

**SENATE BILL NO. 903**

February 19, 1998, Introduced by Senators KOIVISTO, BENNETT,  
DUNASKISS, GAST, NORTH, GOUGEON, STILLE and MC MANUS and  
referred to the Committee on Natural Resources and  
Environmental Affairs.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding part 795.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1                   PART 795 WATERFRONT REVITALIZATION

2           SEC. 79501. AS USED IN THIS PART:

3           (A) "COMMISSION" MEANS THE MICHIGAN JOBS COMMISSION.

4           (B) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL  
5 QUALITY.

6           (C) "GRANT" MEANS A WATERFRONT REDEVELOPMENT GRANT UNDER  
7 THIS PART.

8           (D) "RESPONSE ACTIVITY" MEANS THAT TERM AS IT IS DEFINED IN  
9 PART 201.

10          (E) "WATERFRONT" MEANS LAND THAT IS CONTIGUOUS TO ANY OF THE  
11 FOLLOWING:

- 1       (i) THE GREAT LAKES OR THEIR CONNECTING WATERWAYS.
- 2       (ii) A LAKE, POND, OR IMPOUNDMENT THAT HAS A SURFACE AREA OF  
3 NOT LESS THAN 5 ACRES.
- 4       (iii) A RIVER, STREAM, OR CREEK THAT MAY OR MAY NOT BE SERV-  
5 ING AS A DRAIN AS DEFINED BY THE DRAIN CODE OF 1956, 1956 PA 40,  
6 MCL 280.1 TO 280.630.
- 7       (iv) ANY OTHER BODY OF WATER OF NOT LESS THAN 5 ACRES OF  
8 SURFACE AREA THAT HAS DEFINITE BANKS, A BED, AND VISIBLE EVIDENCE  
9 OF A CONTINUED FLOW OR CONTINUED OCCURRENCE OF WATER.
- 10       (F) "WATERFRONT REDEVELOPMENT PLAN" MEANS A WATERFRONT REDE-  
11 VELOPMENT PLAN PREPARED BY A LOCAL UNIT OF GOVERNMENT UNDER SEC-  
12 TION 79503.
- 13       (G) "WATERFRONT PLANNING AREA" MEANS THE GEOGRAPHIC AREA  
14 INCLUDED WITHIN A WATERFRONT REDEVELOPMENT PLAN.
- 15       SEC. 79502. (1) THE DEPARTMENT SHALL ESTABLISH A WATERFRONT  
16 REDEVELOPMENT GRANT PROGRAM. A LOCAL UNIT OF GOVERNMENT MAY  
17 APPLY TO THE DEPARTMENT FOR A GRANT TO CONDUCT A PROJECT THAT  
18 DOES ANY OF THE FOLLOWING:
- 19       (A) PROVIDES FOR RESPONSE ACTIVITIES ON WATERFRONT PROPERTY  
20 CONSISTENT WITH A WATERFRONT REDEVELOPMENT PLAN.
- 21       (B) PROVIDES FOR THE DEMOLITION OF BUILDINGS AND OTHER  
22 FACILITIES ALONG A WATERFRONT THAT ARE INCONSISTENT WITH A WATER-  
23 FRONT REDEVELOPMENT PLAN.
- 24       (C) PROVIDES FOR THE ACQUISITION OF WATERFRONT PROPERTY OR  
25 THE ASSEMBLY OF WATERFRONT PROPERTY CONSISTENT WITH A WATERFRONT  
26 REDEVELOPMENT PLAN.

1 (D) PROVIDES PUBLIC INFRASTRUCTURE AND PUBLIC FACILITY  
2 IMPROVEMENTS TO WATERFRONT PROPERTY CONSISTENT WITH A WATERFRONT  
3 REDEVELOPMENT PLAN.

4 (2) FOR ANY GRANT ISSUED UNDER THIS PART, THE DEPARTMENT  
5 SHALL REQUIRE THAT A LOCAL UNIT OF GOVERNMENT PROVIDE AT LEAST  
6 25% OF THE TOTAL PROJECT'S COST FROM OTHER PUBLIC OR PRIVATE  
7 FUNDING SOURCES.

8 SEC. 79503. A LOCAL UNIT OF GOVERNMENT THAT DESIRES TO  
9 APPLY FOR A GRANT SHALL PREPARE A WATERFRONT REDEVELOPMENT PLAN  
10 THAT PROVIDES FOR THE IMPROVEMENT OF THE WATERFRONT. THE WATER-  
11 FRONT REDEVELOPMENT PLAN, AT A MINIMUM, SHALL DO BOTH OF THE  
12 FOLLOWING:

13 (A) CLEARLY DESIGNATE THE GEOGRAPHIC AREA INCLUDED WITHIN  
14 THE WATERFRONT PLANNING AREA.

15 (B) IDENTIFY THE ECONOMIC IMPACT ON THE IMPROVED AREA, THE  
16 SURROUNDING NEIGHBORHOOD, AND THE REGION IN WHICH THE WATERFRONT  
17 PLANNING AREA IS LOCATED.

18 SEC. 79504. A LOCAL UNIT OF GOVERNMENT THAT WISHES TO BE  
19 CONSIDERED FOR A GRANT SHALL SUBMIT A GRANT APPLICATION TO THE  
20 DEPARTMENT IN A MANNER PRESCRIBED BY THE DEPARTMENT AND CONTAIN-  
21 ING THE INFORMATION REQUIRED BY THE DEPARTMENT. THE GRANT APPLI-  
22 CATION SHALL ALSO INCLUDE ALL OF THE FOLLOWING:

23 (A) A DETAILED DESCRIPTION OF THE PROJECT AND HOW THE GRANT  
24 WOULD BE USED, INCLUDING ANY PRIVATE SECTOR PARTICIPATION.

25 (B) A COPY OF THE WATERFRONT REDEVELOPMENT PLAN FOR THE AREA  
26 IN WHICH THE PROJECT IS TO BE LOCATED.

1 (C) A DISCUSSION OF HOW THE PROJECT WILL CONTRIBUTE  
2 SIGNIFICANTLY TO THE LOCAL UNIT OF GOVERNMENT'S ECONOMIC AND  
3 COMMUNITY REDEVELOPMENT OR THE REVITALIZATION OF ADJACENT  
4 NEIGHBORHOODS.

5 (D) AN EXPLANATION OF HOW THE PROJECT WILL PROVIDE FOR  
6 PUBLIC ACCESS TO THE WATERFRONT OR WILL PROVIDE RECREATIONAL  
7 OPPORTUNITIES FOR THE PUBLIC.

8 (E) IF THE PROJECT INCLUDES THE PURCHASE OF PROPERTY, AN  
9 IDENTIFICATION OF THE INTENDED USE OF THE PROPERTY, AND A TIME-  
10 LINE FOR REDEVELOPMENT OF THE PROPERTY.

11 (F) THE TOTAL COST OF THE PROJECT AND THE SOURCE OF THE  
12 LOCAL UNIT OF GOVERNMENT'S CONTRIBUTION TO THE PROJECT.

13 (G) OTHER INFORMATION THAT THE DEPARTMENT AND THE COMMISSION  
14 CONSIDER RELEVANT.

15 SEC. 79505. UPON RECEIPT OF A GRANT APPLICATION UNDER SEC-  
16 TION 79504, THE DEPARTMENT SHALL FORWARD A COPY OF THE APPLICA-  
17 TION TO THE COMMISSION. THE DEPARTMENT AND THE COMMISSION SHALL  
18 JOINTLY REVIEW THE GRANT APPLICATIONS. IN REVIEWING GRANT APPLI-  
19 CATIONS, THE DEPARTMENT AND THE COMMISSION SHALL CONSIDER ALL OF  
20 THE FOLLOWING:

21 (A) WHETHER THE PROJECT PROPOSED TO BE FUNDED IS AUTHORIZED  
22 BY THIS PART.

23 (B) WHETHER THE GRANT APPLICATION SUBMITTED COMPLIES WITH  
24 THIS PART.

25 (C) WHETHER THE PROJECT IS CONSISTENT WITH THE WATERFRONT  
26 REDEVELOPMENT PLAN FOR THE AREA IN WHICH THE PROJECT IS LOCATED.

1 (D) WHETHER THE PROJECT PROVIDES SIGNIFICANT PUBLIC ACCESS  
2 TO THE WATERFRONT OR PROVIDES RECREATIONAL OPPORTUNITIES FOR THE  
3 PUBLIC.

4 (E) WHETHER THE PROJECT WILL SIGNIFICANTLY CONTRIBUTE TO THE  
5 LOCAL UNIT OF GOVERNMENT'S ECONOMIC AND COMMUNITY REDEVELOPMENT  
6 OR THE REVITALIZATION OF ADJACENT NEIGHBORHOODS.

7 (F) WHETHER THERE IS EVIDENCE OF ADVERSE ECONOMIC AND SOCIO-  
8 ECONOMIC CONDITIONS WITHIN THE WATERFRONT PLANNING AREA.

9 (G) THE VIABILITY OF THE WATERFRONT REDEVELOPMENT PLAN.

10 (H) WHETHER THE PROJECT IS INNOVATIVE IN COMPARISON TO OTHER  
11 GRANT APPLICATIONS.

12 (I) THE LEVEL OF PUBLIC AND PRIVATE COMMITMENT AND OTHER  
13 RESOURCES AVAILABLE FOR THE PROJECT.

14 (J) THE LEVEL OF PUBLIC AND PRIVATE COMMITMENT TO OTHER  
15 ASPECTS OF THE WATERFRONT REDEVELOPMENT PLAN.

16 (K) HOW THE PROJECT RELATES TO A BROADER ECONOMIC AND COMMU-  
17 NITY DEVELOPMENT PLAN FOR THE LOCAL UNIT OF GOVERNMENT AS A  
18 WHOLE.

19 (L) THE LEVEL OF DEMONSTRATED COMMITMENT FROM OTHER GOVERN-  
20 MENTAL AGENCIES.

21 (M) THE LEVEL OF PUBLIC AND PRIVATE COMMITMENT TO IMPROVING  
22 ABANDONED REAL PROPERTY WITHIN THE WATERFRONT PLANNING AREA IN  
23 WHICH THE PROJECT IS LOCATED.

24 (N) OTHER CRITERIA THAT THE DEPARTMENT AND THE COMMISSION  
25 CONSIDER RELEVANT.

26 SEC. 79506. THE DEPARTMENT, WITH THE APPROVAL OF THE  
27 COMMISSION, SHALL ISSUE GRANTS UNDER THIS PART FOR PROJECTS THAT

1 THE DEPARTMENT DETERMINES MEET THE REQUIREMENTS OF THIS PART AND  
2 WILL CONTRIBUTE TO THE REVITALIZATION OF WATERFRONTS THROUGHOUT  
3 THE STATE THAT ARE NOT BEING USED IN A MANNER THAT MAXIMIZES ECO-  
4 NOMIC AND PUBLIC VALUE.

5 Enacting section 1. This amendatory act does not take  
6 effect unless all of the following bills of the 89th Legislature  
7 are enacted into law:

8 (a) Senate Bill No. 901.

9

10 (b) Senate Bill No. 904.

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12 (c) Senate Bill No. 902.

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