
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1810 Session of
2015

INTRODUCED BY DRISCOLL, YOUNGBLOOD, THOMAS, KINSEY, McNEILL,
M. DALEY, O'BRIEN, DAVIS, NEILSON AND KAVULICH,
JANUARY 28, 2016

REFERRED TO COMMITTEE ON COMMERCE, JANUARY 28, 2016

AN ACT

1 Providing for the Waterfront Redevelopment Grant Program;
2 establishing the Waterfront Redevelopment Fund; and imposing
3 powers and duties on the Department of Community and Economic
4 Development.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Waterfront
9 Redevelopment Grant Program Act.

10 Section 2. Legislative intent.

11 The General Assembly finds and declares as follows:

12 (1) The primary objective of the Waterfront
13 Redevelopment Act is to revitalize coastal waters and
14 waterfronts across this Commonwealth, create new jobs and
15 stimulate private investment, increase property values and
16 provide waterfront access for the public.

17 (2) The establishment of a grant program to provide
18 money for waterfront redevelopment across this Commonwealth

1 would protect and enhance the health and well-being of our
2 Commonwealth's environment.

3 (3) A vibrant and healthy environment, especially along
4 the coastal waters and waterfronts of this Commonwealth,
5 would improve the overall health and well-being of citizens
6 throughout this Commonwealth.

7 Section 3. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Applicant." A municipal or county government, other
12 political subdivision, an industrial or economic development or
13 redevelopment authority or entity.

14 "Department." The Department of Community and Economic
15 Development of the Commonwealth.

16 "Fund." The Waterfront Redevelopment Fund established in
17 section 5.

18 "Program." The Waterfront Redevelopment Grant Program
19 established in section 4.

20 "Secretary." The Secretary of Community and Economic
21 Development of the Commonwealth.

22 Section 4. The Waterfront Redevelopment Grant Program.

23 (a) Establishment.--The Waterfront Redevelopment Grant
24 Program is established and shall be administered by the
25 department. The purpose of the program shall be to issue grants
26 to protect and revitalize coastal waters and waterfronts across
27 this Commonwealth.

28 (b) Application.--An applicant must submit a written grant
29 application to the department in a manner prescribed by the
30 department. The application must include the following

1 information:

2 (1) A detailed description of the project and how the
3 grant would be used, including any private sector
4 participation.

5 (2) A copy of the waterfront redevelopment plan required
6 under subsection (c) for the area in which the project is to
7 be located.

8 (3) An explanation of how the project will contribute
9 significantly to economic and community redevelopment or the
10 revitalization of adjacent communities.

11 (4) An explanation of how the project will provide for
12 public access to the waterfront or will provide recreational
13 opportunities for the public, if applicable.

14 (5) If the project includes the purchase of property, an
15 identification of the intended use of the property and a
16 timeline for redevelopment of the property.

17 (6) The total cost of the project and the source of the
18 matching funds required under subsection (f) (2).

19 (7) A detailed description of the practices the
20 applicant will implement and maintain to control nonpoint
21 source pollution from the project site.

22 (8) Other information that the department may require.

23 (c) Waterfront redevelopment plan.--An applicant that
24 applies for a grant shall prepare a waterfront redevelopment
25 plan that provides for the improvement of the waterfront. The
26 waterfront redevelopment plan, at a minimum, shall:

27 (1) Clearly designate the geographic area included
28 within the waterfront planning area.

29 (2) Identify the economic impact on the improved area,
30 the surrounding neighborhood and the region in which the

1 waterfront planning area is located.

2 (3) Provide any additional information as required by
3 the department for waterfront redevelopment plans.

4 (d) Publication and notice.--The department shall publish
5 notice of the program's availability in the Pennsylvania
6 Bulletin.

7 (e) Department action.--

8 (1) The department shall review the application and,
9 within 60 days of receipt of an application, approve or
10 disapprove the application. An application which has not been
11 approved or disapproved by the department within the 60-day
12 period shall be deemed approved.

13 (2) In reviewing grant applications, the department
14 shall consider all of the following:

15 (i) Whether the project proposed to be funded is
16 authorized by this act.

17 (ii) Whether the grant application submitted
18 complies with this act.

19 (iii) Whether the project is consistent with the
20 waterfront redevelopment plan required under subsection
21 (c) for the area in which the project is located.

22 (iv) Whether the project provides additional public
23 access to the waterfront or provides recreational
24 opportunities for the public.

25 (v) Whether the project will significantly
26 contribute to the region's economic and community
27 redevelopment or the revitalization of adjacent
28 communities.

29 (vi) Whether there is evidence of adverse economic
30 and socioeconomic conditions within the waterfront

1 planning area.

2 (vii) The viability of the waterfront redevelopment
3 plan required under subsection (c).

4 (viii) The level of public and private commitment
5 and other resources available for the project.

6 (ix) The level of demonstrated commitment from local
7 governments and other local political subdivisions.

8 (x) The level of public and private commitment to
9 improving abandoned real property within the waterfront
10 planning area in which the project is located.

11 (xi) The level of public input and public
12 notification regarding the proposed project.

13 (xii) Documentation of the approval of or access to
14 the matching funds required under subsection (f)(2) and
15 the source of the matching funds.

16 (xiv) Other criteria that the department and the
17 commission consider relevant.

18 (f) Award of grants.--

19 (1) The department may issue a grant award to approved
20 applicants for projects that contribute to the revitalization
21 of waterfronts throughout this Commonwealth that meet any of
22 the following purposes:

23 (i) Provide for response activities on waterfront
24 property consistent with a waterfront redevelopment plan
25 required under subsection (c).

26 (ii) Provide for the demolition of buildings and
27 other facilities along a waterfront that are inconsistent
28 with a waterfront redevelopment plan required under
29 subsection (c).

30 (iii) Provide for the acquisition of waterfront

1 property or the assembly of waterfront property
2 consistent with a waterfront redevelopment plan required
3 under subsection (c).

4 (iv) Provide public infrastructure and public
5 facility improvements to waterfront property consistent
6 with a waterfront redevelopment plan required under
7 subsection (c).

8 (2) For each grant issued under this part, the
9 department shall require that an approved applicant provide
10 matching funds of at least 25% of the project's total cost
11 from other public or private funding sources.

12 (3) Grants may be awarded on a pro rata basis if the
13 total dollar amount of the approved application exceeds the
14 amount of funds appropriated by the General Assembly for the
15 program.

16 Section 5. The Waterfront Redevelopment Fund.

17 (a) Establishment.--The Waterfront Redevelopment Fund is
18 established in the State Treasury. All appropriations,
19 contributions and alternative funds received by the department
20 as authorized by State law to protect and revitalize coastal
21 waters and waterfronts across this Commonwealth shall be
22 deposited into the fund.

23 (b) Allocation of funds.--All money in the fund is hereby
24 appropriated on a continuing basis to the department and shall
25 be used as follows:

26 (1) At least 85% of the fund shall be used by the
27 department for grants authorized by this act.

28 (2) Not more than 15% of the fund may be used by the
29 department for State and local administration and program
30 services.

1 (c) Alternative funding.--The department may solicit and
2 accept alternative funding, including Federal funds, grants and
3 donations from any source to assist with the goals of this act.
4 All money received by the department under this act to protect
5 and revitalize coastal waters and waterfronts across this
6 Commonwealth shall be deposited into the fund.

7 Section 6. Reports.

8 The department shall submit an annual report to the General
9 Assembly on expenditures from the fund and the progress of the
10 public outreach required by section 7.

11 Section 7. Public outreach.

12 (a) General rule.--From the money available for
13 administration as authorized under section 4(b)(2), the
14 department shall conduct Statewide outreach to inform the public
15 of the grant program and the grant's purpose to protect and
16 revitalize coastal waters and waterfronts across this
17 Commonwealth.

18 (b) Evaluation.--The department shall evaluate the
19 effectiveness of the funds provided under this act in protecting
20 and revitalizing coastal waters and waterfronts across this
21 Commonwealth and make changes as necessary to the outreach
22 described under subsection (a).

23 Section 8. Rules and regulations.

24 The department shall promulgate rules and regulations in
25 accordance with the act of June 25, 1982 (P.L.633, No.181),
26 known as the Regulatory Review Act, necessary to administer the
27 program and carry out its duties under this act.

28 Section 9. Effective date.

29 This act shall take effect in 60 days.