RESTRAIN NONCOMPLIANCE WITH THE REQUIREMENTS OF APPROVED PROJECT PLANS, AND TO COMPEL RESTORATION OF LANDS OR STRUCTURES TO THEIR CONDITION PRIOR TO ANY MODIFICATION WHICH WAS DONE IN VIOLATION OF APPROVED PROJECT PLANS.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WHENEVER A DEVELOPMENT IN THE CRITICAL AREA IS PROCEEDING IN VIOLATION OF APPROVED PROJECT PLANS AND THEREBY THREATENS TO IMMEDIATELY AND IRREPARABLY DEGRADE THE QUALITY OF TIDAL WATERS OR FISH, WILDLIFE, OR PLANT HABITAT, THE ATTORNEY GENERAL, UPON REQUEST OF THE CHAIRMAN, MAY BRING AN ACTION TO RESTRAIN THE VIOLATION AND, AS APPROPRIATE, TO COMPEL RESTORATION OF ANY LAND OR WATER AREAS AFFECTED BY THE DEVELOPMENT.

8-1816.

IN CONSULTATION WITH STATE AND LOCAL AGENCIES INVOLVED IN PLANNING, ACQUIRING, AND MANAGING OPEN SPACE AND RECREATIONAL LANDS, THE COMMISSION SHALL, BY JANUARY 1, 1987, PREPARE A REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY RECOMMENDING STATE POLICY AND GOALS FOR: