

the area affected in the manner provided by this subtitle; or

(ix) Dredging from submerged public or private lands in the State if this activity is conducted under a license from the State Board of Public Works or by permit from the Department, as provided for in Title 9 of this article.

[(u)] (V) "Tract" means a single parcel of land or two or more contiguous parcels of land with common ownership.

7-6A07.

(d) (1) Right of entry. —[The] EXCEPT AS [[PROVIDED IN]] WAIVED BY THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, THE application shall be accompanied by an agreement, in a form specified by the Department, signed by the applicant and the landowner, if he is a different person from the operator, stating that:

(i) The Department may enter the land, after making a reasonable effort to notify the operator or owner, at any reasonable time during the term of the permit and for an additional period of five years following the expiration of the permit to inspect the condition of the land, and while on the property, Department personnel shall comply with all government regulations; and

(ii) If a bond forfeiture is ordered, the Department, its representatives, and contractors may enter the land and take actions necessary to carry out reclamation which the operator has failed to complete.

(2) Mining and reclamation plan. —The application shall be accompanied by a mining and reclamation plan and map which meets the requirements of § 7-6A19 of this subtitle. No permit may be issued until the plan is approved by the Department.

(3) THE DEPARTMENT MAY WAIVE THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION IF A CONTRACT BETWEEN THE APPLICANT AND THE LANDOWNER, IF HE IS A DIFFERENT PERSON FROM THE OPERATOR, WAS ENTERED INTO BEFORE JULY 1, 1974.

7-6A31.

(b) [The] ANY OR ALL OF THE provisions of this subtitle do not apply in any county if the Secretary determines that the county laws are as restrictive as the provisions of this subtitle with respect to regulating surface mining, reclamation and revegetation procedures, abandoned areas, and bonding requirements.