

MARYLAND REGISTER OF HISTORIC PROPERTIES ON OR BEFORE 30 DAYS FROM THE DATE OF NOTIFICATION BY A UNIT OF THE STATE GOVERNMENT. IF THE DIRECTOR DETERMINES THAT THE PROPOSED PROJECT WILL HAVE A SIGNIFICANT ADVERSE EFFECT ON A LISTED OR ELIGIBLE PROPERTY, THE STATE UNIT AND THE DIRECTOR SHALL CONSULT TO DETERMINE IF A FEASIBLE AND PRACTICABLE MEANS TO AVOID, MITIGATE, OR SATISFACTORILY REDUCE THE ADVERSE EFFECT EXISTS.

(C) IF THE DIRECTOR AND THE STATE UNIT ARE UNABLE TO AGREE ON A PLAN TO AVOID, MITIGATE, OR SATISFACTORILY REDUCE THE ADVERSE EFFECT, THE STATE UNIT SHALL SUBMIT TO THE COUNCIL A REPORT OF THE CONSULTATIONS AND THE FINDINGS AND RECOMMENDATIONS OF THE STATE UNIT.

(D) WITHIN 30 DAYS AFTER THE RECEIPT OF THE REPORT OF THE STATE UNIT INVOLVED, THE COUNCIL SHALL SUBMIT TO THE UNIT:

(1) COMMENTS ACCEPTING THE ADVERSE EFFECT; OR

(2) COMMENTS RECOMMENDING PRACTICABLE AND FEASIBLE ALTERNATIVES THAT EXIST TO AVOID, MITIGATE, OR SATISFACTORILY REDUCE THE ADVERSE EFFECT.

(E) (1) THE STATE UNIT MAY PROCEED WITH THE UNDERTAKING INCORPORATING THE ALTERNATIVES RECOMMENDED BY THE COUNCIL, IF ANY; OR

(2) IF THE STATE UNIT DISAGREES WITH THE COMMENTS OF THE COUNCIL, THE STATE UNIT SHALL:

(I) SUBMIT TO THE COUNCIL A WRITTEN RESPONSE EXPLAINING WHY THE UNIT REFUSES TO ADOPT THE MEASURES INCLUDED IN THE COMMENTS OF THE COUNCIL; AND

(II) REFRAIN FROM PROCEEDING WITH THE UNDERTAKING UNTIL AT LEAST 10 WORKING DAYS AFTER THE SUBMISSION OF THE RESPONSE TO THE COUNCIL.

(F) THE TRUST SHALL ADOPT RULES AND REGULATIONS THAT ESTABLISH PROCEDURES AND STANDARDS:

(1) FOR ADMINISTRATIVE REVIEW AND COMMENT UNDER THIS SECTION, INCLUDING TIME FRAMES FOR TRUST ACTION ON SPECIFIC CATEGORIES OF PROJECTS; AND

(2) TO EXEMPT CATEGORIES OF PROGRAMS OR PROJECTS OR A SPECIFIC PROJECT FROM ANY OF THE REQUIREMENTS OF THIS SECTION WHEN THE EXEMPTION IS DETERMINED TO BE CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE, AND THE BEST INTERESTS OF THE STATE, TAKING INTO CONSIDERATION THE MAGNITUDE OF THE EXEMPTED PROGRAM, PROJECT, OR PROJECTS AND THE LIKELIHOOD OF IMPAIRMENT OF HISTORIC PROPERTIES--; AND

(3) TO PROVIDE FOR PARTICIPATION BY OTHER UNITS OF THE STATE GOVERNMENT, LOCAL GOVERNMENTS, PRIVATE ORGANIZATIONS,