

8-1812.

(a) After the Commission has approved or adopted a program, the chairman of the Commission has standing and the right and authority to initiate or intervene in any administrative, judicial, or other original proceeding or appeal in this State concerning a project approval in the Chesapeake Bay Critical Area OR THE ATLANTIC COASTAL BAYS CRITICAL AREA. The chairman may exercise this intervention authority without first obtaining approval from the Commission, but the chairman shall send prompt written notice of any intervention or initiation of action under this section to each member of the Commission. The chairman shall withdraw the intervention or action initiated if, within 35 days after the date of the chairman's notice, at least 13 members indicate disapproval of the action, either in writing addressed to the chairman or by vote at a meeting of the Commission. A member representing the local jurisdiction affected by the chairman's intervention or action may request a meeting of the Commission to vote on the chairman's intervention or action.

8-1813.

(a) From June 1, 1984 with regard to any subdivision plat approval or approval of a zoning amendment, variance, special exemption, 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(a) 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.

(B) ON OR AFTER JUNE 1, 2002, WITH REGARD TO ANY SUBDIVISION PLAT APPROVAL OR APPROVAL OF A ZONING AMENDMENT, VARIANCE, SPECIAL EXEMPTION, 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