

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 762 Session of  
2023

---

INTRODUCED BY GALLAGHER, SIEGEL, PROBST, SANCHEZ, HILL-EVANS,  
SCHLOSSBERG, McNEILL, T. DAVIS, GIRAL, MADDEN, HOHENSTEIN,  
WARREN, KINKEAD, DEASY, NEILSON, CIRESI AND CONKLIN,  
MARCH 30, 2023

---

REFERRED TO COMMITTEE ON TOURISM AND ECONOMIC AND RECREATIONAL  
DEVELOPMENT, MARCH 30, 2023

---

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 objectives of this act are 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

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 under  
17 section 5.

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

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

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

25 Section 4. Waterfront Redevelopment Grant Program.

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

1 (b) Application.--An applicant must submit a written grant  
2 application to the department in a manner prescribed by the  
3 department. The application must include the following  
4 information:

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

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

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

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

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

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

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

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

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

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

1           (2) Identify the economic impact on the improved area,  
2 the surrounding neighborhood and the region in which the  
3 waterfront planning area is located.

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

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

9           (e) Department action.--

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

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

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

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

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

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

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

30               (vi) Evidence of adverse economic and socioeconomic

1 conditions within the waterfront 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 (xiii) 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 (ii) Provide for the demolition of buildings and  
26 other facilities along a waterfront that are inconsistent  
27 with a waterfront redevelopment plan.

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

1 (iv) Provide public infrastructure and public  
2 facility improvements to waterfront property consistent  
3 with a waterfront redevelopment plan.

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

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

12 Section 5. Waterfront Redevelopment Fund.

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

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

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

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

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

1 and revitalize coastal waters and waterfronts across this  
2 Commonwealth shall be deposited into the fund.

3 Section 6. Reports.

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

7 Section 7. Public outreach.

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

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

19 Section 8. Rules and regulations.

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

24 Section 9. Effective date.

25 This act shall take effect in 60 days.