



**UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Atlanta Regional Office**

Suite 1820
401 West Peachtree St., N.W.
Atlanta, Georgia 30308-3510

February 5, 2019

In reply refer to:
EDA Control No. 112470

Ms. Cindy Margiotta
Senior Economic Development Manager
Pinellas County Board of
County Commissioners
315 Court St
Clearwater, Florida 33756

Dear Ms. Margiotta:

The Economic Development Administration (EDA) is pleased to inform you that your application has been selected for further consideration. Please note that this notification of further consideration is intended to inform you of EDA's competitive preliminary selection of your project, **but does not guarantee final approval or legally bind EDA to make an award.**

Subject to the appropriation and availability of funds, the proposed project, estimated to cost \$12,000,000 will be considered for \$7,463,295 in EDA funding under the Economic Adjustment program, authorized under section 209 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. Section 3121 *et seq.*).

By acceptance of this letter, you agree to provide all additional information requested below, and any other additional information that may be requested subsequently. You also acknowledge that final approval and the timing of such an approval are subject to EDA's acceptance of the information and the availability of funding.

Additional Information: Provide the following information to Greg Vaday by March 4, 2019:

- Certificate of Eminent Domain and Attorney Verification on property to be improved. A suggested certification format is enclosed;
- Revised SF 424 reflecting the adjusted EDA amount of \$7,463,295 and adjusted matching share of \$4,536,705;
- Revised matching share commitment in the amount of \$4,536,705;
- Verification of all required local match for project;
- Any necessary budget revisions;
- Any needed clarifications on the transfer of property from the City to the County;
- Commitment for operation and maintenance of the facility;



- Legal opinion regarding the applicant's ability and willingness to provide EDA with a first lien on the proposed building;
- Coastal Zone Consistency Determination;
- Public Notice – NEPA: To comply with the public participation requirements of the National Environmental Policy Act of 1969, as amended (NEPA), EDA requires applicants to provide notice to the local public regarding the project and the availability of NEPA documents. Please note that due to proposed impacts to streams/wetlands, a 30-day public notice is required. The notice must include a statement that floodplain impacts are proposed. Enclosed is a template for public notification. Provide proof of public notification including dates of publication and the notice. Contact Keith Dyche, EDA Regional Environmental Officer at 404-730-3029 if assistance is needed prior to publication; and
- Contact information on the person who will be responsible for GPRA over a nine-year period, and mechanism to track private beneficiary jobs and investment data and standard additional information as listed in the application that has not been previously submitted.

The information requested above will supplement your application and enable EDA to proceed with processing your application. Failure to meet this deadline, or the submission of incorrect or incomplete information, will jeopardize approval of your application. If you cannot meet this deadline, please advise Greg Vaday, Economic Development Representative, as soon as possible.

EDA will assess the information provided upon receipt. EDA's assessment of this information may determine one of the following:

1. No additional information is necessary;
2. Additional information is required, because the submission is incomplete, inaccurate, or otherwise unacceptable to EDA, and the applicant(s) must revise the submission before EDA will consider processing the application further; or
3. EDA will discontinue considering the application for funding, because the information submitted does not present a project that complies with applicable law(s) or EDA's regulations or policies.

Your organization must comply with EDA's regulations (*see* 13 C.F.R. chapter III https://www.eda.gov/pdf/EDAs_regs-13_CFR_Chapter_III.pdf), as well as the Federal Funding Opportunity announcement *FY 2018 EDA Disaster Supplemental Notice of Funding Opportunity (NOFO) (Disaster Supplemental NOFO)* which was dated effective April 20, 2018 (*see* <https://www.eda.gov/funding-opportunities/>)

Final approval of an award is conditioned upon EDA's assessment of the additional information requested, project feasibility, funding priorities, and the availability of funds for obligation.

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA assists states, units of government, and community nonprofit organizations in economically-distressed

areas by supporting regional economic development efforts that emphasize innovation and entrepreneurship as the essential elements of regional and national competitiveness in the worldwide economy. If you have questions regarding the requested information or status of your application, please do not hesitate to contact Mr. Vaday at 404-730-3009 or gvaday@eda.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "H. Paradice, Jr.", with a stylized flourish at the end.

H. Philip Paradice, Jr.
Director, Atlanta Regional Office

Enclosure: Certificate of Eminent Domain
NEPA Public Notice Template – 30 day

cc: Greg Vaday, EDA

Publish this notice in the daily newspaper with the greatest local circulation for three (3) consecutive days. Provide an affidavit of publication to EDA upon publication.

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request for Federal assistance from applicant to construct a project title in city, county, state. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties. Notice is hereby given that the project is proposed to be located in, or may affect, a floodplain and/or wetland as defined by Executive Order (EO) 11988 and/or EO 11990

The project description. The project will be located at specific location description such as street address, map, etc. Project information is available for review at applicant's office, address and phone number.

If you have any information regarding potential impacts to historic properties or environmental resources including wetlands or floodplains associated with this proposed project please provide it in writing to:

Regional Environmental Officer
Department of Commerce
Economic Development Administration
Atlanta Region
401 West Peachtree Street NW
Suite 1820
Atlanta, GA 30308-3510

Comments received in the EDA Regional Office by 5:00 pm eastern on insert date 30 days after the third day of publication of this notice. If the newspaper is not a daily, please contact the Regional Environmental Officer prior to publication to determine the deadline for comments will be considered. A copy of the NEPA/NHPA decisional document will be available upon request at the above EDA Regional Office.

October 2012 version

CERTIFICATE OF EMINENT DOMAIN AND ATTORNEY VERIFICATION

The Atlanta Regional Counsel, David Todd, welcomes questions regarding the completion of this form. David can be reached at 404-730-3006.

To be submitted to, completed, dated and executed by attorney first.

Economic Development Administration

Attn: _____

401 West Peachtree Street, NW

Suite 1820

Atlanta, Georgia 30308-3510

RE: [Brief description of Project to include description of location with reference to acreage, county and state] (Project)

Application by [*Insert name of applying entity*] (Applicant) for a Federal Assistance Award (Award) from the Economic Development Administration (EDA) for the Project

Effective Date: _____ [*To be inserted by attorney, which shall be the date through which the attorney searches title.*]

Dear _____

Certification by Applicant's Office (Certification)

I, the undersigned [*insert title*] of the Applicant, referenced above, do hereby certify and confirm that:

- a.) The Applicant will not use its power of eminent domain to acquire title to any land comprising the Project except as described below in an Exhibit (if any):

[Choose and mark one]

See Exhibit attached _____. No Exhibit attached _____, and

- b.) To the best of my knowledge and belief, prior to the Effective Date the Applicant has not exercised its power of eminent domain to acquire title to any land comprising the Project except as described below in an Exhibit (if any):

[Choose and mark one]

See Exhibit attached _____. No Exhibit attached _____.

I am authorized on behalf of the Applicant to make this Certification which is binding on the Applicant.

Attorney Verification

I, the undersigned attorney licensed to practice law in the State of _____ [Insert name of state], representing the Applicant described in the Certification above, hereby state and confirm that:

- a.) I have examined title to the land comprising the Project, for such period of time commencing as I deem necessary to give this Attorney Verification through the Effective Date, and based on that examination confirm that the record title reflects no exercise of the power of eminent domain in said title except as described below in an Exhibit (if any):

[Choose and mark one]

See Exhibit attached _____. No Exhibit attached _____,

- b.) I have examined all appropriate civil court records for the public office with jurisdiction over the land comprising the Project and confirm that no civil action is currently pending to exercise the power of eminent domain in connection with the Project except as described below in an Exhibit (if any):

[Choose and mark one]

See Exhibit attached _____. No Exhibit attached _____,

- c.) To the best of my knowledge and belief (without independent investigation), the power of eminent domain has not been exercised in connection with the land comprising the Project except as described below in an Exhibit (if any):

[Choose and mark one]

See Exhibit attached _____. No Exhibit attached _____,

The parties executing the foregoing Certification and Opinion acknowledge that the EDA will rely on this Certification and Opinion in connection with and for purposes of due diligence for the Application of Applicant for an Award.

Sincerely,

Execution for Certification

(Insert name)

(Insert title)

Dated signed: _____, 201_____

Address: _____

Phone number: _____

Execution for Verification

Attorney at Law

(Insert name)

Dated signed: _____, 201_____

Address: _____

Phone number: _____