

(ii) If the property owner is not satisfied with the proposed boundaries shown to the property owner by the Department, within 30 days after the property owner has been shown the proposed boundaries, the property owner may request, in writing, a field survey of the boundaries.

(iii) If funding for the requested field survey is not immediately available:

1. The Department shall request funding for the field survey in the next fiscal budget; and

2. The field survey is contingent on that funding being provided.

[(iv)](3) [Nothing in this] THIS subsection [shall] DOES NOT prevent the Secretary from proceeding to adopt [rules and] regulations to define the scenic corridor under subsections (b) and (c) of this section.

8-409.

(b) (1) In addition to other regulatory authorities that are provided by this subtitle, the Secretary, in coordination with the Youghiogheny River local Advisory Board and the Board of Garrett County Commissioners, shall prepare [rules and] regulations that are necessary to:

(i) Implement the approved management plan for the Youghiogheny River; and

(ii) Regulate use and development in the scenic corridor where the use and development would affect the primitive qualities and characteristics of the wild river segment of the Youghiogheny River.

(2) The Board of Garrett County Commissioners and the Scenic and Wild Rivers Review Board shall review the [rules and] regulations of the Secretary before the Secretary adopts the [rules and] regulations.

(3) On THE adoption of the [rules and] regulations under paragraph (2) of this subsection, the Secretary shall administer and enforce the [rules and] regulations.

8-410.

(a) If the prohibitions of § 8-408 of this subtitle or of any [rule or] regulation that the Secretary adopts for the Scenic and Wild Rivers Program would constitute a taking of a property right without just compensation in violation of the Constitution of the United States or the Constitution of Maryland, funds under Program Open Space may be used to purchase or otherwise pay for any property that is taken, providing that the acquisition has been previously approved by the General Assembly.

(b) (1) As to any water or land areas within that portion of the Youghiogheny River that is designated by § 8-408(a) of this subtitle as a wild river, funds under the open space program may be used to purchase any restriction, whether drafted in the