

(b) On or after June 1, 2002, with regard to any subdivision plat approval or approval of a zoning amendment, variance, special [exemption] EXCEPTION, conditional use permit, or use of a floating zone, affecting any land or water area located within the initial planning area identified in § 8-1807(b) 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

(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.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 8-1813(a) and (b) of the Natural Resources Article.

Occurred: Ch. 433, Acts of 2002.

8-1815.1.

(b) If a person cuts or clears or plans to cut or clear trees within the Chesapeake Bay [critical] CRITICAL Area or Atlantic Coastal Bays Critical Area in violation of regulations adopted by the Commission, the local jurisdiction may bring an action:

(1) To require the person to replant trees where the cutting or clearing occurred in accordance with a plan prepared by the State Forester, a registered professional forester, 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.

DRAFTER'S NOTE:

Error: Capitalization error in § 8-1815.1(b) of the Natural Resources Article.

Occurred: Ch. 433, Acts of 2002. Correction by the publisher of the