

(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 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.

8-1808.9.

(A) THE PROVISIONS OF THIS SECTION APPLY TO A LOCAL JURISDICTION THAT IS LOCATED IN THE ATLANTIC COASTAL BAYS WATERSHED AND NOT IN THE ATLANTIC COASTAL BAYS CRITICAL AREA.

(B) ON OR BEFORE JULY 15, 2002, A LOCAL JURISDICTION SUBJECT TO THE PROVISIONS OF THIS SECTION SHALL SUBMIT TO THE COMMISSION A WRITTEN STATEMENT OF ITS INTENT EITHER:

(1) TO ADOPT PROVISIONS ~~REQUIRING A MINIMUM APPLYING A BUFFER OF 25 FEET AND APPLYING THE REQUIREMENTS OF TITLE 27 OF THE CODE OF MARYLAND REGULATIONS~~ TO PERENNIAL AND INTERMITTENT STREAMS THAT ARE WITHIN THE BOUNDARIES OF THE LOCAL JURISDICTION AND ARE 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; OR