

**ACT 381 COMBINED BROWNFIELD PLAN INSTRUCTIONS  
May 2024**

**TO CONDUCT ELIGIBLE  
EGLE ENVIRONMENTAL,  
MSF NON-ENVIRONMENTAL, AND/OR  
MSHDA HOUSING  
ACTIVITIES**

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# ACT 381 COMBINED BROWNFIELD PLAN INSTRUCTIONS

*An Act 381 Combined Brownfield Plan must include all necessary information to demonstrate property eligibility and activity eligibility. Following is the statutory information necessary for submission of an Act 381 Combined Brownfield Plan. Please include any other information, reports, maps, tables, you feel are pertinent for a complete review and consideration of your Combined Plan.*

**Act 381 Guidance** for Brownfield Plans, Work Plans and Combined Plans is available online at <https://www.miplace.org/4a739f/globalassets/documents/tif/act-381-work-plan-guidance.pdf>

## 1.0 INTRODUCTION

### 1.1 Proposed Redevelopment and Future Use for Each Eligible Property

Describe the proposed redevelopment project including the number, types, and square feet of the structures, for what purposes they will be used, the number of units (if residential homes/condos/apartments), **whether the units are to be affordable/subsidized (see MSHDA definition below and in related guidance as it relates to Area Median Income commitments)**, the square footage of revitalized publicly owned/maintained space (please approximate square footage if improvements are measured in linear feet), the anticipated number of new full-time equivalent (FTE) jobs created (with single average FTE wage) not including temporary construction jobs, the amount of private investment, the total cost of the project, the anticipated eligible activities completion date and anticipated redevelopment project completion date. Indicate whether the project is located in a qualified local governmental unit (QLGU).

### 1.2 Eligible Property Information

**1.2.1 Property Eligibility – Location/Legal Description** – Indicate how each property qualifies as a facility, historic resource, functionally obsolete, blighted, or tax reverted property owned or under the control of a Land Bank Fast Track Authority, or housing property. Indicate whether the eligible property includes adjacent or contiguous parcels. Properties adjacent or contiguous to the eligible property but located outside of the Brownfield Plan’s eligible property boundary are not eligible properties. If there are multiple parcels involved, it is helpful to summarize them in table format with an address, parcel number, and how the individual parcel qualified as eligible.

Include street address, city or township, county, parcel number(s) and legal descriptions for each eligible property, (including adjacent or contiguous properties that are part of the eligible property) and parcel size or total acreage. Provide a Scaled Property Location Map and an Eligible Property Map as Figures 1 and 2 in the Combined Plan Exhibits. Adjacent or contiguous parcels should be identified as such on the maps. The Eligible Property Map provided should match that presented in the adopted Brownfield Plan.

**1.2.2 Current Ownership** – Name, address, and contact person for all current owners. If property ownership has changed within the past six (6) months, provide the name of the previous owner(s).

**1.2.3 Proposed Future Ownership** – Name, address, and contact person for all known future owners.

1.2.4 **Delinquent Taxes, Interest, and Penalties** – Total of delinquent taxes including penalties and interest for each eligible property. If there are taxes owed, explain why they are owed and how the issue will be resolved.

1.2.5 **Existing and Proposed Future Zoning** – Identify existing and proposed future zoning for each eligible property. Indicate if the zoning will remain unchanged.

**1.3 Historical Use and Previous Ownership of Each Eligible Property**

1.3.1 **Historical Use** - Summarize the historical use of each eligible property dating back as far as information is available. Include the types of residential, public, commercial, and industrial uses and the corresponding dates for each use.

1.3.2 **Previous Ownership** - Provide the names of previous owners and operators back to at least 1994. Provide information about the types of equipment, machinery, storage tanks, etc. that were operated on each property and known or possible hazardous substance use, as well as persons and/or entities who may be liable for known or suspected contamination.

**1.4 Current Use of Each Eligible Property**

Summarize the type(s) of residential, public, commercial, and industrial uses that are currently operating on each eligible property. Indicate which uses will continue operating after redevelopment. Also, indicate whether each property is occupied or unoccupied.

**1.5 Site Conditions and Known Environmental Contamination Summary**

If applicable, provide what is known about environmental contamination for each eligible property qualifying as a facility as defined in MCL 324.20201(s) or a site or property, as those terms are defined in MCL 324.21303(d) and 324.21303(m). List types, dates and results summaries of previous environmental studies including Phase I and II Environmental Site Assessments (ESAs), Baseline Environmental Assessments (BEA), remedial investigations, etc. Indicate if a BEA has been conducted/completed for the eligible property by any party associated with the redevelopment. Indicate what conditions make the property a facility, or a site or property including the types of contaminants and concentrations found above residential cleanup criteria and the associated laboratory analytical data that demonstrate the property is a facility, or a site or property. Include a site map showing the lateral and vertical extent of known contamination with soil boring and monitoring well locations and concentrations identified. Note: Do not submit environmental reports with the Work Plan. EGLE will request further documentation if needed.

This information is required whether or not school taxes will be used for response activities. The Michigan Strategic Fund (MSF) and the Michigan State Housing Development Authority (MSHDA) require facilities or sites or properties to be investigated to the extent necessary for a reasonable identification of eligible activities and costs necessary to address the contamination. A description of existing conditions and anticipated environmental activities must be submitted. MSF and MSHDA approval of non-environmental activities may be conditioned on certain requirements intended to protect the public health, safety, and welfare and the environment consistent with applicable state and/or federal laws.

**1.6 Functionally Obsolete, Blighted and/or Historic Conditions**

If applicable, describe why the property is blighted and/or functionally obsolete as defined

in Sections 2(e) and 2(s), respectively, of Act 381. A property qualifying as functionally obsolete requires an Affidavit, attached as an Exhibit, signed by a Level 3 or Level 4 Assessor, which states in the Assessor's expert opinion the property is functionally obsolete and the underlying basis for that opinion. A property qualifying as blighted requires a detailed description of the property conditions and a formal declaration by the local unit of government designating the area blighted. If a property is qualifying as historic (MCL 125.2090a), provide documentation that it is located within a local historic district or listed on the State or National Register of Historic Places.

### **1.7 Information Required by Section 15(12) of the Statute**

Combined Plans submitted for MSF and/or MSHDA consideration require narrative and documentary responses to the following questions:

- 1.7.1 How are the individual activities included in the Combined Plan sufficient to complete the eligible activity?
- 1.7.2 How is each individual activity included in the Combined Plan required to complete the eligible activity?
- 1.7.3 How were the costs for each individual activity determined to be reasonable, and were the costs determined to be reasonable?
- 1.7.4 What is the overall public benefit?
- 1.7.5 To what extent will vacant buildings be reused and blighted property be redeveloped?
- 1.7.6 How many full-time equivalent jobs will be created by the project? Describe the types and sectors of jobs that will be created. Include single average FTE wage. Do not include temporary or construction jobs.
- 1.7.7 Is the eligible property in a high unemployment area?
- 1.7.8 What is the level and extent of contamination alleviated by or in connection with the eligible activities?
- 1.7.9 What is the level (amount) of private sector contribution (investment) to the project?
- 1.7.10 If the developer or projected occupant of the new development is moving from another location in this state, will the move create a Brownfield?
- 1.7.11 Is the project financially and economically sound? Describe and demonstrate with a project pro forma, financial statements or other acceptable documentation.
- 1.7.12 What other state and/or local incentives (including amounts) are anticipated to directly or indirectly benefit this project?
- 1.7.13 Is there any additional information you want MSF and/or MSHDA to consider while reviewing this Combined Plan?
- 1.7.14 If housing development activities are included in the Work Plan, include the following, additional information for MSHDA's consideration:
  - How is this project aligned with the Michigan Statewide Housing Plan? The Plan may be found at [www.michigan.gov/mshda/developers/statewide-housing-plan](http://www.michigan.gov/mshda/developers/statewide-housing-plan).
  - Identify the entity that will be monitoring price and income restrictions on tenants and occupants, indicate the duration of the intended monitoring, and whether the identified entity has the capacity to accomplish the monitoring obligations.
  - The portion of the housing to be developed that is intended to be subsidized and/or sold or rented to households at or below 120% of area

median income.

- Will the project support housing at price points that align with the local workforce?
- Will the property be deed-restricted to regulate short-term rentals or otherwise ensure long-term local housing needs?
- Does the community where the project is located have an identified, specific housing need and absorption or job growth data?

Additional information on MSHDA requirements is available at the MSHDA website: [MSHDA Housing Tax Increment Financing \(TIF\) Program \(michigan.gov\)](https://www.mshda.org/MSHDA-Housing-Tax-Increment-Financing-(TIF)-Program-(michigan.gov))

## 2.0 SCOPE OF WORK AND COSTS

All proposed activities and costs are for work to be conducted and must be consistent with the approved Brownfield Plan. Costs should be itemized within each proposed eligible activity type (e.g., BEA, due care, demolition, infrastructure improvements, etc.). Use of captured school taxes for reimbursement of interest costs associated with financing of eligible activities differs by agency. The EGLE, MSF, and/or MSHDA allow a combined total of up to \$30,000 maximum per project for preparation of Combined Brownfield Plans, which should be split between the agencies. EGLE and MSF also allow a combined total of up to \$50,000 maximum per project for the implementation of Combined Brownfield Plans, which should be split between the agencies.

### 2.1 EGLE Eligible Activities

Proposed activities should be placed into one of the following categories. Provide as much detail as possible, including costs, for each proposed activity. For all proposed environmental sampling activities, include the types of samples to be collected (soil, groundwater, waste, sediments, surface water, etc.), method of sample collection (surface soil, hand auger, drill rig, geoprobe, temporary well, monitor well, etc.), number of samples, and analytes for each type of sample. A Proposed Sampling Location Map is required as an Exhibit. Please refer to the EGLE Brownfield Eligible Activity Resource for a more detailed description of eligible activities. [ADD LINK](#)

#### 2.1.1 Department Specific Activities

##### **Work Plan Exempt Activities**

*Site Assessment and Baseline Environmental Assessment (BEA)* – activities may include:

- All Appropriate Inquiry compliant Phase I Environmental Assessment and Phase II Environmental Assessments.
- Soil and Groundwater Sampling and Analysis.
- Data Interpretation and reporting.
- Development of engineering controls or isolation zones.

*Pre-Demo, Hazardous Material, Lead, Mold, and Asbestos Surveys* – activities may include:

- Inspections.
- Sampling and analysis.
- Data interpretation and reporting.

*Due Care Planning* - activities may include:

- Construction due care planning
- Design of engineering controls
- Planning for remediation measures

### **EGLE Eligible Activities**

*Due Care* – activities to meet [324.20107a](#) and [324.21304c](#) due care obligations may include:

- Investigation (sampling, analysis, interpretation, reporting) to define contamination sufficient to conduct an adequate pathway evaluation and determine necessary response actions.
- Assessment of complete pathways, evaluating potential unacceptable exposures in consideration of intended use(s) of the property and identification of all notice requirements, etc. as necessary to comply with both [324.20107a](#) and [324.21304c](#).
- Development of a plan to conduct response activities to sufficiently demonstrate compliance with [324.20107a](#) and [324.21304c](#) obligations for a prospective or current owner, or operator.
- Treatment or removal of contaminated soil or groundwater as a response activity to prevent or mitigate an unacceptable exposure or eliminate the potential for exacerbation.
- Construction of appropriate barriers to prevent or mitigate unacceptable exposures.

*Response Activities* – response activities beyond due care may include:

- Evaluation including investigation and feasibility study.
- Interim response activity.
- Remedial/corrective action.
- Demolition that is a response activity (e.g., demolition is necessary to address the contamination; the structure has been condemned, formally declared dangerous, etc.). Describe why demolition is necessary for environmental and/or public health, safety, or welfare reasons and if so, document that the local unit of government has formally declared the building a danger to the community as an attachment. Include the size, type, and number of structures. Include the deconstruction/demolition procedure and recycling/disposal practices. Bids should be obtained for all demolition activities.
- Lead abatement. Describe why it is necessary for environmental and/or public health, safety, or welfare reasons. Describe the type of lead abatement activities to be performed including procedures and disposal practices.
- Asbestos abatement. Describe why it is necessary for environmental and/or public health, safety, or welfare reasons. Describe the type of asbestos abatement activities to be performed including procedures and disposal practices.
- Mold abatement. Describe why it is necessary for environmental and/or public health, safety, or welfare reasons. Describe the type of mold abatement activities to be performed including procedures and disposal practices.
- Response activities that are more protective of the public health, safety, and welfare and the environment than required for due care. Describe the



proposed activities and how they provide public health or environmental benefits and address the following:

- 1) The proposed new land use and the reliability of land use restrictions to prevent exposure to the contamination.
  - 2) The activities and costs minimally necessary to achieve due care compliance and the incremental cost of the proposed additional response activities that are more protective.
  - 3) The long-term obligations (deed restrictions, monitoring, operation and maintenance, etc.) associated with leaving contamination in place and the value of reducing or eliminating these obligations.
- Other actions necessary to protect the public health, safety, welfare, environment, or natural resources.

*Environmental Insurance* – The reasonable cost of liability insurance for environmental contamination and cleanup that is not otherwise required by state or federal law (e.g. storage tank insurance). Due to Michigan’s causation liability standard, describe why the insurance is needed, include the type of coverage that will be provided (types of risks), the term of the policy that will be purchased for the funding requested, and any other relevant information that will assist in determining if the cost is reasonable.

2.1.2 **Interest** – According to 125.2663b(12)(b) an authority may capture taxes for the payment of interest. EGLE approval of interest expense is not addressed by statute, therefore, the interest expense amount does not need to be included in the estimated costs. However, the interest rate must be provided and should conform to the MEDC’s Interest Guidance, found as Appendix C in Act 381 Guidance. List the costs subject to payment or reimbursement to any person or entity seeking that payment or reimbursement.

2.1.3 **Combined Brownfield Plan Preparation** – This includes the reasonable cost of developing and preparing the Combined Brownfield Plan.

2.1.4 **Combined Brownfield Plan Implementation** – This includes the reasonable cost of implementing the Combined Brownfield Plan.

## 2.2 **MSF Eligible Activities**

Proposed activities should be placed into one of the following categories. For each proposed activity, provide as much detail as possible, including costs and existing conditions which make the activity necessary. NOTE: Demolition, Lead and Asbestos Abatement and Brownfield/Work Plan Preparation Costs are allowed statewide. The remaining activities are available only to Qualified Local Governmental Units (QLGU), also known as Core Communities, a list of which is available online at:

<http://www.michiganbusiness.org/community/development-assistance/#section1-1>

Act 381 Guidance for Brownfield Plans, Work Plans and Combined Plans is available online at: <https://www.miplace.org/4a739f/globalassets/documents/tif/act-381-work-plan-guidance.pdf>

- 2.2.1 **Demolition** – This MSF eligible activity is available on eligible properties *statewide*. Potential MSF eligible demolition activities include building demolition and site demolition *that is not a response activity*, including interior and partial/whole building. Describe the size, type, location, and number of buildings, structures or improvements to be demolished, the costs, and if applicable recycling/disposal practices.
- 2.2.2 **Lead Abatement** – This MSF eligible activity is available on eligible properties *statewide*. For lead abatement, include the location and number of buildings, structures, or improvements to be abated. Include the types and costs of activities to be performed and the procedure and disposal practices to be used. Assessing/surveying for lead-containing materials and sampling/reporting are allowable activities to successfully complete the eligible lead abatement activities.
- 2.2.3 **Asbestos Abatement** – This MSF eligible activity is available on eligible properties *statewide*. For asbestos abatement, include the location, and number of buildings, structures, or improvements to be abated. Include the types and costs of activities to be performed and the procedure and disposal practices to be used. Assessing/surveying for asbestos-containing materials and sampling/reporting are allowable activities to successfully complete the eligible asbestos abatement activities.
- 2.2.4 **Mold Abatement** – This MSF eligible activity is available on eligible properties *statewide*. For mold abatement, include the location, and number of buildings, structures, or improvements to be abated. Include the types and costs of activities to be performed and the procedure and disposal practices to be used. Assessing/surveying for mold-containing materials and sampling/reporting are allowable activities to successfully complete the eligible mold abatement activities.
- 2.2.5 **Infrastructure Improvements** – This MSF eligible activity is only available on eligible properties within a *QLGU*. Eligible properties include those that are a historic resource, facility, blighted or functionally obsolete. Provide map(s) showing the location of the infrastructure improvements relative to the project. In the Eligible Activities Cost and Schedule, list the improvements, per unit cost, size and scale in terms of linear feet, square footage or other appropriate measure(s). Infrastructure improvements shall be publicly owned and maintained, support the project, and also serve others/public, except in the case of urban storm water management systems and parking decks, which may be located on private property. Infrastructure improvements can also extend into private property so long as there is a dedicated easement or the area of improvements is deeded to the governing body.
- 2.2.6 **Site Preparation** – This MSF eligible activity is only available on eligible properties in a *QLGU*. Eligible properties include those that are a historic resource, facility, blighted, or functionally obsolete. Under Act 381, as amended, the Site Preparation activity is defined as: “site preparation *that is not response activity* under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101”. Note that if soils are to be removed from the site that exhibit

contamination above residential criteria the costs may be covered by EGLE.

Provide map(s) showing the site preparation activity location(s). In the Eligible Activities Cost and Schedule, list each of the proposed site preparation activities, their costs, size and scale in terms of linear feet, square footage or other appropriate measure(s).

- 2.2.7 **Interest** – This MSF eligible activity is only available on eligible properties within a *QLGU*. Upon request, the MSF Board will consider interest in accordance with the current MSF Brownfield Program Guidelines. If the costs to conduct the eligible activities will be financed and use of school tax capture is being sought for reimbursement of interest expense, include these costs as a separate line item in the estimated costs. The interest rate must be provided and should conform to the MEDC’s Interest Guidance, found in the MSF Eligible Activity section of the [Act 381 Guidance](#).
- 2.2.8 **Assistance to a Land Bank Fast Track Authority** – Identify activities and costs necessary to clear or quiet title to, or sell or otherwise convey, property owned by a Land Bank Fast Track Authority or the acquisition of property by the land bank if the acquisition of the property is for economic development purposes (including reasonable costs associated with the acquisition).
- 2.2.9 **Relocation of Public Buildings or Operations** – This MSF eligible activity is only available on eligible properties with a *QLGU*. Public buildings or operations can be moved for economic development purposes. Prior approval from MSF is required. The *QLGU* must describe how the relocation will benefit economic development and provide detailed plans and maps showing the current usage and proposed changes and costs for the eligible properties.
- 2.2.10 **Combined Brownfield Plan Preparation** – This MSF eligible activity is available on eligible properties *statewide*. The reasonable cost of developing and preparing the Combined Brownfield Plan.
- 2.2.11 **Combined Brownfield Plan Implementation** – This MSF eligible activity is available on eligible properties *statewide*. The reasonable cost of implementing the Combined Brownfield Plan.

### 2.3 MSHDA Eligible Activities

A Work Plan or Combined Brownfield Plan that proposed reimbursement for housing development activities is subject to review by MSHDA if at least some portion of the housing to be developed is subsidized or to be sold or rented to households at or below 120% area median income, as established by the U.S. Department of Housing and Urban Development (HUD). Proposed activities should be placed into the following categories. For each proposed activity, provide as much detail as possible, including costs and existing conditions which make the activity necessary. Per Act 381, there are two categories of eligible housing activity: activity that may be conducted throughout the state, and activity that only applies to housing property located in a community that has identified a specific housing need and has absorption data or

job growth data included in the brownfield plan.

### **2.3.1 Eligible Housing Development Activities statewide**

**2.3.1.a Environmental insurance** - The reasonable cost of liability insurance for environmental contamination and cleanup that is not otherwise required by state or federal law (e.g. storage tank insurance) relative to housing development. Due to Michigan's causation liability standard, describe why the insurance is needed, include the type of coverage that will be provided (types of risks), the term of the policy that will be purchased for the funding requested, and any other relevant information that will assist in determining if the cost is reasonable.

**2.3.1.b Development and Preparation of Brownfield Plan or Work Plan for Eligible Property** - The reasonable cost of developing and preparing the Brownfield Plan and/or Work Plan for housing development on Eligible Property under Act 381.

**2.3.1.c Brownfield Plan or Work Plan implementation, including tracking, monitoring and reporting** - The reasonable cost of Implementing the housing development Brownfield Plan and/or Work Plan, including ongoing monitoring and reporting of income and rent or cost restrictions.

**2.3.1.d Demolition that is not an EGLE response activity** –The reasonable cost of demolition of structures or site improvements that is not a response activity, including removal of manufactured debris composed of discarded, unused, or unusable manufactured by-products left on the site by a previous owner, for the purpose of facilitating housing development.

**2.3.1.e Lead, asbestos, or mold abatement** - For lead, asbestos, and/or mold abatement, include the location, and number of buildings, structures, or improvements to be abated. Include the types and costs of activities to be performed and the procedure and disposal practices to be used. Assessing/surveying for lead, asbestos, or mold-containing materials and sampling/reporting are allowable activities to successfully complete the eligible abatement activities.

### **2.3.2 Eligible Housing Development Activities for communities that have (a) identified a specific housing need and (b) have absorption or job growth data included in the brownfield plan.**

**2.3.2.a Reimbursement for qualified rehabilitation** - Reimbursement provided to owners of rental housing units for qualified rehabilitation, which under Section 2(vv) of Act 381 is defined as "rehabilitation of existing structures that is necessary to make a housing unit suitable for sale to an income qualified purchaser household or rent to an income qualified renting household. Qualified rehabilitation also includes proposed rehabilitation that will bring the structure into conformance with minimum local building code standards for occupancy or improve the livability of the units while meeting minimum local building code standards." "Existing structures" includes any structure designed to be used as a dwelling. Provide map(s) and/or drawings showing the rehabilitation activity location(s). List each of the proposed site rehabilitation activities, their costs, scale in terms of number of residential units affected, or other appropriate measure(s). Provide a copy of the site purchase agreement and development cost budget. The development agreement or reimbursement agreement must stipulate price and income admission criteria and monitoring for residential units. MSHDA's determination of reasonableness will be based in part on a comparison of potential rent loss to total housing subsidy, relative to market rate housing.

**2.3.2.b Costs of Infrastructure and safety improvements necessary for a housing project -** Provide map(s) showing the location of the infrastructure improvements relative to the housing component(s) of the project. In the Eligible Activities Cost and Schedule, list the improvements, and per unit cost. Infrastructure includes all fundamental physical development activities, that are not EGLE eligible activities, and that are necessary for the proposed affordable housing, or directly support the housing development activities, or are safety improvements necessary for the proposed affordable housing project and that may be available for public use. Examples include, but are not limited to, water/sewer connectivity, sidewalks, driveways, development drives, and parking areas/structures, including necessary easements for the structures or improvements. Additionally, green-build features, like solar panels and electric vehicle charging stations, would be considered an eligible infrastructure activity if there is a direct benefit to the proposed eligible housing property. These structures and improvements are to be owned or used by a public agency or functionally connected to similar or supporting property owned or used by a public agency, or designed and dedicated to use by, for the benefit of, or for the protection of the health, welfare, or safety of the public generally, whether or not used by a single business entity.

**2.3.2.c Demolition and renovation of existing buildings, with site prep, necessary to accommodate income qualified purchaser or renter households -** Provide map(s) and/or drawings showing the rehabilitation activity location(s). List each of the proposed site rehabilitation activities, their costs, scale in terms of number of residential units affected, or other appropriate measure(s). Provide a copy of the site purchase agreement and development cost budget. The development agreement or reimbursement agreement must stipulate price and income admission criteria and monitoring for residential units. MSHDA's determination of reasonableness will be based in part on a comparison of potential rent loss to total housing subsidy, relative to market rate housing.

**2.3.2.d Temporary household relocation costs for an income qualified household for up to 1 year –** if current occupants must be temporarily or permanently moved from the development site to facilitate development, provide a narrative explanation of the relocation plan and schedule of costs.

**2.3.2.e Acquisition costs for blighted or obsolete rental units, to the extent acquisition will promote rehabilitation or adaptive reuse for income qualified purchaser or renter households.** Provide purchase agreement and development cost budget. The development agreement or reimbursement agreement must stipulate price and income admission criteria and monitoring for residential units

**2.3.2.f Reimbursement to a developer to fill a financing gap associated with the development of housing for income-qualified households, related infrastructure, and site prep, to the extent these are not an environmental response activity –** the financing gap must be derived from activity necessary for new housing development for income qualified households on eligible property.

## **2.4 Local Only Eligible Activities**

Outline any costs related to eligible activities that will be reimbursed with local-only taxes.

## **2.5 Eligible Activities Costs and Schedule**

In the table(s) below, reflect the aforementioned proposed eligible activity categories and

their sub-total costs, then itemize the individual activities within each category and their itemized costs.

EGLE, MSF, and MSHDA allow up to a 15% contingency. The EGLE contingency is allowable only for department specific activities approved within the plan that have not yet been conducted. The MSF contingency is allowable only for demolition, lead and asbestos activities, infrastructure improvements and site preparation.

According to 125.2663b(7)(b)(i) Authorities may capture up to \$30,000 of taxes levied for school operating purposes for preparation of Brownfield Plans and/or Act 381 Work Plans per project, which should be split between the agencies. According to 125.2663b(7)(b)(ii) Authorities may capture up to \$50,000 of taxes levied for school operating purposes for the implementation of Brownfield Plans and/or Act 381 Work Plans per project, which should be split between the agencies.

Provide an anticipated season and year for completing each of the proposed eligible activities.

The tables on the following pages can be adjusted to meet the specific eligible activities being conducted.

<b>MSHDA Eligible Activities Costs and Schedule</b>		
<b>MSF Eligible Activities</b>	<b>Cost</b>	<b>Completion Season/Year</b>
<b>Housing Development Activities</b>		
<i>Itemize Activities</i>		
<b>MSHDA Eligible Activities Sub-Total</b>		
<b>Contingency (Indicate %)</b>		
<b>Brownfield Plan and/or Work Plan Preparation</b>		
<b>Brownfield Plan and/or Work Plan Implementation</b>		

EGLE Eligible Activities Costs and Schedule		
EGLE Eligible Activities	Cost	Completion Season/Year
<b>Work Plan Exempt Activities Subtotal</b>		
<i>Itemize Site Assessment and BEA Activities</i>		
<i>Itemize Pre-Demo, Hazardous Material, Lead, Mold, and Asbestos Surveys</i>		
<i>Itemize Due Care Planning Activities</i>		
<b>Due Care Activities Subtotal</b>		
<i>Itemize Due Care Activities</i>		
<b>Environmental Response Activities Subtotal</b>		
<i>Itemize Environmental Response Activities</i>		
<b>Other Department Specific Activities Subtotal</b>		
<i>Itemize Other EGLE Eligible Activities, e.g. UST Removal and Closure, Disposal of Solid Waste, etc.</i>		
<b>Environmental Insurance</b>		
<b>EGLE Eligible Activities Sub-Total</b>		
<b>Contingency (Indicate %)</b>		
<b>Interest (Indicate %)</b>		
<b>Brownfield Plan and or Work Plan Preparation</b>		
<b>Brownfield Plan and or Work Plan Implementation</b>		
<b>EGLE Eligible Activities Total Costs</b>		

MSF Eligible Activities Costs and Schedule		
MSF Eligible Activities	Cost	Completion Season/Year
<b>Demolition Sub-Total</b>		
<i>Itemize Demolition Activities</i>		
<b>Lead, Asbestos, Mold Abatement Sub-Total</b>		
<i>Itemize Lead Abatement Activities</i>		
<b>Infrastructure Improvements Sub-Total</b>		
<i>Itemize Infrastructure Improvement Activities</i>		
<b>Site Preparation Sub-Total</b>		
<i>Itemize Site Preparation Activities</i>		
<b>MSF Eligible Activities Sub-Total</b>		
<b>Contingency (Indicate %)</b>		
<b>Interest (Indicate %)</b>		
<b>Combined Brownfield Plan Preparation</b>		
<b>Combined Brownfield Plan Implementation</b>		
<b>MSF Eligible Activities Total</b>		

<b>MSHDA Eligible Activities Costs and Schedule Example</b>		
<b>MSF Eligible Activities</b>	<b>Cost</b>	<b>Completion Season/Year</b>
<b>Environmental Insurance Sub-Total</b>	<b>\$100,000</b>	Spring 2015
<i>Environmental Insurance</i>	\$100,000	
<b>Lead and Asbestos Abatement Sub-Total</b>	<b>\$12,500</b>	Spring 2015
<i>Lead and Asbestos Survey</i>	\$500	
<i>Lead, Asbestos &amp; Hazardous Material Abatement</i>	\$12,000	
<b>Infrastructure Costs</b>	<b>\$200,000</b>	Spring 2017
<i>Surface Parking Lot</i>	\$150,000	
<i>Water Main Installation</i>	\$50,000	
<b>MSHDA Eligible Activities Subtotal</b>	<b>\$312,500</b>	
<b>Contingency (Indicate 15%)</b>	<b>\$46,875</b>	
<b>Brownfield Plan and/or Work Plan Preparation</b>	<b>\$5,000</b>	Fall 2015
<b>Brownfield Plan and/or Work Plan Implementation</b>	<b>\$5,000</b>	Ongoing
<b>MSF Eligible Activities Total Costs</b>	<b>\$369,375</b>	

<b>EGLE Eligible Activities Costs and Schedule</b>		
<b>EGLE Eligible Activities</b>	<b>Cost</b>	<b>Completion Season/Year</b>
<b>Department Specific Activities</b>		
<i>Phase I ESA</i>	\$2,100	Summer 2017
<i>Phase II ESA</i>	\$15,000	Summer 2017
<i>BEA</i>	\$3,500	Summer 2017
<i>Hazardous Material Survey</i>	\$4,000	Summer 2017
<i>Lead, Mold, and Asbestos Survey</i>	\$2,600	Summer 2017
<i>Industrial Cleaning</i>	\$35,000	Summer 2017
<i>Gas Vapor Mitigation System</i>	\$90,000	Spring 2018
<i>Groundwater Treatment and Discharge to Storm Sewer</i>	\$11,000	Fall 2017
<i>Transportation and Disposal of Contaminated Soil</i>	\$260,000	Fall 2017
<i>UST Removal</i>	\$13,000	Summer 2017
<i>Dust Control During Construction Activities</i>	\$6,000	Spring 2018
<b>EGLE Eligible Activities Sub-Total</b>	<b>\$442,200</b>	
<b>Contingency (Indicate 15%)</b>	<b>\$62,250</b>	
<b>Interest (Indicate 0%)</b>		
<b>Combined Brownfield Plan Preparation</b>	<b>\$25,000</b>	
<b>Combined Brownfield Plan Implementation</b>	<b>\$20,000</b>	
<b>EGLE Eligible Activities Total Costs</b>	<b>549,450</b>	



<b>MSF Eligible Activities Costs and Schedule Example</b>		
<b>MSF Eligible Activities</b>	<b>Cost</b>	<b>Completion Season/Year</b>
<b>Demolition Sub-Total</b>	<b>\$80,000</b>	Spring 2017
<i>Building Demolition</i>	\$50,000	
<i>Site Demolition</i>	\$30,000	
<b>Asbestos Abatement Sub-Total</b>	<b>\$12,500</b>	Spring 2017
<i>Asbestos Survey</i>	\$500	
<i>Asbestos &amp; Hazardous Material Abatement</i>	\$12,000	
<b>Infrastructure Improvements Sub-Total</b>	<b>\$120,000</b>	Spring 2018
<i>Landscaping</i>	\$25,000	
<i>Curbs, gutters, sidewalks and approaches replacements</i>	\$75,000	
<i>Engineering design and professional fees for infrastructure</i>	\$20,000	
<b>Site Preparation Sub-Total</b>	<b>\$18,000</b>	Summer 2017
<i>Construction staking</i>	\$2,000	
<i>Grading</i>	\$13,000	
<i>Civil design and engineering for site prep</i>	\$3,000	
<b>MSF Eligible Activities Subtotal</b>	<b>\$230,500</b>	
<b>Contingency (Indicate 15%)</b>	<b>\$34,575</b>	
<b>Interest (Indicate 3.5%)</b>	<b>\$9,277</b>	
<b>Combined Brownfield Plan Preparation</b>	<b>\$5,000</b>	Fall 2015
<b>Combined Brownfield Plan Implementation</b>	<b>\$5,000</b>	Ongoing
<b>MSF Eligible Activities Total Costs</b>	<b>\$284,352</b>	

### **3.0 TAX INCREMENT REVENUE ANALYSIS**

#### **3.1 Captured Taxable Value and Tax Increment Revenues Estimates**

An estimate of the captured taxable value and tax increment revenues for each year of the Plan from the eligible property.

#### **3.2 Combined Plan Financing Method**

The method by which the costs of the Plan will be financed, including a description of any advances made or anticipated to be made for the costs of the Plan from the municipality.

#### **3.3 Note or Bonded Indebtedness**

The maximum amount of note or bonded indebtedness to be incurred by the BRA, if any.

#### **3.4 Tax Increment Revenues Capture Period**

The beginning date and duration of capture of tax increment revenues for each eligible property as determined under 125.2663b(16).

#### **3.5 Future Tax Revenues**

An estimate of the future tax revenues of all taxing jurisdictions in which the eligible property is located.

### **4.0 RELOCATION**

#### **4.1 Current Residents and Displacement**

Estimate the number of persons residing on each eligible property to which the Plan applies and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the Authority, the Plan must include a demographic survey of the persons to be displaced, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual turnover rate of the various housing types and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

#### **4.2 Displaced Persons Relocation Plan**

Explain the plan for establishing priority for the relocation of persons displaced by implementation of this Plan.

#### **4.3 Relocation Costs Provisions**

Describe provision for the costs of relocating persons displaced by implementation of this Plan, and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646.

#### **4.4 Compliance with Michigan's Relocation Assistance Law**

Provide the strategy for compliance with 1972 PA 227, MCL 213.321 to 213.332.

### **5.0 OTHER INFORMATION THE AUTHORITY OR GOVERNING BODY CONSIDERS PERTINENT**

## EXHIBITS

### FIGURES

Figure 1	Scaled Property Location Map – a Google (or similar) map of the surrounding area or general vicinity.
Figure 2	Eligible Property Map(s) – A parcel map or survey clearly depicting property lines and dimensions (include parcel number and address). Preferably an American Land Title Association (ALTA) Survey.
Figure 3	Proposed Sampling Location Map (as many figures as necessary to show the scope)
Figure 4	Known Extent of Vertical and Horizontal Contamination Map (as many figures as necessary to show the scope)
Figure 5	Color Site Photographs – include "before" photographs depicting the current conditions of the eligible property. Digital photographs may be requested by the reviewing agency. Photographs of the property after redevelopment may also be requested.
Figure 6	Infrastructure Improvements Map(s)
Figure 7	Site Preparation Map(s)
Figure 8	Redevelopment Project Renderings(s)
Figure 9	Engineering Site Plan(s) or Site Plan(s) - illustrating the proposed future use and locations of buildings and site improvements.

### TABLE

Table 1	<p>TIF Table (Tax Capture/Reimbursement Schedule) - containing EGLE, MSF, and/or MSHDA eligible activities, must clearly identify the following information:</p> <ul style="list-style-type: none"><li>• All of the local and state millage rates listed separately in detail.</li><li>• The methodology for calculating the local-only tax capture portion (local-only eligible activities and administrative/operating costs of the BRA) to ensure the local-only portion has not been included in the shared state-to-local tax capture calculations.</li><li>• Any other information requested at the discretion of the EGLE.</li><li>• Any other information requested at the discretion of the MEDC for approval by the MSF.</li><li>• Any other information requested at the discretion of MSHDA.</li><li>• Any tax abatements, other TIF districts, renaissance zones, etc. that may impact the tax capture.</li><li>• The TIF</li><li>• Table template is required when State school capture is requested.</li></ul>
Table 2	Potential Rent Loss Gap Cap & Total Housing Subsidy worksheet (MSHDA only)

Note: After the MSF Board approves the Combined Brownfield Plan, if there is any change in millage that increases the captured percentage of school operating taxes by more than five percent, the MSF Board must approve the change prior to the collection of any school operating taxes.

## **ATTACHMENTS**

- Attachment A Resolution(s) from the governing body approving the Combined Brownfield Plan.
- Attachment B Development and/or Reimbursement Agreement – An executed copy of the Agreement between the municipality and property owner or developer (required for MSF projects). The Agreement must include: a) terms and conditions for the acquisition of property associated with the project; b) development objectives; c) performance, reporting and financial responsibilities of the local community; d) performance, reporting and financial responsibilities of the developer and e) defaults and remedies. In addition, the Agreement shall include the identification of all ownership interests; monetary considerations, fees, revenue and cost sharing, charges, other financial arrangements; and other considerations between the parties.
- Attachment C Interlocal or Other Agreements – An executed copy of an Agreement between the BRA and other Authority, if applicable.
- Attachment D Declaration of Dangerous Building from the governing body (required for EGLE demolition projects).
- Attachment E Declaration/Resolution of Blighted Condition from the governing body (required for MSF projects).
- Attachment F Signed Affidavit for Functional Obsolescence from a Level 3 (MAAO) or Level 4 (MMAO) Assessor (required for MSF projects).