

monuments, parkways, and State recreational reserves, using for these purposes any special appropriation or surplus money not otherwise appropriated, which is standing to the credit of the Forest Reserve or Park Reserve Fund. However, an individual tract of land [in excess of 100 acres] OR EASEMENT may not be purchased in Garrett County, except with the approval of the county commissioners of that county. The Department may accept any gift of land in the name of the State to be held, protected, and administered by the Department as State parks, forests, or other reserves, and used to demonstrate the practical utility of the land for recreational areas, State parks, scenic preserves, parkways, historic monuments, timber culture, water conservation, and as a breeding place for wildlife. Any gift shall be absolute except for the reservation of mineral and mining rights over and under the land, and a stipulation that it shall be administered for State forest, park, or recreation purposes.

(2) Notwithstanding any other provision of this Code, EXCEPT PARAGRAPH (4) OF THIS SUBSECTION after June 30, 1986, the Department may not use any funds, whether under Program Open Space or otherwise, to acquire ANY land in Garrett County in excess of the total amount of land owned by the Department in that county on June 30, 1986. This paragraph (2) of this subsection does not prohibit the Department from [using any funds to exchange] EXCHANGING land in Garrett County, as long as the total acreage does not exceed that amount owned by the Department on June 30, 1986.

(3) (I) THE GENERAL ASSEMBLY HAS ESTABLISHED A POLICY TO LIMIT THE TOTAL AMOUNT OF LAND THAT THE DEPARTMENT MAY OWN IN GARRETT COUNTY THAT IS EQUAL TO THE TOTAL AMOUNT OF LAND OWNED BY THE DEPARTMENT ON JUNE 30, 1986.

(II) THE DEPARTMENT AGREES THAT THEIR OWNERSHIP OF LAND IN GARRETT COUNTY SHALL BE LIMITED AS PROVIDED IN THIS SUBSECTION.

(III) THE DEPARTMENT AGREES TO ACQUIRE LAND WITHIN THE SCENIC CORRIDOR OF THE YOUGHIOGHENY RIVER, AS DEFINED IN § 8-408 OF THIS ARTICLE, AND OTHER LAND IN GARRETT COUNTY TO CONSOLIDATE ITS GEOGRAPHICALLY SEPARATED HOLDINGS IN THE COUNTY.

(IV) THE DEPARTMENT SHALL MEET ITS NEEDS FOR LAND IN GARRETT COUNTY BY ACQUIRING THE LAND ONLY FROM WILLING SELLERS, UNLESS THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY AGREES OTHERWISE PROVIDED THAT THE DEPARTMENT MAY ACQUIRE BY CONDEMNATION EASEMENTS OF THE MINIMAL EXTENT NECESSARY FOR ACCESS OR UTILITY SERVICE TO LANDS OF THE DEPARTMENT IF THERE IS NO ALTERNATIVE LOCATION OR MEANS OF PROVIDING THE ACCESS OR SERVICE.

(V) THE GENERAL ASSEMBLY INTENDS THIS SUBSECTION TO ESTABLISH A WORKABLE FRAMEWORK WITHIN WHICH THE