

REGULATIONS ADOPTED BY THE COMMISSION, ENTITLED--"FOREST-AND WOODLAND--PROTECTION"--AND--"HABITAT--PROTECTION--AREAS--IN--THE CRITICAL-AREA", WHETHER OR NOT THE PERSON HAS A FOREST-MANAGEMENT PLAN--OR--A--SEDIMENT--CONTROL--PLAN--FOR--THE-CRITICAL-AREA, THE AUTHORITIES-IN-THE-AFFECTED THE LOCAL JURISDICTION MAY BRING AN ACTION IN-EQUITY:

(1) TO REQUIRE THE PERSON TO REPLANT TREES IN-THE CRITICAL-AREA WHERE THE CUTTING OR CLEARING OCCURRED ACCORDING-TO IN ACCORDANCE WITH A PLAN PREPARED BY THE STATE FORESTER OR, A REGISTERED, PROFESSIONAL FORESTER WHO--IS--APPROVED--BY--THE DEPARTMENT, OR, OR A REGISTERED LANDSCAPE ARCHITECT;

(2) TO RESTRAIN THE PLANNED VIOLATION; OR

(3) FOR DAMAGES:

(I) TO BE ASSESSED BY A CIRCUIT COURT IN AN AMOUNT EQUAL TO THE ESTIMATED COST OF REPLANTING TREES; AND

(II) TO BE PAID TO THE DEPARTMENT BY THE PERSON FOUND TO HAVE VIOLATED THE PROVISIONS OF THIS SUBSECTION.

(C) IF THE CHAIRMAN OF THE COMMISSION HAS REASON TO BELIEVE THAT THE AUTHORITIES--IN-A LOCAL JURISDICTION ARE IS FAILING TO ENFORCE THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION, THE CHAIRMAN SHALL REFER THE MATTER TO THE ATTORNEY GENERAL AS PROVIDED UNDER § 8-1815(B) OF THIS SUBTITLE.

(D) ON THE CHAIRMAN OF THE COMMISSION'S REFERRAL OF AN ALLEGED VIOLATION UNDER SUBSECTION (C) OF THIS SECTION TO THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY INVOKE THE REMEDIES AVAILABLE TO THE--AUTHORITIES--IN THE LOCAL JURISDICTION UNDER SUBSECTION (B) OF THIS SECTION IN ANY COURT OF COMPETENT JURISDICTION IN WHICH THE LOCAL AUTHORITIES JURISDICTION WOULD BE AUTHORIZED TO PROSECUTE OR SUE.

(E) IN-ADDITION-TO-ANY-OTHER-SANCTION-OR-REMEDY--AVAILABLE, THE--ATTORNEY--GENERAL--MAY-BRING-AN-ACTION-IN-EQUITY-AS-PROVIDED UNDER-SUBSECTIONS-(B)-AND-(D)-OF-THIS-SECTION.

(F) ON THE REQUEST OF THE--AUTHORITIES--OF A LOCAL JURISDICTION OR THE CHAIRMAN OF THE COMMISSION, THE STATE FORESTER OR, A REGISTERED, PROFESSIONAL FORESTER WHO-IS-APPROVED BY-THE-DEPARTMENT-SHALL, OR A REGISTERED LANDSCAPE ARCHITECT MAY PREPARE, OVERSEE, AND APPROVE THE FINAL IMPLEMENTATION OF A PLAN TO REPLANT TREES IN ANY PART OF THE CHESAPEAKE BAY CRITICAL AREA WHERE TREES ARE CUT OR CLEARED IN VIOLATION OF SUBSECTION (B) OF THIS SECTION.

(G)-(1)--IF-A-REGISTERED, PROFESSIONAL FORESTER--PREPARES--A PLAN--TO--REPLANT--TREES--UNDER--THIS--SECTION,--THE--REGISTERED,