

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
Part 795
WATERFRONT REVITALIZATION

324.79501 Definitions.

Sec. 79501.

As used in this part:

- (a) "Commission" means the Michigan jobs commission.
- (b) "Department" means the department of environmental quality.
- (c) "Gaming facility" means a gaming facility regulated under the Michigan gaming control and revenue act, the initiated law of 1996, MCL 432.201 to 432.226.
- (d) "Grant" means a waterfront redevelopment grant under this part.
- (e) "Response activity" means that term as it is defined in part 201.
- (f) "Waterfront" means land that is contiguous to the Great Lakes or their connecting waterways, a river, or a lake or impoundment that has a surface area of not less than 50 acres.
- (g) "Waterfront planning area" means the geographic area included within a waterfront redevelopment plan.
- (h) "Waterfront redevelopment plan" means a waterfront redevelopment plan prepared by a local unit of government under section 79503 or a state approved recreation plan that includes waterfront improvements.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79502 Waterfront redevelopment grants program; establishment; provisions; funding sources; waterfront public access.

Sec. 79502.

(1) The department shall establish a waterfront redevelopment grants program. A local unit of government may apply to the department for a grant to conduct a project that does any of the following:

- (a) Provides for response activities on waterfront property consistent with a waterfront redevelopment plan.
 - (b) Provides for the demolition of buildings and other facilities along a waterfront that are inconsistent with a waterfront redevelopment plan.
 - (c) Provides for the acquisition of waterfront property or the assembly of waterfront property consistent with a waterfront redevelopment plan.
 - (d) Provides public infrastructure and public facility improvements to waterfront property consistent with a waterfront redevelopment plan.
- (2) A grant shall not be provided under this part for a project that is located at any of the following:
- (a) Land sited for use as a gaming facility or as a stadium or arena for use by a professional sports team.
 - (b) Land or other facilities owned or operated by a gaming facility or by a stadium or arena for use by a professional sports team.

(c) Land within a project area described in a project plan pursuant to the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, for a gaming facility.

(3) For any grant issued under this part, the department shall require that a local unit of government provide at least 25% of the total project's cost from other public or private funding sources.

(4) A project funded pursuant to this part shall provide for waterfront access to the general public.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79503 Waterfront redevelopment plan; preparation.

Sec. 79503.

A local unit of government that wishes to apply for a grant shall prepare a waterfront redevelopment plan that provides for the improvement of the waterfront. The waterfront redevelopment plan, at a minimum, shall do both of the following:

- (a) Clearly designate the geographic area included within the waterfront planning area.
- (b) Identify the economic impact on the improved area, the surrounding neighborhood, and the region in which the waterfront planning area is located.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79504 Grant application.

Sec. 79504.

A local unit of government that wishes to be considered for a grant shall submit a written grant application to the department in a manner prescribed by the department and containing the information required by the department. The grant application shall also include all of the following:

- (a) A detailed description of the project and how the grant would be used, including any private sector participation.
- (b) A copy of the waterfront redevelopment plan for the area in which the project is to be located.
- (c) An explanation of how the project will contribute significantly to the local unit of government's economic and community redevelopment or the revitalization of adjacent neighborhoods.
- (d) An explanation of how the project will provide for public access to the waterfront or will provide recreational opportunities for the public.
- (e) If the project includes the purchase of property, an identification of the intended use of the property, and a timeline for redevelopment of the property.
- (f) The total cost of the project and the source of the local unit of government's contribution to the project.
- (g) A detailed description of the practices the local unit of government will implement and maintain to control nonpoint source pollution from the project site both during construction activities and throughout the period of time in which the state is paying off the bonds that were issued pursuant to the clean Michigan initiative act.
- (h) Other information that the department and the commission consider relevant.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79505 Grant application; review by department and commission.

Sec. 79505.

Upon receipt of a grant application under section 79504, the department shall forward a copy of the application to the commission. The department and the commission shall jointly review the grant applications. In reviewing grant applications, the department and the commission shall consider all of the following:

- (a) Whether the project proposed to be funded is authorized by this part.
- (b) Whether the grant application submitted complies with this part.
- (c) Whether the project is consistent with the waterfront redevelopment plan for the area in which the project is located.
- (d) Whether the project provides significant public access to the waterfront or provides recreational opportunities for the public.

- (e) Whether the project will significantly contribute to the local unit of government's economic and community redevelopment or the revitalization of adjacent neighborhoods.
- (f) Whether there is evidence of adverse economic and socioeconomic conditions within the waterfront planning area.
- (g) The viability of the waterfront redevelopment plan.
- (h) Whether the project is innovative in comparison to other grant applications.
- (i) The level of public and private commitment and other resources available for the project.
- (j) The level of public and private commitment to other aspects of the waterfront redevelopment plan.
- (k) How the project relates to a broader economic and community development plan for the local unit of government as a whole.
- (l) The level of demonstrated commitment from other governmental agencies.
- (m) The level of public and private commitment to improving abandoned real property within the waterfront planning area in which the project is located.
- (n) Other criteria that the department and the commission consider relevant.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79506 Issuance of grants.

Sec. 79506.

The department, with the approval of the commission, shall issue grants under this part for projects that the department determines meet the requirements of this part and will contribute to the revitalization of waterfronts throughout the state that are not being used in a manner that maximizes economic and public value.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79507 Recovery of costs.

Sec. 79507.

The department and the department of attorney general may recover costs expended pursuant to section 79502(1)(a) and all other costs recoverable under part 201 from persons who are liable under part 201. Actions to recover costs shall proceed in the manner provided in part 201.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998

Popular Name: Act 451

Popular Name: NREPA

324.79508 Administration of part.

Sec. 79508.

Grants made under this part are subject to the applicable requirements of part 196. The department shall administer this part in compliance with the applicable requirements of part 196, including the reporting requirements to the legislature of the grants provided under this part.

History: Add. 1998, Act 285, Eff. Dec. 1, 1998
Popular Name: Act 451
Popular Name: NREPA