

(2) "ADMINISTRATOR" MEANS THE FINAL AUTHORITY IN THE DECISION MAKING PROCESS FOR ACCEPTING LAND INTO A LAND CONSERVATION PROGRAM IN THE DEPARTMENT OF NATURAL RESOURCES.

(3) "CONSERVATION EASEMENT" MEANS AN EASEMENT CREATED UNDER THE MARYLAND ENVIRONMENTAL TRUST, IN ACCORDANCE WITH TITLE 3, SUBTITLE 2 OF THIS ARTICLE HELD OR CO-HELD BY THE DEPARTMENT OF NATURAL RESOURCES OR THE MARYLAND ENVIRONMENTAL TRUST.

(4) "LAND CONSERVATION PROGRAM" INCLUDES THE MARYLAND ENVIRONMENTAL TRUST, PROGRAM OPEN SPACE, AND THE RURAL LEGACY PROGRAM.

(5) "PROJECT" MEANS AN ACQUISITION OR DEVELOPMENT PROJECT UNDER PROGRAM OPEN SPACE, IN ACCORDANCE WITH TITLE 5, SUBTITLE 9 OF THIS ARTICLE.

(6) "PROTECTED LAND" MEANS LAND THAT IS PROTECTED BY A LAND CONSERVATION PROGRAM.

(7) "RURAL LEGACY AREA" HAS THE MEANING STATED IN § 5-9A-02 OF THIS ARTICLE.

(B) THIS SECTION APPLIES TO APPLICATIONS AFFECTING LAND THAT IS PROTECTED BY A PROGRAM WITHIN THE DEPARTMENT OF NATURAL RESOURCES, INCLUDING LAND THAT IS:

(1) DESIGNATED AS A SUBJECT TO A CONSERVATION EASEMENT WITHIN A DESIGNATED RURAL LEGACY AREA;

(2) SUBJECT TO A CONSERVATION EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST; OR

(3) WITHIN A PROJECT SUBJECT TO A CONSERVATION EASEMENT FUNDED UNDER PROGRAM OPEN SPACE.

(C) IF THE ADMINISTRATOR OF A LAND CONSERVATION PROGRAM HAS NOT APPROVED THE USE FOR THE LAND FOR WHICH AN APPLICATION IS MADE, A COUNTY OR MUNICIPAL CORPORATION MAY DENY AN APPLICATION FOR:

(1) A SUBDIVISION PLAT OR PLAN;

(2) A RESIDENTIAL BUILDING PERMIT; OR

(3) ANY OTHER NONAGRICULTURAL USE OR ACTIVITY, INCLUDING AN ACCESS ROAD.

(D) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF A COUNTY TO GRANT OR DENY AN APPLICATION FOR A LAND USE PERMIT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.