
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 268 Session of
2019

INTRODUCED BY DRISCOLL, MURT, DEASY, SCHLOSSBERG, READSHAW,
SOLOMON, ISAACSON, T. DAVIS, NEILSON, MARKOSEK, HILL-EVANS,
YOUNGBLOOD AND SCHWEYER, JANUARY 29, 2019

REFERRED TO COMMITTEE ON COMMERCE, JANUARY 29, 2019

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 this act is to revitalize
13 coastal waters and waterfronts across this Commonwealth,
14 create new jobs and stimulate private investment, increase
15 property values and provide waterfront access for the public.

16 (2) The establishment of a grant program to provide
17 money for waterfront redevelopment across this Commonwealth
18 would protect and enhance the health and well-being of our

1 Commonwealth's environment.

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

6 Section 3. Definitions.

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

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

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

15 "Fund." The Waterfront Redevelopment Fund established under
16 section 5.

17 "Program." The Waterfront Redevelopment Grant Program
18 established under section 4.

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

21 "Waterfront redevelopment plan." A plan that provides for
22 the improvement of a waterfront and meets the requirements under
23 section 4(c).

24 Section 4. Waterfront Redevelopment Grant Program.

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

30 (b) Application.--An applicant must submit a written grant

1 application to the department in a manner prescribed by the
2 department. The application must include the following
3 information:

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

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

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

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

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

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

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

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

25 (c) Waterfront redevelopment plan.--An applicant that
26 applies for a grant shall prepare a waterfront redevelopment
27 plan. The waterfront redevelopment plan, at a minimum, shall:

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

30 (2) Identify the economic impact on the improved area,

1 the surrounding neighborhood and the region in which the
2 waterfront planning area is located.

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

5 (d) Publication and notice.--The department shall transmit
6 notice of the program's availability to the Legislative
7 Reference Bureau for publication in the Pennsylvania Bulletin.

8 (e) Department action.--

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

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

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

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

20 (iii) Consistency of the project with the waterfront
21 redevelopment plan required under subsection (c) for the
22 area in which the project is located.

23 (iv) Additional public access to the waterfront or
24 recreational opportunities for the public provided by the
25 project.

26 (v) Significant contribution by the project to the
27 region's economic and community redevelopment or the
28 revitalization of adjacent communities.

29 (vi) Evidence of adverse economic and socioeconomic
30 conditions within the waterfront planning area.

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

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

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

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

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

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

15 (xiii) Other criteria that the department and the
16 commission consider relevant.

17 (f) Award of grants.--

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

22 (i) Provide for response activities on waterfront
23 property consistent with a waterfront redevelopment plan.

24 (ii) Provide for the demolition of buildings and
25 other facilities along a waterfront that are inconsistent
26 with a waterfront redevelopment plan.

27 (iii) Provide for the acquisition of waterfront
28 property or the assembly of waterfront property
29 consistent with a waterfront redevelopment plan.

30 (iv) Provide public infrastructure and public

1 facility improvements to waterfront property consistent
2 with a waterfront redevelopment plan.

3 (2) For each grant issued under this subsection, the
4 department shall require that an approved applicant provide
5 matching funds of at least 25% of the project's total cost
6 from other public or private funding sources.

7 (3) Grants may be awarded on a pro rata basis if the
8 total dollar amount of the approved application exceeds the
9 amount of funds appropriated by the General Assembly for the
10 program.

11 Section 5. Waterfront Redevelopment Fund.

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

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

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

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

26 (c) Alternative funding.--The department may solicit and
27 accept alternative funding, including Federal funds, grants and
28 donations from any source to assist with the goals of this act.
29 All money received by the department under this act to protect
30 and revitalize coastal waters and waterfronts across this

1 Commonwealth shall be deposited into the fund.

2 Section 6. Reports.

3 The department shall submit an annual report to the General
4 Assembly on expenditures from the fund and the progress of the
5 public outreach required under section 7.

6 Section 7. Public outreach.

7 (a) General rule.--From the money available for
8 administration as authorized under section 5(b)(2), the
9 department shall conduct Statewide outreach to inform the public
10 of the grant program and the grant's purpose to protect and
11 revitalize coastal waters and waterfronts across this
12 Commonwealth.

13 (b) Evaluation.--The department shall evaluate the
14 effectiveness of the funds provided under this act in protecting
15 and revitalizing coastal waters and waterfronts across this
16 Commonwealth and make changes as necessary to the outreach
17 described under subsection (a).

18 Section 8. Rules and regulations.

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

23 Section 9. Effective date.

24 This act shall take effect in 60 days.