

(a) [For the purpose] IN of this section, "development" means any structure, appurtenance, other addition, modification, or alteration THAT IS constructed, placed, or made on or to land or water.

(b) [In addition to the other regulatory authorities provided by this subtitle and due to the unique character of the Youghiogheny River the Department shall adopt rules and regulations after review by the local advisory board and the Scenic and Wild Rivers Review Board, by January 31, 1977, to regulate use and development in that segment of the Youghiogheny River designated in § 8-408 (a) and adjacent land areas within the scenic corridor where development would affect the primitive qualities and characteristics of the Youghiogheny River.]

(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 EFFECT 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 AND APPROVE THE RULES AND REGULATIONS OF THE SECRETARY BEFORE THE SECRETARY ADOPTS THE RULES AND REGULATIONS.

(3) ON APPROVAL 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 [Department] 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 form of an easement, covenant, or condition, [prohibiting or