

has sovereign control without a permit from the Trust. Nothing contained in this subtitle abrogates or supplants any power of the State Highway Administration.

(e) The Trust shall establish a program for the issuance and administration of permits for any activity involving the excavation, destruction, or substantive injury or disturbance of submerged archaeological historic property on submerged lands over which the State has sovereign control.

~~(d) (1) The Trust may issue an exclusive permit for the excavation, destruction, or substantive injury or disturbance of submerged archaeological historic property on submerged lands over which the State has sovereign control to any person [or entity] for [such] A period of time and under [such] THE conditions [as] DETERMINED BY the Trust [may deem appropriate].~~

(2) After an agreement has been entered into pursuant to [~~§ 5-611.1(e)~~] § 3-412(C) of this subtitle, permits may be issued if the Trust determines that:

~~[(1)] (I) Issuance of a permit is in the best interest of the State; and~~

~~[(2)] (II) The applicant for [such a] THE permit has submitted a research plan that meets standards established by the Trust regarding professional qualifications, techniques and methodology for recovery and dissemination of data, and proper conservation of information and materials.~~

(e) The Trust may not issue a permit to a person seeking title to a submerged archaeological historic property [~~or any portion thereof~~], or to a person or entity seeking to utilize a submerged archaeological historic property for commercial salvage or other income producing purposes, unless:

(1) Issuance of such a permit is consistent with the purposes of subsection (d)(2)(II) of this section;

(2) The applicant has provided the Trust with some form of assurance acceptable to the Trust that the project will be carried out and completed in accordance with the research plan approved by the Trust; and

(3) The Trust finds that one or more of the following conditions is met:

(i) The property to be excavated or disturbed is[, in the opinion of the Trust,] threatened with imminent destruction or substantial damage by natural factors or by human factors unrelated to the commercial excavation or disturbance of the submerged archaeological historic property in question;

(ii) The submerged archaeological historic property is not, in the opinion of the Trust, of major scientific, archaeological, anthropological, historical, recreational, or other public value;

(iii) The proposed disturbance will be minor in scale and will produce information relevant to the Maryland comprehensive historic preservation plan prepared by the Trust under [~~§ 5-607(b)(4)~~] § 3-407(B)(4) of this subtitle; or