

Public Works, determines that an abandoned mine on State land will be reclaimed in conjunction with the proposed mining or except when the Secretary, with the recommendation of the Land Reclamation Committee and the approval of the Board of Public Works, determines that the mining could occur in conjunction with public construction activities that will disturb the vegetation and topsoil of State land. If the [Bureau's] DEPARTMENT'S failure to issue, extend or renew a permit involves taking a property right without just compensation in violation of the Constitution of the United States or the Constitution of Maryland and the General Assembly has not appropriated sufficient funds to pay the compensation, the State may use available funds under Program Open Space to purchase or otherwise pay for the property rights. THE DEPARTMENT MAY NOT ISSUE, EXTEND OR RENEW ANY PERMIT WHICH WOULD ADVERSELY AFFECT ANY PUBLICLY OWNED PARK OR PLACE RECORDED IN THE NATIONAL REGISTER OF HISTORIC SITES UNLESS APPROVED BY THE FEDERAL, STATE OR LOCAL AGENCY WITH JURISDICTION OVER THE PARK OR HISTORIC SITE.

(c) THE PERMIT APPLICATION SHALL BE SUBMITTED IN A MANNER SATISFACTORY TO THE DEPARTMENT AND SHALL CONTAIN AT A MINIMUM:

(1) A COPY OF THE APPLICANT'S ADVERTISEMENT TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OF THE PROPOSED MINING SITE AT LEAST ONCE A WEEK FOR 4 SUCCESSIVE WEEKS, AND WHICH INCLUDES THE OWNERSHIP, A DESCRIPTION OF THE LOCATION AND BOUNDARIES OF THE PROPOSED SITE SUFFICIENT SO THAT THE PROPOSED OPERATION IS EASILY LOCATABLE BY LOCAL RESIDENTS, THE LOCATION OF WHERE THE APPLICATION IS AVAILABLE FOR PUBLIC INSPECTION, AND NOTICE THAT PUBLIC COMMENT WILL BE RECEIVED BY THE DEPARTMENT FOR AT LEAST 30 DAYS AFTER THE LAST NEWSPAPER PUBLICATION;

(2) [As part of each permit application, the operator shall furnish, in duplicate, a] A U. S. Geological Survey quadrangle sheet, 7 1/2 minute series [in a manner] ENLARGED TO A SCALE satisfactory to the [Director of the Bureau] DEPARTMENT showing the location of the [tract of] land affected by the contemplated operation. [An aerial photograph is acceptable if the photograph shows the details to the director's satisfaction.] The map[, plan, or photograph] shall be prepared and certified by a [competent] REGISTERED engineer or REGISTERED surveyor [or other person] approved by the [Director of the Bureau] DEPARTMENT. It shall show the boundaries of the area of land which will be affected, the drainage area above and below the area, the location and names of all streams, roads, railroads, BUILDINGS, and utility lines on or immediately adjacent to the area, [and] the name of the owner of the area, THE BOUNDARIES AND NAMES OF THE OWNERS OF ALL SURFACE AREAS ABUTTING THE PERMIT AREA, and the nearest municipality[.];

(3) The [map, plan, or photograph also shall show the] results of test borings which the operator [may