

reexamination, once a week for three successive weeks, in a newspaper of general circulation in every county. The public may be present at the reexamination. If any person present then offers to make further tests in the presence of employees designated by the Department, the employees shall witness and make note of the findings. If upon reexamination the Department proposes to reclassify the area from natural bar to barren bottom, it first shall hold a public hearing, and the time, place, and purpose shall be advertised pursuant to the provisions of this subsection. Any person may appeal the decision of the Department by filing a petition in the circuit court of the county at any time until 30 days from the date of filing have expired. Proceedings on appeal shall be pursuant to those procedures set forth in § 4-11A-06(c) of this title with the same rights of appeal from the decision of the [circuit court] DEPARTMENT. A lease of the reclassified area, in whole or part, may not be granted until the amended chart has been filed in the circuit court of the county and until 30 days shall have expired from date of filing.

DRAFTER'S NOTE:

Error: Obsolete language in § 4-1102(c) of the Natural Resources Article.

Occurred: As a result of Ch. 754, Acts of 1986, which created an administrative appeal within the Department of Natural Resources rather than an appeal to circuit court.

5-1201.

(c) "State wildlands" means ["wildlands"] WILDLANDS owned by the State and includes the following three types:

Type 1. A primitive area which by its size or location is in effect untouched by urban civilization, and can offer the experience of solitude and self-reliance. Since lands at the higher elevations are important for protection of watersheds, are ecologically vulnerable if unwisely altered by human interference, and may be uneconomic for logging or construction, they may be suitable for this classification.

Type 2. A unit of importance for all the natural sciences, especially ecology, and with outstanding value for education, research, and appreciation of natural processes. Preservation in the desired natural condition is the prevailing purpose of these holdings. Visitation shall be regulated to ensure this preservation on a permanent basis.

Type 3. An area which is not of ecological or primitive stature, but which has the appearance of being in an untouched natural state or is capable of attaining that appearance if held and managed for this purpose.

DRAFTER'S NOTE:

Error: Extraneous quotation marks in § 5-1201(c) of the Natural Resources Article.