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OF MICHIGAN



SURVEY OF ECONOMIC  
DEVELOPMENT PROGRAMS  
IN MICHIGAN

THIRD EDITION

FEBRUARY 2016

REPORT 392

CELEBRATING 100 YEARS OF INDEPENDENT, NONPARTISAN  
PUBLIC POLICY RESEARCH IN MICHIGAN

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# SURVEY OF ECONOMIC DEVELOPMENT PROGRAMS IN MICHIGAN

THIRD EDITION

FEBRUARY 2016

REPORT 392

Current Through 98<sup>th</sup> Michigan Legislature (2015 Regular Session)

**This report was prepared with assistance from the law firm  
Miller, Canfield, Paddock and Stone PLC**

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# SURVEY OF ECONOMIC DEVELOPMENT PROGRAMS IN MICHIGAN

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**MISCELLANEOUS GRANT AND  
LOAN PROGRAMS**

*21st Century Jobs Fund  
Federal and State Brownfield Grants and Loans*



## 21ST CENTURY JOBS FUND

### ENABLING LEGISLATION;

STATUTORY CITATION: 2005 PA 232; M.C.L. 12.257

### SUMMARY PROGRAM

#### DESCRIPTION:

The 21<sup>st</sup> Century Jobs Fund seeks to diversify and grow the state's economy by encouraging the development and commercialization of competitive-edge technologies, and increasing capital investment and commercial lending activities. The Fund is administered by the Michigan Economic Development Corporation (MEDC) through the Strategic Economic Investment and Commercialization (SEIC) Board.

### ELIGIBILITY AND

#### BENEFITS:

#### General Eligibility:

Michigan institutions of higher education, non-profit research institutions and non-profit corporations are eligible for grants, unless the proposed project has an apparent for-profit intent, in which case loans, convertible loans and other investment tools may be provided. For-profit organizations are only eligible for loans.

Out-of-state applicants that wish to relocate or that have a substantial portion of their business in Michigan are eligible to apply, but must have a presence in Michigan at signing of contract.

#### Development and commercialization of competitive-edge technologies:

The 21<sup>st</sup> Century Jobs Fund invests in basic and applied research, technology transfer, and commercialization of products, processes and services in 4 competitive-edge technologies at institutions of higher education, non-profit research organizations, non-profit corporations and for-profit businesses.

Technologies and activities related to the research and development of any competitive-edge technology products are also eligible for 21<sup>st</sup> Century Jobs funding (e.g., design, engineering, testing).

#### 21st Century Investment Fund:

A portion of the 21<sup>st</sup> Century Jobs Fund proceeds have been invested in or alongside qualified equity, mezzanine or venture capital funds to create or retain jobs in competitive-edge technologies in Michigan.

#### Commercial lending activity:

The 21<sup>st</sup> Century Jobs Fund established a Jobs for Michigan Investment Fund, which supports commercial loan and capital access enhancement programs to stimulate additional commercial lending to support competitive-edge technology activities.

### TERMS AND PERFORMANCE

#### GUARANTEES:

Proposals will be peer reviewed by a panel of scientific experts, technology transfer specialists, venture capitalists and entrepreneurs recruited by the American Association for the Advancement of Science and approved by MEDC. Proposals will be reviewed on 4 criteria of equal weight: scientific and technical merit, personnel expertise, commercialization merit, and ability to leverage other resources. Applicants are required to match investments with cash or in-kind contributions. Cash contributions need not come directly from the applicants themselves.

Applicants are encouraged to collaborate. Applied research proposals must include high-value

## 21ST CENTURY JOBS FUND (CONTINUED)

collaboration between the eligible applicant and another, preferably Michigan-based entity. If the collaboration is between non-profit and for-profit entities, the stage of technological development and determination of which entity receives the economic benefit will be considered to ascertain whether the applicants are eligible for grants or loans.

Commercialization, basic and applied research funding may be requested for up to 3 years. Commercialization Services, which provide funds for specialized business resources to ensure successful commercialization, may be requested for up to 2 years.

If a recipient leaves the state within 3 years of award, it will be considered a breach of contract; repayment and other penalties may apply.

### DISCUSSION:

The 21<sup>st</sup> Century Jobs Fund is a 10-year initiative to diversify Michigan's economy. In addition to \$400 million in securitized tobacco settlement revenues, each fiscal year from 2008-2015, \$75 million in tobacco settlement revenues will be invested in the Fund. The initiative builds on former programs such as the Michigan Life Sciences Corridor and the Michigan Technology Tri-Corridor.

The Michigan Legislature has enacted several bills diverting this funding elsewhere.

2007 PA 50, as part of a comprehensive agreement to eliminate a FY2007 budget deficit, transferred \$50.0 million from the 21st Century Jobs Fund to the General Fund.

2008 PA 98 transferred \$60.0 million from the General Fund to the 21st Century Jobs Trust Fund for FY2008, while appropriating \$50.0 million from the 21st Century Jobs Trust Fund to the MSF for tourism promotion and business development activities.

2008 PA 553 transferred \$9.0 million for FY2009 from the 21st Century Jobs Trust Fund to a regional convention facility authority created under the Regional Convention Facility Authority Act for the purpose of developing a qualified convention facility.

2009 PA 183 transferred funds from the 21st Century Jobs Fund to the state's General Fund for two fiscal years: \$42.0 million for FY 2009, and \$37.5 million for FY 2010, but also increased the specified amount of tobacco settlement revenue to be deposited into the 21st Century Jobs Fund in FY 2016 from \$30.0 million to \$72.0 million. (FY 2016 is the final year for which the act specifies a deposit of tobacco settlement revenue into the fund.)



## FEDERAL AND STATE BROWNFIELD GRANTS AND LOANS

### BROWNFIELD REDEVELOPMENT GRANTS, SITE RECLAMATION GRANT, AND SITE ASSESSMENT GRANT PROGRAMS

**ENABLING LEGISLATION;****STATUTORY CITATION:**

1988 PA 328; as amended by 1994 PA 451; 2003 PA 253; M.C.L. 324.19501 et. seq. (Environmental Protection Bond), M.C.L. 324.19606 et. seq. (Clean Michigan Initiative), M.C.L. 324.2010 et. seq. (Environmental Remediation)

**SUMMARY PROGRAM****DESCRIPTION:**

Clean Michigan Initiative Brownfield Redevelopment Grants (CMIBRG), Site Assessment Grants (SAG) and Site Reclamation Grants (SRG) are awarded to local units of government, Brownfield Redevelopment Authorities and other authorities created pursuant to state law for investigation and remediation of known contaminated sites that will be used for a determined economic development.

**ELIGIBILITY AND****BENEFITS:**

Sites must be facilities as defined by part 201 of the Natural Resources and Environmental Protection Act 381 of 1994. Grants up to \$1 million for CMIBRG are available for response activities such as investigation, assessment and due care activities at facilities where an economic development that creates jobs, private investment and/or increases property tax has been identified. Grants up to \$2 million are available for environmental response activities on property where an economic development has been identified through SAG and SRG.

**TERMS AND PERFORMANCE****GUARANTEES:**

Proposals are accepted on a continual basis. The Director of the Michigan Department of Environmental Quality (MDEQ) approves projects. Only one project per applicant will be awarded within a fiscal year. Both grants are administered by the MDEQ Environmental Science and Services Division. The Clean Michigan Initiative Bond Fund of 1998 funds CMIBRG. The Environmental Protection Bond Fund of 1988 funds SAG and SRG. For more information on grant revenue sources, see the description on page 128.

**CHANGES SINCE****LAST UPDATE:**

2014 PA 115 amended the Act to allow the terms of an outstanding loan to a local unit of government or brownfield redevelopment authority from the Clean Michigan Initiative Bond Fund to be renegotiated upon a loan recipient's request and demonstration of financial hardship related to the project that was financed by the loan and requires new reporting to the legislature on refinanced loans.

**DATA AND SOURCE:**

Through the end of FY2013, a total of 73 projects totaling \$46.1 million have been funded through the BRG program, generating cumulative expenditures of \$31.3 million. The SRG program has supported 76 projects, awarding grants of \$44.8 million which have generated expenditures of \$34.4 million through FY2013. Finally, the SAG program has awarded grants totaling \$13.8 million to 120 different projects through FY2013. SAG project expenditures totaled \$9.9 million.

Source: MDEQ

## FEDERAL AND STATE BROWNFIELD GRANTS AND LOANS (CONTINUED)

### BROWNFIELD REDEVELOPMENT LOANS AND REVITALIZATION REVOLVING LOAN PROGRAMS

#### ENABLING LEGISLATION;

#### STATUTORY CITATION

1988 PA 328; as amended by 1994 PA 451; 2003 PA 253; M.C.L. 324.195 (Environmental Protection Bond), M.C.L. 324.196 (Clean Michigan Initiative), M.C.L. 324.201 (Environmental Remediation).

#### PROGRAM

#### DESCRIPTION:

Clean Michigan Initiative Brownfield Redevelopment Loans (CMIBRL) and Revitalization Revolving Loans (RRL) are awarded to local units of government and Brownfield Redevelopment Authorities for assessments, demolition and other remediation activities at sites with known or suspected contamination.

#### ELIGIBILITY AND

#### BENEFITS:

The Clean Michigan Initiative Bond Fund of 1998 funds CMIBRL programs and the Environmental Protection Bond Fund of 1988 funds RRL programs; therefore, each loan has distinct criteria. CMIBRL projects must have identified economic development; RRL projects must be used to promote economic development, but are not required to propose an identified development. Eligible response activities of both loans including investigation, assessment, interim response activities and demolition to reach contaminants; however, CMI-funded loans also allow for due care responses while RRL programs do not. CMIBRL loans award up to \$1 million whereas RRL programs do not cap the amount an applicant may borrow.

#### TERMS AND PERFORMANCE

#### GUARANTEES:

CMIBRL and RRL are low-interest loans offered at no more than 50 percent of the prime rate. The current rate is 1.5 percent simple interest. No interest is due in the first 5 years; interest accrues at the beginning of the 6<sup>th</sup> year. Loan periods are 15 years. Loans are limited to one project per applicant per fiscal year. The Michigan Department of Environmental Quality (MDEQ) Environmental Science and Services Division administers CMIBRL and RRL programs.

These loans represent an opportunity for local units and authorities to use tax increment financing to repay loans (See section on Brownfield Authorities and the Brownfield Redevelopment Financing Act of 1996 on page 66 and the box on tax increment financing on page 74.)

#### DATA AND SOURCE:

Through FY2014, 55 BRL loans have been awarded totaling \$32.2 million, including 5 new loans awarded in FY2013 totaling \$3.7 million. The RRL program has supported 27 projects totaling approximately \$11 million through FY2014.

[www.michigan.gov/documents/deq/FY2014DEQConsolidatedReport\\_486950\\_7.pdf](http://www.michigan.gov/documents/deq/FY2014DEQConsolidatedReport_486950_7.pdf)

#### DISCUSSION:

The MDEQ also initiates state-funded cleanups: The MDEQ Remediation and Redevelopment Division administers the Environmental Cleanup and Redevelopment Programs, which foster cleanup of environmentally contaminated sites when the liable party is either financially unable or refuses to act in a timely manner and public health necessitates immediate action. The MDEQ annually proposes projects to the Legislature; projects are approved through appropriation bills. Cleanup projects are prioritized by the magnitude of the public health or environmental risk and by the potential for redevelopment.

## FEDERAL AND STATE BROWNFIELD GRANTS AND LOANS (CONTINUED)

### REVENUE SOURCES FOR MDEQ BROWNFIELD REDEVELOPMENT GRANTS AND LOANS

#### Environmental Protection Bond Fund:

In 1988, voters passed Proposal C, the Environmental Bond Issue, which authorized MDEQ to use \$660 million in general obligation bonds for environmental protection (established by PA 328 of 1988; Part 195 of PA 451 explains uses of bond proceeds). \$425 million was specifically reserved for environmental cleanup. As of September, 2012, approximately \$8.5 million of authorized proceeds remain available.

#### Clean Michigan Initiative (CMI):

In 1996, voters approved a \$675 million bond initiative for brownfield redevelopment and cleanup; to protect and enhance lakes, rivers and streams; reclaim waterfront; improve state and local parks and recreation activities; and prevent pollution and hazards from lead (Part 196 of PA 451). CMI has 6 main categories: response activities, waterfront improvement (grants exhausted), lake and river sediment cleanup, nonpoint source pollution control grants, clean water programs and pollution prevention programs. 2003 PA 253 significantly increased the amount of CMI grant and loan funds available to local units; \$335 million is now reserved for brownfield cleanup, including:

- \$155 million for site cleanup and redevelopment,
- \$37.5 million in grants and \$37.5 million in loans for local units of government for response activities at suspected or known contaminated sites with redevelopment potential,
- \$93 million for cleanup of sites that pose danger to public health or the environment, and
- \$12 million in grants to local units for landfill remediation at sites listed on the National Priorities List (the "Superfund" list).

## U.S. ENVIRONMENTAL PROTECTION AGENCY ASSESSMENT GRANTS

The EPA awards grants of up to \$200,000 to states, local governments, tribal governments and governmental or quasi-governmental entities and authorities for Brownfield site inventory, characterization, assessment and to conduct planning and community involvement activities relevant to Brownfields. Applicants may request up to \$350,000 for petroleum-impacted or hazardous substance contamination. A coalition of three or more eligible applicants can submit one grant proposal under the name of one of the coalition members for up to \$ 1,000,000. The performance period is 3 years.

#### Cleanup Grants:

Applicant eligibility is the same as Assessment Grant eligibility. Applicants must own the property and have conducted a Phase I site assessment prior to proposal submission. Grants up to \$200,000 for no more than 3 sites per applicant are available for cleanup activities. Grants require a 20 percent cost share in the form of monetary resources, labor or materials (may be waived for hardship). The performance period is 3 years.

## FEDERAL AND STATE BROWNFIELD GRANTS AND LOANS (CONTINUED)

### Targeted Brownfields Assessments:

The Environmental Protection Agency offers funding and technical assistance through its regional offices for certain costs associated with assessment for remediation of certain contaminated sites.

A Targeted Brownfields Assessment may encompass one or more of the following activities:

- A screening (phase I) assessment, including a background and historical investigation and a preliminary site inspection;
- A full (phase II) site assessment, including sampling activities to identify the types and concentrations of contaminants and the areas of contamination to be cleaned;
- Establishment of cleanup options and cost estimates based on future uses and redevelopment plans.

Targeted Brownfields Assessment (TBA) funding may only be used at real property at which redevelopment, reuse or expansion may be complicated by contamination. The Small Business Liability Relief and Brownfields Revitalization Act expanded TBA eligible property to include mine scarred land, properties contaminated by a controlled substance and low-risk petroleum-contaminated properties

Regional EPA offices have discretion in selecting properties for TBA. Typically, preference is given to publicly owned or abandoned property, low or moderately contaminated sites, projects that include environmental justice issues or that suffer from the stigma of liability, and sites with prospective purchasers willing to buy and pay for cleanup if needed.

Source: EPA at [http://www.epa.gov/brownfields/grant\\_info/index.htm](http://www.epa.gov/brownfields/grant_info/index.htm)

## U.S. ENVIRONMENTAL PROTECTION AGENCY LOANS

### Brownfields Cleanup Revolving Loan Fund:

Brownfields Revolving Loan Fund Grants provide funding to a grant recipient to capitalize a revolving loan fund that provides loans and sub-grants to carry out cleanup activities at brownfields sites. Revolving Loan Fund Grants can provide up to \$1 million per eligible entity, and are available for a single recipient or a coalition of eligible entities. Requirements include:

- Funds may be used to address sites contaminated by petroleum and/or hazardous substances, pollutants, or contaminants.
- At least 60 percent of the awarded funds must be used to implement a revolving loan fund, in order to provide no-interest or low interest loans for brownfield cleanups
- An RLF award requires a 20 percent cost share, which may be in the form of a contribution of money, labor, material, or services, and must be for eligible and allowable costs.

### **DATA AND SOURCE:**

Since 2000, the EPA awarded a total of \$87.2 million in grants to 104 Michigan communities, including:

City of Adrian  
Albion Brownfield Redevelopment Authority  
Alger County  
Allegan County  
City of Allegan

**FEDERAL AND STATE BROWNFIELD GRANTS AND LOANS  
(CONTINUED)**

City of Alma  
City of Alpena  
Arenac County  
Battle Creek  
Bay City  
Benton Harbor Brownfield Redevelopment Authority  
Berrien County Brownfield Redevelopment Authority  
Branch County  
Bridgeport Charter Township  
Buchanan, City of  
Calhoun County  
Cedar Springs  
Charlotte Brownfield Redevelopment Authority  
Cheboygan County  
Clare County  
Clinton County  
Delta County  
Dearborn  
Detroit  
Detroit/Wayne County Port Authority  
Dickinson County Brownfield Redevelopment Authority  
Downriver Community Conference  
East Lansing  
Eaton County  
Ecorse  
Flint  
Frankfort  
Genesee County Land Bank Authority  
Grand Rapids  
Grand Rapids Brownfield Redevelopment Authority  
Grand Traverse County  
Grand Traverse County Brownfield Redevelopment Authority  
Grand Valley Metropolitan Council  
Gratiot County Brownfield Redevelopment Authority  
Hamtramck  
Harbor Shores Community Redevelopment, Inc.  
Hastings  
Huron County  
Ingham County  
Inkster  
Ionia County  
Jackson County Brownfield Redevelopment Authority  
Kalamazoo County  
Kalamazoo  
Kent County  
Kentwood  
Keweenaw Bay Indian Community (KBIC)  
Keweenaw County

## FEDERAL AND STATE BROWNFIELD GRANTS AND LOANS (CONTINUED)

Lake County  
 Lansing Brownfield Redevelopment Authority  
 Lansing  
 Leelanau County  
 Lenawee County  
 Lincoln Park  
 Macatawa Area Coordinating Council  
 Macomb County  
 Manistee County Brownfield Redevelopment Authority  
 Manistee  
 Marquette County  
 Mason County  
 Mecosta County  
 Michigan Department of Environment Quality  
 Michigan Land Bank Fast Track Authority  
 Monroe  
 Charter Township of Northville  
 Oakland County  
 Osceola County Brownfield Redevelopment Authority  
 Otsego County Brownfield Redevelopment Authority  
 Ottawa County (Michigan)  
 Redford, Charter Township of  
 Reed City Brownfield Redevelopment Authority  
 Roscommon County  
 City of Saginaw  
 Saginaw County Brownfields Redevelopment Authority  
 Sanilac County, Michigan  
 Schoolcraft County  
 Southfield (City of) Brownfield Redevelopment Authority  
 St. Clair County Brownfield Redevelopment Authority  
 St. Joseph County  
 St. Joseph County Brownfield Redevelopment Authority  
 St. Joseph County Economic Development Corporation  
 City of St. Louis  
 Sturgis  
 Taylor  
 Three Rivers  
 Traverse City and Charter Township of Garfield Recreational Authority  
 Trenton  
 Tuscola  
 Washtenaw County  
 Wayne County Brownfield Redevelopment Authority  
 Wayne County  
 Wyandotte  
 Wyoming  
 Ypsilanti

Source: U.S. EPA Brownfields Grant Fact Sheet