

applicant is not granted a lease for any reason the application fee shall be returned to the applicant.

(c) (1) Within 30 days of publication of the last advertisement under subsection (b) of this section, any person whose rights, statutory entitlements, or privileges may be affected adversely by the issuance of a proposed lease may file a petition with the Department protesting the issuance of the lease.

(2) The protest shall be heard in accordance with the contested case provisions of the Administrative Procedure Act under §§ 10-201 through 10-217 of the State Government Article.

(d) Immediately after the termination of the respective periods prescribed for the filing of petitions or appeals, or immediately after the final decision upon any protest or appeal the Department shall notify the applicant by letter that it is ready to issue the lease. Upon payment of a recording fee of \$5 and a fee of \$20 to cover surveying costs, the Department shall accurately survey the area, execute a lease, enter the lease upon a book to be known as the "Register of Titles to Oyster Lands," and mail the lease to the applicant for his signature.

(e) If the applicant accepts the lease, he shall sign and return it together with the first annual rental. If the applicant fails to accept the lease and pay within 60 days all required fees, the application and the lease are null and void, and all payments previously made by the applicant to the Department are forfeited. The Department may extend the time for acceptance of the lease for an additional period of 60 days for good cause.

[4-1110.] 4-11A-07.

(a) The term of leases for submerged lands shall be 20 years at an annual rent the Department deems proper and commensurate with the value of the leased land.

(b) If the Department ascertains that any leased area is affected by environmental factors which destroy or seriously impede the culture and growth of ~~-{oysters-}~~ SHEBBFISH and threaten the potential of the area for continued ~~-{oyster-}~~ SHEBBFISH production, it may reduce or abate the annual rent by an amount and for a period the Department deems equitable and reasonable in view of the degree of damage.

(c) (1) If any part of the rent required by a lease remains unpaid for more than 60 days after it becomes due, the Department may declare the lease null and void and the land shall revert to the State and may be leased again. The Department may cancel any lease, either in whole or in part, and may diminish or cancel the annual rental to an extent commensurate with the area remaining under lease on the written request of the lessee. [If a lessee of