

Article - Natural Resources

8-1815.

(a) 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 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.

8-1817 8.1815.1.

(A) (1) THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO ANY OTHER SANCTION, REMEDY, OR PENALTY PROVIDED BY LAW.

(2) THIS SECTION DOES NOT APPLY TO ANY CUTTING OR CLEARING OF TREES THAT IS ALLOWED UNDER REGULATIONS ADOPTED BY THE COMMISSION UNDER THIS SUBTITLE.

(B) IF A PERSON CUTS OR CLEARS OR PLANS TO CUT OR CLEAR TREES WITHIN ~~THE--100-FOOT--BUFFER--LANDWARD--FROM---THE---MEAN HIGH-WATER--LINE-OF-THE-TIDAL-WATERS,-TRIBUTARY-STREAMS,-OR-TIDAL WETLANDS-IN THE CHESAPEAKE BAY CRITICAL AREA IN VIOLATION OF~~