

(II) A SINGLE LOT THAT IS PART OF A PROJECT THAT HAS OTHERWISE COMPLIED WITH THE FOREST CONSERVATION ACT.

(3) FOR PURPOSES OF SUBSECTION (A) OF THIS SECTION, FOREST OR DEVELOPED WOODLAND COVER MAY INCLUDE TREES, WOODY PLANTS, AND SHRUBS, AND ANY LANDSCAPING UNDER AN APPROVED LANDSCAPING PLAN.

(C) EACH LOCAL JURISDICTION IN THE ATLANTIC COASTAL BAYS CRITICAL AREA MAY INCLUDE IN ITS LOCAL CRITICAL AREA PROTECTION PROGRAM:

(1) AS PART OF COMPLIANCE WITH THE STORMWATER MANAGEMENT REQUIREMENTS OF TITLE 27 OF THE CODE OF MARYLAND REGULATIONS AND TITLE 4, SUBTITLE 2 OF THE ENVIRONMENT ARTICLE, A PROVISION ENCOURAGING THE USE OF BIORETENTION FOR REDEVELOPMENT IN INTENSELY DEVELOPED AREAS;

(2) A PROVISION APPLYING BUFFER REQUIREMENTS TO TRIBUTARY STREAMS LOCATED OUTSIDE THE CRITICAL AREA AND WITHIN THE ATLANTIC COASTAL BAYS WATERSHED THAT ARE NOTED AS PERENNIAL AND INTERMITTENT STREAMS IN THE ATLANTIC COASTAL BAYS WATERSHED AND THAT ARE SO NOTED ON THE MOST RECENT U.S. GEOLOGICAL SURVEY 7-1/2 MINUTE TOPOGRAPHIC QUADRANGLE MAPS (SCALE 1:24,000) OR ON MORE DETAILED MAPS OR STUDIES AT THE DISCRETION OF THE LOCAL JURISDICTION; AND

(3) TO THE EXTENT OTHERWISE PERMITTED BY LAW, A PROVISION REGARDING IMPROVEMENTS OVER STATE OR PRIVATE WETLANDS, INCLUDING CRITERIA FOR THE PROTECTION OF WATER QUALITY AND FISH, WILDLIFE, AND PLANT HABITATS, AND THE USE AND CONSTRUCTION OF PRIVATE AND COMMUNITY PIERS IN THE LOCAL JURISDICTION.

(D) ON REQUEST, THE DEPARTMENT SHALL ASSIST A LOCAL JURISDICTION IN THE PREPARATION OF:

(1) ANY MORE DETAILED MAPS OR STUDIES NECESSARY TO IMPLEMENT THE BUFFER PROVISIONS UNDER SUBSECTION (C)(2) OF THIS SECTION; AND

(2) THE WETLAND PROTECTION PROVISIONS UNDER SUBSECTION (C)(3) OF THIS SECTION.

(E) IF A LOCAL JURISDICTION ADOPTS PROVISIONS CONSISTENT WITH SUBSECTION (C)(2) OF THIS SECTION, AGRICULTURAL ACTIVITIES ARE PERMITTED IN THE BUFFER OUTSIDE THE CRITICAL AREA AND IN THE ATLANTIC COASTAL BAYS WATERSHED THAT ARE IN ACCORDANCE WITH TITLE 27 OF THE CODE OF MARYLAND REGULATIONS UNDER AN APPROVED SOIL CONSERVATION AND WATER QUALITY PLAN.

~~(B) THE PROVISIONS UNDER SUBSECTION (A) OF THIS SECTION SHALL BE IN ADDITION TO THE STORMWATER MANAGEMENT REQUIREMENTS OF TITLE 27 OF THE CODE OF MARYLAND REGULATIONS AND TITLE 4, SUBTITLE 2 OF THE ENVIRONMENT ARTICLE.~~