

FY2020 The Port Revolving Loan Fund Grant Application Narrative Information Sheet

1. Applicant Identification

The Port (aka the Port of Greater Cincinnati Development Authority)
3 East Fourth Street, Suite 300
Cincinnati, Ohio 45202

2. Funding Requested

- a. Grant Type: Individual RLF
- b. Funds Requested: \$1,000,000
- c. Contamination: Hazardous Substances and Petroleum, (\$750,000 hazardous substances and \$250,000 petroleum).

3. Location

Hamilton County, Ohio

4. Contacts

- a. Project Director: Melissa S. Johnson, Vice President of Industrial Development, The Port, 3 East Fourth Street, Suite 300, Cincinnati, OH 45202. Telephone: 513.632.3833, email: mjohnson@cincinnatiport.org
- b. Chief Executive: Laura Brunner, President and CEO, The Port, 3 East Fourth Street, Suite 300, Cincinnati, OH 45202. Telephone: 513.621.3000, email: lbrunner@cincinnatiport.org

5. Population

813,822

6. Other Factors Checklist

Other Factors	Page #
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The priority brownfield site(s) is impacted by mine-scarred land.	
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1, 2, 3
The priority site(s) is in a federally designated flood plain.	2
The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	

7. Letter from the State or Tribal Environmental Authority

Attached.



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

November 26, 2019

U.S. Environmental Protection Agency, Region 5
ATTN: Matt Didier
77 West Jackson Boulevard
Mail Code SB-5J
Chicago, IL 60604-3507

RE: The Port of Greater Cincinnati Development Authority Revolving Loan Fund Grant Proposal

Dear Mr. Didier:

I am pleased to offer Ohio EPA's support for the Port of Greater Cincinnati Development Authority (PGCDA) Revolving Loan Fund (RLF) Grant Proposal. The PGCDA is applying for an RLF grant totaling \$1,000,000. We have worked with the PGCDA in the past and hope to provide support under the Assessment, Cleanup and Revolving Loan Fund Grant program established by the Small Business Liability Relief and Brownfield Revitalization Act (P.L. 107-118).

The funding the PGCDA is requesting under their RLF grant proposal would be used to address multiple brownfield sites along the I-75/Mill Creek Corridor in Hamilton County. The funds will be used for clean up of the sites to support ongoing investments to revitalize brownfield properties, mitigate potential health risks, and restore economic vitality. The PGCDA plans to leverage funding from JobsOhio, Patient Capital Notes, Ohio Abandoned Gas Station Cleanup Fund, Hamilton County Land Reutilization Corporation, Duke Energy Ohio Site Readiness Program, and Philanthropic Grants.

We look forward to working with the PGCDA and U.S. EPA on this project. If you have any questions, please do not hesitate to contact me at 614-644-2295 or via e-mail at Lisa.Shook@epa.ohio.gov.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Shook".

Lisa Shook, Manager

Ohio Environmental Protection Agency
Voluntary Action Program

cc: Melissa Johnson, Vice President of Industrial Development, PGCDA
Mike Starkey, Ohio EPA, DERR/NEDO

1. Project Area Description and Plans for Revitalization (45 Total Points)

1.a Target Area and Brownfields (15 points)

1.a.i. Background and Description of Target Area (5 points)

The southwestern reaches of Ohio are encompassed by Hamilton County (413 sq. mi) with Cincinnati at its historic development core and present-day government seat. Our residents take pride in our early 1800s origins as a merchant economy, prospering from a steamboat-inspired boom in local manufacturing and warehousing. We ultimately became the region's premier strength as a hub of American Industry: auto, steel, aircraft engines, meat packing, and breweries. Cincinnati and its neighboring communities were in its manufacturing heyday from the early 1900 until late 1970s & 1980s. And, moving forward, we are poised to further our international growth as we enjoy an unbeatable proximity for business and commerce with the largest U.S inland port, international airport, 3 major interstates, 2 Class A railways, and 2 active Foreign Trade Zones.

But, over the last century -yes, last century - there was a cost for all that growth and "prosperity". Our industrial foundation sprang from fresh water supplied by the Mill Creek, a tributary to the Ohio River running north-south through the city, once supporting as many as 115 factories within 40 neighborhoods along the creek (*Mill Creek History, Mill Creek Alliance, 8-1-14*). But as industrialization surged, so did the abuse to the Mill Creek, as well as neglect to our neighborhoods. During the 1950s, residents started moving if they had the means, and many industries moved to greenfields or just shutdown, primarily during the 1980s and 1990s. This left a "path of decay", carving out our brownfield target area, the Mill Creek (MC) Corridor, running from the Ohio River directly north through the city. For every neighborhood along the target brownfield area, there is at least one factory or former factory – Hudepohl Brewery in Queensgate; KOA Brands in Camp Washington; Proctor and Gamble in St. Bernard to Jim Beam Distillery in Carthage. You can eerily follow this path of decay, see the brownfield scarring as you travel along I-75, which parallel's the MC – represented by the manufacturing voids, abandoned properties, neighborhoods gone by the way side, and the Mill Creek used as an open waste water discharge point, so devastating that American Rivers designated the Mill Creek watershed as "the most endangered urban river in North America". What you cannot see directly along the drive are the psychological scars, hardships and damage to the residents themselves – unemployment rate as high as 37.5% (*US Census Bureau 2000 SF3, 2012 ACS 5-Yr Estimates*), and child poverty ranging between 24% and 72% (*The Center for Community Solutions, September 30, 2019*). The result - *vacancy of our primarily industrial corridor, contributing to the obsolescence and "rusting" of our regional industrial prowess from which we are still recovering* (Re-Industrialization of Hamilton County Strategy, University of Cincinnati Economics Center, February 2016).

This RLF grant is requested by The Port of Greater Cincinnati Development Authority (hereafter "The Port"), a quasi-public agency established in 2001 by Hamilton County and the City of Cincinnati, whose jurisdiction covers Hamilton County. In 2008, The Port was empowered to take a leadership position in regional economic development and operates collaboratively with dozens of national and local economic development, community, and corporate partners, and is guided by Port's 2015 *Industrial Revitalization Strategy*. The Port will build off the success of our two USEPA brownfield assessment grants, one in FY10 and the other in FY17, cleaning up at least a dozen of those sites assessed during the grants to help further seed revitalization of the MC through this RLF grant.

1.a.ii. Description of the Priority Brownfield Site(s) (10 points)

The Port has identified approximately 500 acres of underutilized, urban industrial land that can be remediated and prepared for private investment along our target brownfield area, MC. Four of the

six target sites are adjacent to the Mill Creek located in a federally designated flood plain, and four are located within Opportunity Zones.

A core tenet of The Port’s *Industrial Revitalization Strategy* is to invest in previous industrial sites that are considered too risky for development by the private sector. The Port is in an unique position, with it being public, that it is able to invest 2.5 times the amount of subsidy the private sector would be willing to invest to correct and revitalize these contaminated sites. . Here are the highest priority sites along and anchoring our brownfield target corridor:

Site ID & Activities, Concerns & Receptors	Potential Environmental Issues
<u>Former Dow Chemical</u> , former chemical manufacturing facility; immediately adjacent to Mill Creek, located in federally designated flood plain, adjacent to 1 park and community center, 4 additional parks within 1 mile, 1 nursing home, 1 hospital, 5 schools < 1 mile	Industrial solvents, and chlorinated solvents, petroleum products, metals
<u>Evendale Site</u> , adjacent to plastics manufacturer; adjacent to Mill Creek, located in federally designated flood plain, hospital, 3 schools, community center, park within 1 mile	Petroleum products, industrial solvents, chlorinated solvents, metals
<u>CSX</u> , Former rail yard and vehicle impoundment lot; adjacent to Mill Creek, <1 mile from a hospital, nursing home, and clinic, <½ mile to 4 schools, <1 mile to 5 community centers and 4 parks. Opportunity Zone.	Petroleum products & metals
<u>Lincoln Heights</u> , former automobile salvage yard; <1/4 mile from Mill Creek, <1 mile from 5 schools, 2 parks, community center, and less than ¼ mile from health care facility. Opportunity Zone.	Petroleum products, solvents, oils & hydraulic fluids
<u>Fairgrounds</u> , former industrial-scale distillery, fairgrounds; adjacent to Mill Creek, located in a federally designated flood plain, <1 mile to long-term rehab facility, 2 nursing homes, 2 community centers and 2 parks. Opportunity Zone.	Petroleum products, oils, solvents and chlorinated solvents, metals
<u>Lunkenheimer</u> , Former metalworks manufacturer – vacant; <0.2 miles from Mill Creek, <1-mile from 3 schools, 2 daycares, 1 nursing home, 1 children’s healthcare facility, 2 parks. Opportunity Zone.	Chlorinated and Petroleum Solvents, Oils, Chromium (plating), & metals

One of the highest priority sites, with the most promising redevelopment plan, is the 27-acre former Dow Chemical plant. The Port purchased the site in November 2019 as part of The Port’s *Industrial Revitalization Strategy*. When the facility closed in 2014, it resulted in the loss of a \$4 million payroll representing a loss of \$80,000 annually in earnings taxes, as well as a loss of \$50,000 annually in water revenues. Redevelopment plans include demolition, remediation, and site work to make the site pad-ready for future development including a facility up to 300,000 SF, with up to new 440 jobs.

1.b. Revitalization of the Target Area (15 points)

1.b.i. Reuse Strategy and Alignment with Revitalization Plan (10 points)

The Port’s *Industrial Revitalization Strategy* has a strategic, targeted output of redeveloping 500 noncontiguous high-impact acres by 2022. This will be dove-tailed with the Hamilton County Comprehensive Economic Development Strategy (CEDS, 2017), which guides economic development for the next five years and details the County’s challenges in assembling marketable, available land for development, the high inventory of vacant and underused sites, and strategies to deal with brownfield and grayfield properties that require significant investment.

The Port will use USEPA funding to catalyze redevelopment and environmental protection of the critical MC corridor, guided by The Port’s *Industrial Revitalization Strategy* and tailored to the following neighborhood urban action plans and initiatives: Cincinnati’s Cool It Innovations Health Survey Report (2016), and Camp Washington Industrial Area Plan (2009). These plans reflect and were borne of local circumstances, and have produced this Port-led movement to proactively identify, assess, correct, assemble, and leverage our underperforming industrial land with intention of attracting thousands of new jobs directly to our area residents. With incredible support for this

mission and the foundation created by our two previous USEPA brownfield assessment grants, The Port stands ready to benefit from this requested USEPA brownfield RLF grant for follow-on remediation activities. The following presents the top 4 priority sites for bringing the most advanced manufacturing jobs back to the sites and area.

SITE	PLANNED REDEVELOPMENT POTENTIAL/PLAN ALIGNMENT
Former Dow Chemical	27-acre site will be remediated, cleared, and made pad-ready. Planned redevelopment includes advanced manufacturing. Site offers easy access to I-75, is adjacent to the Mill Creek and new Mill Creek Greenway Trail.
Evendale	40-acre site, currently vacant. Site will be remediated, cleared, and made pad-ready. Site is adjacent to the Mill Creek Greenway Trail, offering easy access to I-75
CSX	This 13-acre site has potential to be part of a larger assemblage to serve manufacturing or provide a direct connection to area universities, hospitals and technical colleges as it aligns with ongoing I-75 interchange improvements. This site is also located to the west of the Mill Creek Greenway trail.
Lincoln Heights	This property is a low-yield economic generator. 36-acre site will be demolished/readied for manufacturing reuse. It is adjacent to the proposed West Fork Mill Creek Greenway Trail.

1.b.ii. Outcomes and Benefits of Reuse Strategy (5 points)

Within The Port's *Industrial Revitalization Strategy* are Return on Investment (ROI) metrics used when evaluating the feasibility of redeveloping properties and their associated outcomes. These metrics were developed by reviewing local, historical numbers and national trends. Below are the anticipated outcomes at each property:

- Job Creation: It is anticipated there will be 16 jobs created per 1 developable acre
- Wages: It is anticipated each job created will earn \$65,000 annually
- Income Taxes: It is anticipated that the income taxes contributed to the local municipality will increase due to the new jobs created at the wage described above.
- Real Property Valuation/Tax Generation: The value of the property and property tax will increase due to the redevelopment work at the sites.

In total, it is estimated that redevelopment of 500 acres of developable sites, including those mentioned previously, four of which are located in Opportunity Zones, will yield 8,000 jobs representing \$565 million in annual payroll. Non-economic outcomes will also be realized where community engagement activities indicate a greater need for green space in place of redevelopment. The City of Cincinnati is using the ATSDR "Action Model" to build a low-cost model for converting brownfield sites to green space, with funding provided by the ATSDR land reuse initiative. In addition to the priority site redevelopment, The Port will support projects that align with the creation of green space - specifically the Mill Creek Greenway Trail, improve quality of life, reduce crime, and build social capital of the community.

1.c. Strategy for Leveraging Resources (15 points)

1.c.i. Resources Needed for Site Reuse (10 points)

The Port is leveraging privately-contributed "Social Impact Funds" specifically raised for the acquisition and redevelopment (including cleanup) of sites per the Port's *Industrial Revitalization Strategy*, and directly aligned with this USEPA RLF grant for our target brownfield corridor, MC. To date, The Port has raised \$10.8M. These "patient-capital" funds have previously been deployed for the purchase of prioritized brownfields redeveloped under the *Industrial Revitalization Strategy*. Sources of public funding being leveraged for brownfields include \$2.0M from the City of Cincinnati for redevelopment of sites located in the MC. Other local leveraged resources/assistance may be sought from other agencies including:

- JobsOhio Revitalization Fund: \$1,000,000 in grants per site for projects that include remediation, and up to \$5M in loans for remediation at sites with a committed redeveloper;

- Patient Capital Notes: The Port program that issues notes to accredited investors, either private corporations or high net wealth individuals, who seek social benefits related to accelerating regional growth by meaningfully increasing the inventory of sites ready for the attraction of advanced manufacturing in Hamilton County. Proceeds provide matching funds for project costs, including: acquisition, remediation, demolition, and site work and infrastructure improvements.
- Ohio Abandoned Gas Station Cleanup Program: Ohio program provides funding up to \$500,000 in assessment and cleanup for eligible former gas stations.
- Hamilton County Land Reutilization Corporation (Landbank): partnership to identify tax-delinquent parcels available for acquisition via the tax foreclosure process.
- Tax Increment Financing (TIF): When sites are located in TIF districts, funds can be dedicated to the remediation, demolition, site work and infrastructure improvements.
- Philanthropic Grants: grants available from philanthropic partners, such as P&G, which are dedicated to due diligence and holding costs during the redevelopment period.

The Port has been successful in leveraging resources on their industrial sites to-date. For example, in 2016, The Port was able to acquire a site under their *Industrial Revitalization Strategy* using \$6.0M of Patient Capital Notes. The site was once home to Gibson Greeting Cards, a 450,000SF facility employing over 2,000 people but it closed in 2000. JobsOhio contributed \$2.4M, Hamilton County contributed \$2.0M, and Amberley Village contributed \$180K to the remediation, demolition, and site preparation. The result is a 56-acre pad-ready site, which is currently the largest available urban site in the Cincinnati region, and is ready for an end-user to bring back jobs. The site is now valued at \$135,000 per acre and has garnered interest from local and national advanced manufacturing companies, including Blue Origin, an aerospace company owned by the owner of Amazon.

1.c.ii. Use of Existing Infrastructure (5 points)

As part of The Port's *Industrial Revitalization Strategy*, significant time is spent on due diligence and site planning for each site, including transportation analysis, survey, and existing utilities. Due to the previous industrial uses of the sites, public infrastructure, including sewer, water, electric, natural gas, and fiber are often available at each site. The Port determines the available utilities and their capacities and designs around them during redevelopment planning. This grant will help leverage the planning efforts and allow The Port to better understand the existing infrastructure at each site. If it is determined during the due diligence investigations that the existing infrastructure needs upgrading or supplementing, The Port will work with our partners, such as JobsOhio, ODOT, Ohio-Kentucky-Indiana Regional Council of Governments (OKI) and Duke Energy for grant and loan opportunities to fund the work. Another application, where applicable, is existing concrete slabs will be crushed and recycled as clean hard fill material to grade areas of the sites.

2. Community Need and Community Engagement (35 Total Points)

2.a. Community Need (20 points)

2.a.i. The Community's Need for Funding (5 points)

As referenced above, there are resources available for leveraging brownfield redevelopment. However, these have been inadequate, given the size and number of properties that exist, the cleanup of contamination from the heavy industrial use will require significant investment. For example, due to reductions in revenue over the last 6 years, the City of Cincinnati does not have the resources to conduct necessary brownfield site cleanups that promote safe and beneficial reuses of key targeted properties, let alone the ability of the City to provide essential, basic services. In FY20, beginning on July 1, 2019, the City of Cincinnati is facing a \$19 million deficit. This is compounded by State-directed cuts to the Local Government Fund; in calendar year 2018, Cincinnati received nearly \$11.9 million less than it did in 2011 when the state began the cuts (Cincinnati Business Courier, January

3, 2019). The additional impact of company closings, job losses, and decreased personal income has a ripple effect from businesses to ever-tightening municipal budgets to residents. Local governments rely heavily on local sales and income tax revenues. Deindustrialization from the region's manufacturing peak in 1969 until 2015, the number of people employed in manufacturing decreased 67 percent, from 145,987 to 48,748 (<https://www.cincinnatiport.org/made-hamilton-county-ohio-2016/>).

2.a.ii Threats to Sensitive Populations (15 points)

(1) Health or Welfare of Sensitive Populations. Six communities comprise the MC, which is home to a combined population of 23,763 of the City of Cincinnati's 301,301 people. Ethnic and minority population rates in the MC are among the City's greatest concentrations, with entire neighborhoods comprising up to 95% African American and 13% Hispanic residents; more than triple and quadruple our County averages, respectively (*US Census 2010*). The median annual household income of MC residents was as low as \$15,257, literally less than one-third of the County and State median household incomes, which are already lower than National averages. Of the MC residents, 21-56% are living below the poverty line, and poverty ranges of children under age 5 in the MC are between 24% and 72%, compared to the US overall rate of 24.1% (*US Census Bureau 2000 SF3, 2012 ACS 5-Yr Estimates*), Cincinnati ranks 6th worst large U.S. City for child poverty (*The Center for Community Solutions, September 30, 2019*).

As such, our City's most susceptible residents, low-income, minority, and children in the MC are facing the greatest risk from the effects of brownfield contamination. The need for action in these communities is critical. The USEPA brownfield RLF grant will help reduce or alleviate these disparities by getting sites cleaned up to attract businesses to work with the City to bring jobs to the MC, and help bring vitality and vibrancy back to the neighborhoods.

(2) Greater than Normal Incidence of Disease and Adverse Health Conditions. Historically, the Mill Creek watershed associated with the MC was one of the most severely polluted and physically degraded streams in the U.S. It has been an open waste water discharge point for industries for many years. As mentioned, American Rivers designated the Mill Creek watershed as "the most endangered urban river in North America" (<http://groundworkcincinnati.org/history.php>). Survey results of South Cumminsville residents located within the MC, revealed 70% of the population is living within a block of a brownfield. With such large portions of this population living and playing near brownfields, it is unsurprising that renter asthma rates in this population are 60% for children and 40% for adults, compared to the Ohio average incidence of 15.2% (children) and 14.9% (adults) (Ohio Statewide Asthma Plan, Ohio Department of Health). A February 2011 Ohio Cancer Incidence Surveillance System's (OCISS) report on age-adjusted incidence rates of various types of cancer (Ohio Department of Health) concludes that residents of Hamilton County (where Cincinnati resides) have an increased risk for multiple types of cancer as compared to the State of Ohio. Specifically, Hamilton County residents are at greater risk of liver (31.1%), stomach (6.6%), prostate (5.9%), larynx (2.2%), and breast (1.8%) cancers (<http://www.healthy.ohio.gov>).

In 2014, the City of Cincinnati received a grant from the Agency for Toxic Substances and Disease Registry (ATSDR) to fund a brownfield/land reuse initiative project in the South Cumminsville neighborhood of the MC. Reports indicated that residents here have a life expectancy of 71.2 years, nearly 16 years less than those in more affluent Cincinnati neighborhoods. This grant will clean up sites, remove contaminated soil and groundwater, and bring back manufacturing with the latest in pollution controls, protection, and waste minimization to protect residents.

(3) Disproportionately Impacted Populations. In addition to job loss and employment transitioning to neighboring markets, MC home values are depressed due to blighting impacts of proximate

brownfields. That notwithstanding, less than half the housing units in the MC are owner-occupied, compared to 67.6% in the Cincinnati Metropolitan Statistical Area (Census.gov, Housing Brief: Housing Characteristics 2010). Potential owners in the MC facing underemployment and low-income challenges present a disproportionate barrier to home ownership for our renting and low-income populations, primarily minorities, and contribute to transience within neighborhoods.

Today, the MC is limited by inefficient transit networks, fragmented parcels, aged buildings, and contaminated sites. According to Hamilton County Land Reutilization Corporation data, there are 7,613 tax delinquent parcels in the MC. Additionally there are 1,307 properties identified as Vacant Industrial Land in the MC (Hamilton County CAGIS). Many are brownfields that need assessment, remediation, and evaluation for health impacts. A recent study ranked Cincinnati third to last among its peer cities in jobs accessible by transit and 39th in the country. (<https://www.citybeat.com/news/blog/21012311/study-greater-cincinnati-still-near-the-bottom-for-jobs-accessible-by-public-transit-but-inching-up>). An average of 29% of MC residents do not have access to a single vehicle (https://www.uc.edu/cdc/5_19_14_StateofLocalFoodReport.pdf). As such, we will focus on sites that support investments to create locally based family-wage jobs, and that align with planned transit improvements to more readily connect people to employment with transportation options. Such improvements will address additional welfare impacts perpetuated by insufficient transit including disconnection from local food systems. The entirety of the MC has been identified as “Critical” areas where residents are more than 1-mile to the nearest full-service grocery store, and food access is compounded by high poverty rates.

2.b. Community Engagement (15 points)

2.b.i. and 2.b.ii. Program Partners (5 points) and Program Partner Roles (5 points)

Community Based Organizations – Description & Role	Contact
1. <u>Cincinnati USA Regional Chamber</u> : The Chamber develops and advocates for innovative policies related to economic development. The Chamber will assist with coordinating key workforce development initiatives with redevelopment projects, and promote expansion of new businesses for sites that are remediated.	Jill Meyer, President & CEO, jill.meyer@cincinnatiachamber.com 513-579-3100
2. <u>Hamilton County Land Reutilization Corporation</u> : The HCLRC partners with communities to achieve their commercial property strategies through catalytic investment in target areas. HCLRC will assist with parcel acquisition through tax foreclosures & promotion of grant benefits through participation in meetings.	Jessica Powell, VP of Landbank jpowell@cincinnatiport.org 513-621-3000
3. <u>Health Department</u> : The Hamilton County Health Dept. serves the residents of the City of Cincinnati and Hamilton County through the efforts of health educators, doctors, nurses, and many others to promote wellness and protect people from environmental hazards. The Health Department will assist with health-related needs, and air monitoring oversight during site remediations.	Greg Kesterman, Asst Health Commissioner Greg.kesterman@hamilton-co.org 513-946-7831
4. <u>REDI</u> : The Regional Economic Development Initiative (REDI) Cincinnati is the first point of contact for businesses interested in locating or expanding in the 15-county, three-states - Ohio, Kentucky, Indiana - Greater Cincinnati region. REDI will assist with evaluating sites, marketing eligible brownfield properties, and promoting sites assessed through The Port’s efforts.	Kimm Lauterbach, President & CEO klauterbach@redicincinnati.com 513-562-8474

2.b.iii. Incorporating Community Input (5 points)

The Port will continue its brownfield community engagement activities from the FY2010 and FY2017 USEPA Brownfield Assessment grants to this RLF grant. Initially, The Port plans to hold an RLF program kickoff meeting in October 2020 with its partners and the public to celebrate the RLF grant, explain the keys to the financial assistance program for cleaning up & revitalizing our two target brownfield areas, and solicit community involvement. The Port will then continue its

regular, semi-annual public meetings to discuss progress made, promote the loan and sub-grant cleanup program, and solicit community involvement.

Our efforts for outreach will involve collaborating with community partners, agencies, and businesses to share information and identify end uses, market the RLF program, and create a redevelopment plan for each site. An example is our quarterly forums held with the African American Chamber to promote financing program and property development opportunities. We will notify local stakeholders about cleanup plans, providing cleanup plans for public review and detailing health and environmental impacts. Cleanup plans will be posted on the Port's website. If health threats are identified, the Port will contact the City of Cincinnati and Hamilton County Health departments who will notify affected citizens as needed. As cleanup and/or redevelopment planning is initiated, the Port will seek and consider concerns that local residents may have regarding health, safety and disruption potentially posed by the proposed cleanup activities by solicitation of comments through public meetings and obtaining feedback on cleanup plans. Due to the demographics of the MC, all communications will be available in both English and Spanish.

The Port had successfully used this type of community-input program when creating the *Industrial Revitalization Strategy*, as The Port received input from local municipalities on the difficulties they have redeveloping underutilized industrial sites due to contamination, as well as soliciting input from the public regarding property redevelopment plans. Once a property is acquired by The Port, the public is invited to give input into the redevelopment plan at the property.

3. Task Descriptions, Cost Estimates, and Measuring Progress (75 Total Points)

3.a. Program Description and Marketing Strategy (20 points)

3.a.i Program Management (5 points)

The Port's RLF program team responsible for the development and implementation will comprise The Port's Vice President of Industrial Development (overall Grant Project Manager), Vice President of Public Finance, Vice President of Accounting and Financial Management, General Counsel, Industrial Development Manager, and Marketing Manager. Project team experience includes a combined 25 years in commercial banking, 20 years in brownfields cleanup, and 10 years in civil engineering. If loss of the project manager occurs, The Port will rely on the ready availability of an experienced project manager on staff including The Port's executive president and director of public finance, Port support, and experienced environmental consultant(s). The Port has managed over \$32.5M in federal and non-federal grant funds in the last 7 years alone.

Upon the announcement of receipt of the USEPA RLF Grant award, The Port will establish a borrower selection process. First and foremost, requested brownfield properties will have to be determined eligible by the US EPA brownfield program. Other criteria that will be used for selection include job creation, project location, improvement of the existing infrastructure, adherence to the Ohio EPA cleanup standards, and sustainable business practices.

The Port will provide all administrative costs and personnel for the program to maximize EPA RLF funding. The Port will structure the loans and subgrants to make them attractive and feasible, and envisions that the RLF will provide the following loan and grant outputs: (1) 3 to 4 \$150,000 to \$250,000 loans and 2 to 3 \$50,000 to \$100,000 sub-grants for hazardous substance sites; (2) 4 to 6 \$25,000 to \$50,000 loans and 2 to 3 \$15,000 to \$25,000 sub-grants for petroleum sites. The Port intends to lend funds at a fixed interest rate at below conventional market rates with terms ranging from 5-7 years with longer maturities reserved for projects paired with Tax Increment Financing (TIF) or Special Assessments or payable at sale of a property.

3.a.ii Revolution of the RLF Program (10 points)

Loans will be underwritten using prudent lending guidelines, including analysis of business plan, cash flow, projects, historical financial statements, personal financial statement(s), credit report(s), D&B reports, collateral value, asset life, credit risk, and character. Once underwriting is complete, loan documents will be prepared, a closing will be set and fund will be available to be disbursed on a reimbursement basis or direct pay to the contractor. The Port will disburse and service all loans. The Port will establish economically sound structures, management and processing procedures to maintain the RLF and meet long term lending/sub-granting objectives, along with meeting the USEPA reporting requirements and documenting outcomes and outputs in ACRES during and post grant closure. These include: a) not incurring costs until work plan is approved by EPA and ensuring objectives of the workplan are met; b) awarding sub-grants competitively; c) establish project selection criteria; d) establish threshold eligibility requirements, e) develop formal eligibility protocol for potential borrowers/sub-grantees, f) require borrowers and sub-grantees to submit environmental compliance history information, g) establish procedures for handling management and processing of loans and repayments, h) establish procedures for the disbursement of funds to borrowers and sub-grantees, and i) preparing all USEPA report documents and maintaining and updating ACRES during the grant period and post grant period (post completion of Cooperative Agreement) for properties in the ACRES system. The Port will implement innovative approaches for sustainability of the RLF, which will include flexible, attractive terms to create appeal and encourage repayment. Terms may include (1) No prepayment penalty; (2) Reduced interest rate for shorter term projects; (3) Flexible repayment terms for targeted communities; (4) Lower interest rates for projects with higher private investments of voluntary match; (5) Loan forgiveness for projects meeting job creation, retention, and attraction of private investment thresholds; (6) Deferred repayment period of 1-year.

We understand the relationship-driven nature of this program and place a strong emphasis on partnering with community organizations and prospective borrowers to ensure prompt repayment. Having very experienced staff and providing in-house underwriting will increase financial stability. Our partnerships will effectively market and create sustainability for our program, as evidenced by the Kresge Foundation's recent \$5 million commitment to establish a commercial development loan program, which is geared towards neighborhood revitalization. Overseeing fieldwork during cleanup; working closely with the borrowers, sub-grantees, and community stakeholders; and requiring monthly repayments will ensure program success. Requiring and reviewing updated financial and bank statements can signal cash flow issues in advance. Over 80% of funds will be loaned to ensure the sustainability of the RLF. Financial modeling shows we will earn about \$55,000 in interest in the 5-year grant period.

3.a.iii Marketing Strategy (5 points)

Marketing is critical to the successful implementation and sustainability of the program. Besides the 6 identified properties in the MC, The Port will utilize our FY17 EPA Assessment Grant to provide a pool of eligible cleanup properties for the RLF (6+ sites), and reevaluate sites from FY2010 EPA Assessment Grant (33 sites). In addition, The Port will work with partners to identify those projects that will have a positive effect on the economic development of the MC. Priority will be given to those applicants that are redeveloping a site that will add future jobs and contribute to the tax base of the community. Sites that are in Opportunity Zones will also be given priority. During standard, reoccurring meetings for brownfield revitalization in the MC, The Port has shared information about potential RLF funding with entities including local economic development organizations, developers, and community organizations to gauge interest and market the potential program. To continue to market the program, The Port will have materials ready to share with those entities that approach The Port regularly to discuss the other financing opportunities that exist

through the Public Finance practice of the organization. The Port is frequently approached for assistance with cleanup and the RLF program will make it possible for The Port to help.

3.b.i., ii., iii., iv. Description of Tasks/Activities and Outputs (25 points)

Task 1: Fund Capitalization: \$1,000,000

Implementation: The Port plans to use \$1,000,000 of the grant to make loans and sub-grants to qualified brownfield property owners for cleanups. The loan/sub-grants will be divided into a ratio of approximately 75% for hazardous substance site cleanups (\$750,000) and 25% for petroleum site cleanups (\$250,000). The Port will loan approximately 80% of the available funds, and sub-grant up to 20%. The Port will require that recipients provide at least a 20% match to loan/sub-grant award.

Anticipated Project Schedule: Loan/Sub-grants: Yr-1: 2. Yr-2: 4. Yr-3: 4. Yr-4: 4. Yr-5: 2.

Task Lead: The Port – loan/grant qualifications and origination. Qualified Environmental Professional (QEP) – oversight and documentation of cleanups.

Outputs: Estimated loans/sub-grants/cleanup/USEPA documentation distributed as follows:

Hazardous Substance Loans: 3 to 4 at \$150,000 to \$250,000 each, totaling \$600,000

Petroleum Loans: 4 to 6 at \$25,000 to \$50,000 each, totaling \$200,000

Hazardous Substance Sub-grants: 2 to 3 at \$50,000 to \$100,000 each, totaling \$150,000

Petroleum Sub-grants: 2 to 3 at \$15,000 - \$25,000 each, totaling \$50,000.

Task 2: Program Development and Oversight: \$10,000 (cost share)

As a cost share, The Port will perform Program Development and Oversight activities for a nominal cost, including coordination /submission of required documents during all phases from pre-funding to project close out. Coordination of financial underwriting process; programmatic review by the Loan Committee; crafting of individualized financing packages; funding of loans and sub-grants; formalizing the program's forms, development of templates and procedures for the loan and sub-grants. Loan origination tasks include screening applicants for program, legal, and environmental threshold criteria and selecting borrowers. Reporting tasks include quarterly and annual reports, close-out reports and ACRES updating. Portfolio management tasks include review of Davis-Bacon certificates, review of invoices, timely disbursement/collection of funds. It is estimated that at least \$20,000 for this task will be contributed by the Port, in the form of Port staff time, \$50/hour for 40 hours each year (\$2,000/year for 5 years).

Anticipated Project Schedule: On-going tasks described above for the 5-year grant period.

Task Lead: The Port.

Outputs: 12 – 16 loan qualification packages; updates to ACRES, and USEPA quarterly reports.

Task 3: Remediation Oversight: \$180,000 (cost share)

Remediation oversight for all the cleanup projects will be provided by a Certified Professional (CP) under Ohio EPA's Voluntary Action Program (VAP), (a Qualified Environmental Professional - QEP). A VAP CP is pre-qualified by Ohio EPA to prepare environmental assessment/remediation documents and submit them to Ohio EPA demonstrating that the property meets the VAP cleanup standards. The VAP CP will provide oversight of the cleanup activities; and review the cleanup plans, confirmation sampling plans, remediation reports, and other documentation as needed to ensure that each participating site meets the VAP standards. In addition, for petroleum sites, the VAP CP will also be able to provide the technical oversight required under Ohio Department of Commerce's Bureau of Underground Storage Tanks (BUSTR), so that BUSTR can issue an NFA letter for these type sites. For this grant, the Port has estimated an average of \$10,000 - \$15,000 to provide technical oversight, confirmation sampling, and report preparation (depends on site size/complexity by QEP for 12-16 estimated loans/sub-grants).

Anticipated Project Schedule: No. of Cleanups: Yr-1: 2. Yr-2: 4. Yr-3: 4. Yr- 4: 4. Yr-5: 2.

Task Lead: Qualified Environmental Professional.

Outputs: 12 – 16 Cleanup documentation packages for Ohio EPA and/or BUSTR.

Task 4: Community Involvement/Marketing: \$10,000 (cost share)

This task includes funds for newspaper advertisement announcing public meetings, printing of marketing and advertising materials, individual project signs for each site, flyers, brochures, displays, posters, educational materials. Besides the federal funds budgeted, the Port will contribute at no charge: Developing and producing RLF marketing materials; coordination with borrowers and community stakeholders; continued marketing to target audience; attending site meetings; assistance with preparation of Community Relations Plans (CRPs), creating each site's information repository, preparation for public meetings; ensuring compliance with the site CRPs.

Anticipated Project Schedule: On-going tasks described above for the 5-year grant period.

Task Lead: The Port and Qualified Environmental Professional.

Outputs: Average of 2 public meetings per year for the 5-year grant period.

3.c.i. – 3.c.iv. Cost Estimates: Development, Application, Loans, Cost Share (25 points)

Budget Categories	Task 1	Task 2	Task 3	Task 4	Total
	Fund Capitalization	Program Development & Oversight	Remediation Oversight	Marketing & Community	
HAZARDOUS SUBSTANCE					
Personnel	--	\$5,000	--	\$5,000	\$10,000
Contractual			\$90,000		\$90,000
Loans	\$600,000				\$600,000
Subgrants	\$150,000				\$150,000
Haz Sub Subtotal	\$750,000	\$5,000	\$90,000	\$5,000	\$850,000
PETROLEUM					
Personnel		\$5,000		\$5,000	\$10,000
Contractual			\$90,000		\$90,000
Loans	\$200,000				\$200,000
Subgrants	\$50,000				\$50,000
Pet Subtotal	\$250,000	\$5,000	\$90,000	\$5,000	\$350,000
Fed Funding Subtotal	\$1,000,000				\$1,000,000
Cost Share		\$10,000	\$180,000	\$10,000	\$200,000
Total Budget	\$1,000,000	\$10,000	\$180,000	\$10,000	\$1,200,000

3.d. Measuring Environmental Results (5 points)

In addition to the priority sites listed in Section 1.a.ii, The Port will identify brownfields that are exposing residents and the environment to contaminants, limit exposures associated with these brownfields, and bring these sites back into productive use. Once a site has been determined to be eligible, it will be entered into the ACRES database, which will also be updated following completion of cleanup plans, remediation, and/or redevelopment activities. To track and measure progress The Port will: (1) evaluate project achievements against those incorporated into the grant application and work plan; (2) determine if the project has resulted in an improved site (acquisition/transfer/redevelopment); and (3) report the outputs of the grant in quarterly and annual

reports to the EPA and track these outcomes and outputs to a regularly updated project spreadsheet. Measurable outputs planned: # of community meetings held, number of cleanup plans completed, # of site cleanups completed, and # of loans/sub-grants awarded. Measurable outcomes planned: # of jobs created/retained and tax revenue generated; # of acres of property remediated; quantity of leveraged funding, # of acres of property redeveloped, # of new jobs and tax revenue generated; quantity of redevelopment investment value, and # of acres of parks and greenspace preserved and created. The Port will adjust its approach to selecting sites for funds if the project is not generating the expected outcomes.

4. Programmatic Capability and Past Performance (30 Total Points)

4.a. Programmatic Capability (20 points)

4.a.i. Organizational Structure (5 points) and 4.a.ii. Description of Key Staff (10 points)

The Port will effectively manage all facets of the RLF grant, and oversee the loans, sub-grants, and cleanup work with the combination of internal staff and outside consultants (QEPs) with brownfield experience. The RLF team and RLF program will be managed by our Vice President of Industrial Development & Logistics, Melissa Johnson, as Project Manager. Ms. Johnson will be supported by Ms. Julie Banner, Industrial Development Manager, who will oversee the cleanup projects, work plans, and managing the environmental consultants; Mr. Todd Castellini, Vice President of Public Finance will oversee evaluation of loan and grant applications, and implementation of the loans; Mr. Chris Recht, General Counsel, who will be responsible for legal aspects of the loan and grant program. The Port's experience and success in managing a FY10 \$1,000,000 USEPA Community-wide Assessment grant and the current management of a FY17 \$300,000 USEPA Community-wide Assessment grant, will ensure strict oversight and coordination of the QEPs for environmental cleanups of each RLF project.

The project team has significant experience with complex environmental projects including reviews of Phase I, Phase II, and Remedial Action Plans, and preparation of Analysis of Brownfield Cleanup Alternatives (ABCA) and Site Eligibility letters. The Port will work closely with Ohio EPA and the USEPA, who will provide environmental regulatory and brownfields oversight. From a financial experience standpoint, The Port is a longstanding, responsible issuer and practitioner of public finance. Since 2000, The Port has issued more than \$540 million in revenue bonds to fund a wide variety of economic projects in Cincinnati and Hamilton County. The Port administers a \$12.5 million regional bond fund to support local economic development projects. In early 2017, The Kresge Foundation invested \$5 million into The Port to establish a commercial development loan program, which is geared towards neighborhood revitalization and transformation through mixed-use, mixed-income projects. The partnership represents the first time this kind of investment has happened ever in the United States between a traditional finance agency and an impact-interested foundation.

Ms. Johnson managed the FY10 Assessment grant, has 20-years' experience managing assessment, cleanup, and has managed over \$21M in state and federal grant funds related to environmental remediation and demolition including five EPA assessment, job training, and revolving loan fund grants. She has actively supervised over 2.1M square feet of demolition and remediation projects and is responsible for implementing the long-term strategic modernization of the MC. Ms. Banner is currently managing the FY17 Assessment grant and has 10-years' experience in site development, including 6 years of environmental assessments and cleanups. Mr. Castellini has over 20 years' experience with commercial and public loan underwriting and management. Mr. Recht has over 15 years' experience in real estate law. The Port will retain QEPs through a qualifications-based bid process. QEPs will be evaluated on their experience with brownfield cleanup, Ohio environmental

laws, regulations, prior experience with U.S. EPA cleanup work plans and oversight requirements, and go through the Port's procurement process to hire the most highly qualified technical consultant for overseeing the cleanup activities to meet the Ohio EPA VAP standards.

4.a.iii. Acquiring Additional Resources (5 points)

Through The Port's past experience and performance managing USEPA grants and brownfield redevelopment projects, a pre-qualification process was established, approved by The Port's Board of Directors, and is implemented annually. Interested contractors and consultants must complete a pre-qualification packet that highlights their past performance and experience on projects of similar size and scope. The Port established two different tiers for project size, in dollars, in an effort to allow smaller contractors and consultants to pre-qualify. The pre-qualification process allows The Port to issue RFPs and RFQs on a timely basis and maintain a list of qualified contractors and consultants who can assist with the projects. Ambitious goals are set annually for our spending with minority business enterprises (MBEs), women business enterprises (WBEs) and small business enterprises (SBEs).

4.b. Past Performance and Accomplishments (10 Points)

4.b.i. Currently Has or Previously Received an EPA Brownfields Grant (10 points)

(1) Accomplishments.

FY2017 U.S. EPA Brownfield Assessment Grant: To date, assessed 6 properties, totaling 45 acres, in which 3 assessments supported due diligence efforts (outputs), and the resulting (outcomes) acquisition and planned redevelopment at the properties. All projects are in ACRES and current. \$150,000 has been spent to-date, \$75,350 worth of assessment is currently underway, and 1 additional property is being reviewed for eligibility. With a little less than 1 year remaining on the grant, all funds are on-schedule to be spent by September 30, 2020.

FY2010 U.S. EPA Brownfield Assessment Grant: Assessed 33 properties and supported several development projects that leveraged (outcome) additional public and private investment. All projects were added to ACRES. Highlights include: Mercer Commons: Phase II hazardous substance ESA for a \$63 million historic renovation and new mixed-use project (outcome), yielding 154 total residential units, 7,600 SF of commercial space, and a 340-space parking garage. Peter Cremer/Conrail Project: Phase II hazardous substance ESA for a \$3 to \$5 million redevelopment (outcome) of an 8-acre former rail yard resulting in a new 40,000 sf LEED certified headquarters for Peter Cremer North America, LP (PCNA), 50 new jobs and 123 retained jobs (outcome). Integra Life Sciences: Phase I and II hazardous substance ESA for \$3.3 million expansion and retention of a life sciences company (outcome); nearly 80 new jobs were created (outcome).

(2) Compliance with Grant Requirements

FY 2017 U.S. EPA Brownfield Assessment Grant: A work plan has been submitted and approved by the U.S. EPA Project Manager. The Work Plan is on schedule and progress is being made toward achieving the expected results of the grant in a timely manner. All projects, to date, have been added to ACRES and quarterly reports have been submitted on time.

FY 2010 U.S. EPA Brownfield Assessment Grant: The Port received an EPA Hazardous Substance and Petroleum Brownfield Assessment Grant in 2010, for \$1,000,000. The Port served as the lead organization for implementation. The grant was administered consistent with an amended Work Plan, which was prepared to align Ohio EPA VAP protocols. The Port achieved these outcomes: Hazardous substance sites: 15 completed Phase I reports; 14 completed Phase II reports; and Petroleum sites: 7 completed Phase I reports and 5 completed Phase II reports. All quarterly reports and other required updates were filed promptly. All properties were entered into ACRES. The grant program closed in July 2013 with an approximate balance of \$9,700 in petroleum funds.

FY2020 The Port RLF Application Threshold Criteria Information

1. Applicant Eligibility

The Port of Greater Cincinnati Development Authority dba The Port is a government entity formed under Section 4582 of the Ohio Revised Code. The Port was jointly created by Hamilton County and the City of Cincinnati in 2000 with brownfield redevelopment as one of its key missions. The “Amended and Restated Agreement for the Creation of a Port Authority” documents The Port’s eligibility and is included within this attachment.

2. Description of Jurisdiction

The Port was jointly created by Hamilton County and the City of Cincinnati giving The Port jurisdiction throughout Hamilton County, which includes the City of Cincinnati. The boundaries are comprised of:

- West – Indiana state line
- North – Butler County and Warren County
- East – Clermont County
- South – Ohio River

3. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund

The Port will ensure that the loan recipients or subgrantees using EPA RLF funding to conduct cleanup activities, will perform the cleanup under the oversight of a formal state remediation program, such as the Ohio Voluntary Action Program. We will procure the professional services of a Qualified Environmental Professional (QEP) correctly according to 2 CFR 200.317 through 326. The QEP will work in concert with the state program staff to review the work plans for environmental cleanup, ensure the adequacy of the cleanup activities and oversee cleanups. Other City departments’ staff qualified environmental professionals able to provide assistance to the RLF if necessary.

Legal Authority: The legal opinion follows in this attachment. *This evidences* that The Port has the authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and has the authority to make loans and accept payment of fees, interest and principal.

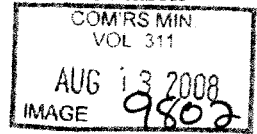
4. Statutory Cost Share

Twenty percent (total \$200,000) has been pledged, subjected to board approval, by The Port. The \$200,000 will be provided to further capitalize the revolving loan program. Additional budget detail is found in the ranking criteria.

ORIGINAL CONTRACT
RETURN TO FINANCE DEPT

85x 0014

Final as Approved by Council



**Amended and Restated
Agreement for the Creation of a Port Authority**

The City of Cincinnati, an Ohio political subdivision and municipal corporation (the "City") and the County of Hamilton, an Ohio county and political subdivision (the "County"), enter into this Amended and Restated Agreement for the Creation of a Port Authority (the "Restated Port Agreement") in order to amend, remove restrictions from and restate that certain Agreement for the Creation of The Port of Greater Cincinnati Development Authority between the City and the County that went into effect in 2000 (the "Original Port Agreement" which, as amended and restated hereby and as the same may be further amended, supplemented or superseded in writing by the parties hereto, is referred to herein as the "Agreement").

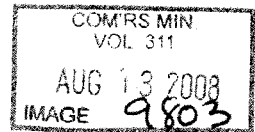
Recitals

A. Pursuant to Ohio Revised Code Sections 4582.21 through 4582.59 (as amended from time to time, the "Port Act") and Ordinance No. 365-2000 passed by Cincinnati City Council ("Council") on October 4, 2000, a Resolution duly adopted by the Board of County Commissioners ("BOCC") of the County and the Original Port Agreement (collectively, the "Formative Documents"), the City and the County acted jointly to (1) create the Port of Greater Cincinnati Development Authority (the "Port Authority"), (2) dissolve the entity known as the "Port Authority for Brownfields Redevelopment in Cincinnati and Hamilton County" and transfer the assets and liabilities of that "Brownfields Authority" to the Port Authority, (3) generally limit and restrict the authority and powers of the Port Authority to "Banks Redevelopment" and "Brownfields Redevelopment" as and to the extent, and as defined in, the Original Port Agreement, and (4) provide for the intended City and County funding levels for the operations of the Port Authority for an initial period.

B. At the request of the Port Authority, the City (pursuant to Ordinance No. 270-2008 passed by Council on August 6, 2008) and the County (pursuant to a Resolution adopted by the BOCC on August __, 2008) have each authorized the execution and delivery of this Restated Port Agreement in order to amend and restate the Original Port Agreement and, among other things, to thereby: (1) pursuant to Revised Code Section 4582.22, grant to the Port Authority substantially all additional powers permitted under the Port Act by the removal of substantially all of the limitations and restrictions on those powers contained in the Original Port Agreement, (2) pursuant to Revised Code Section 4582.27, change the number of directors comprising the board of directors of the Port Authority, with such changes and the transition thereto to be accomplished, effective as of the Board Transition Time (defined in Section 1 hereof), in accordance with Sections 1 and 4 hereof, and (3) establish anticipated funding levels for Port Authority operations.

NOW, THEREFORE, in consideration of the mutual promises and agreements herein, the City and the County covenant and agree with each other as follows:

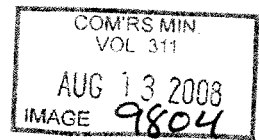
Section 1. *Effective Date; Board Transition Time; Effect of Restated Port Agreement; Continuity of Agreement.* This Restated Port Agreement shall go into effect on and have prospective application from and after the date on which it has been executed by both the City and the County (the date on which the second of them signs this Restated Port Agreement is referred to herein as the "Effective Date"); provided, that the changes in the board of directors to



be implemented pursuant to Section 4 of this Restated Port Agreement shall take effect in accordance with that Section 4 and those changes and the transition contemplated by that Section 4 shall be completed, and shall take full effect, upon the convening of the Board Reorganization Meeting required by Section 4.F hereof, with a quorum in attendance as required thereby (herein, the "Board Transition Time"). The Original Port Agreement shall remain in full force and effect until this Restated Port Agreement goes into effect on the Effective Date; provided, that the provisions of section 4 of the Original Port Agreement pertaining to the terms of and appointments to the board of directors of the Port Authority shall remain in effect thereafter until the Board Transition Time. The existing board of directors of the Port Authority established under Section 4 of the Original Port Agreement ("Existing Board") is hereby confirmed as the board of directors of the Port Authority until the Board Transition Time with all rights, powers and privileges appertaining thereto (including with respect to the additional powers and jurisdiction granted to the Port Authority under this Restated Port Agreement), and all directors appointed to the Existing Board, and all actions heretofore or hereafter (until the Board Transition Time) taken by the Existing Board and by those directors, in their official capacities on behalf of the Port Authority, are hereby approved. As of the Effective Date, the Original Port Agreement shall be amended and restated hereby so that: (i) from and after the Effective Date, each and every provision of the Original Port Agreement other than Section 4 thereof that would otherwise have continuing applicability is and shall be deleted from the Agreement and those provisions shall be replaced by the provisions of this Restated Port Agreement, and thereafter such deleted and replaced provisions of the Original Port Agreement will be of no further force or effect, (ii) from and after the Effective Date all of the restrictions and limitations on the powers or jurisdiction of the Port Authority imposed by the Original Port Agreement, except to the extent that any restrictions or limitations are expressly set forth in this Restated Port Agreement, shall be and hereby are removed and the City, through the Council ordinance approving this Restated Port Agreement, and the County, through the BOCC resolution approving this Restated Port Agreement, hereby grant to the Port Authority, from and after the Effective Date, all of the additional powers and jurisdiction permitted under Ohio law, without any restrictions or limitations whatsoever, except as are expressly set forth in this Restated Port Agreement, (iii) from and after the Effective Date and until the Board Transition Time the provisions of section 4 of the Original Port Agreement pertaining to the terms of and appointments to the board of directors of the Port Authority shall remain in effect but shall be subject to the implementation of the changes in the board of directors to be implemented pursuant to Section 4 hereof, and (iv) from and after the Board Transition Time, each and every provision of section 4 of the Original Port Agreement is and shall be deleted from the Agreement and will be of no further force or effect.

Section 2. *Creation and Existence of Port Authority.* Pursuant to the Port Act, particularly Ohio Revised Code Section 4582.22, the City and County have by the Formative Documents created the Port Authority and by this Restated Port Agreement acknowledge and confirm the continued existence of the Port Authority pursuant to and throughout the term of the Agreement.

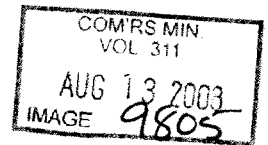
Section 3. *Jurisdiction and Powers of the Port Authority.* The general jurisdiction of the Port Authority shall include (i) all of the territory (whether incorporated or unincorporated) within the boundaries of Hamilton County, Ohio, as the same now or hereafter from time to time exist, (ii) any and all portions of the incorporated territory of the City of Cincinnati that are, now or hereafter, outside of the territorial boundaries of the County and (iii) any other territory now or hereafter included within the jurisdiction of the Port Authority pursuant to the Port Act. The Port



Authority shall be a body corporate and politic and shall have and may exercise, whether within or without the City or the County and without any implied limitation hereunder, all of the powers and jurisdiction now or hereafter given to it by or pursuant to the Port Act or other applicable Ohio law, as the same may be expanded or limited by changes in Ohio law or by subsequent written amendment of or supplement to the Agreement, except only to the extent expressly set forth in this Restated Port Agreement. The exercise of its powers and jurisdiction by the Port Authority shall be deemed to be an essential governmental function of the State of Ohio.

Section 4. *The Port Authority Board of Directors.* As of the Board Transition Time, pursuant to Ohio Revised Code Section 4582.27, the number of directors comprising the board of directors of the Port Authority (the "Board") shall be and is hereby changed from eighteen (18) to ten (10) directors, of which five (5) shall be appointed by the Mayor of the City, with the advice and consent of Council, and five (5) shall be appointed by the BOCC, it being intended that, in addition to any other legal requirements, those directors will have an expressed interest in, and a business, employment or other background reasonably anticipated to provide expertise relevant to, promoting economic development and redevelopment within the jurisdiction of the Port Authority. This change in the number of directors comprising the Board, and the transition from the Existing Board to the initial Board appointed pursuant to this Section 4, shall be accomplished as follows:

- A. Two of the director positions initially filled by appointment by the Mayor and two of the director positions initially filled by appointment by the BOCC pursuant to each of the Sections 4.A, 4.B and 4.C of the Original Port Agreement are hereby eliminated.
- B. The Mayor (with the advice and consent of Council) and the BOCC shall each appoint one director to serve on the Board for the remainder of the unexpired term of one of the directors appointed or reappointed by each to the position initially filled pursuant to Section 4.A of the Original Port Agreement (which term is currently scheduled to expire in 2009).
- C. The Mayor (with the advice and consent of Council) and the BOCC shall each appoint one director to serve on the Board for the remainder of the unexpired term of one of the directors appointed or reappointed by each to the position initially filled pursuant to Section 4.B of the Original Port Agreement (which term is currently scheduled to expire in 2010).
- D. The Mayor (with the advice and consent of Council) and the BOCC shall each appoint one director to serve on the Board for the remainder of the unexpired term of one of the directors appointed or reappointed by each to the position initially filled pursuant to Section 4.C of the Original Port Agreement (which term is currently scheduled to expire in 2011).
- E. Four new director positions are hereby created on the Board, with the terms of the directors first appointed to those positions on the Board to expire in 2012; two of those directors shall be appointed by the Mayor, with the advice and consent of Council, with an initial term expiring on December 31, 2012; and two of those directors shall be appointed by the BOCC, with an initial term expiring on November 6, 2012.
- F. On a day and at a time determined by the Chair of the Existing Board, in consultation with the President of the Port Authority, which day shall be not more than thirty (30) days after the later of (i) the date of adoption of a resolution of the BOCC appointing the last of the five BOCC appointments to the Board and (ii) the effective date of the consent by Council to the last of the five mayoral appointments to the Board, the Secretary or other appropriate officer of the Port Authority shall call an organizational meeting of the Board ("Board Reorganization



Meeting”) in accordance with all legal requirements. Upon the convening of the Board Reorganization Meeting, with a quorum of the Board in attendance, the Board and the directors appointed pursuant to this Section shall succeed to all rights and powers of the Existing Board and the directors appointed thereto, and the Existing Board shall cease to exist and all terms of appointment of the directors appointed to the Existing Board shall forthwith terminate. At the Board Reorganization Meeting, the Board shall elect from its members a Chair and a Vice Chair, shall designate the Secretary (which may, but need not be, a director) and any Assistant Secretaries in accordance with the Bylaws adopted by the Existing Board, shall establish the regular meeting dates of the Board for the remainder of the current year, and shall conduct such other business of the Port Authority as shall be properly before the Board at that time.

Upon the expiration of the term of any incumbent member of the Board, and if any position on the Board shall become vacant for any reason, that position on the Board shall be filled by the appointing authority that appointed the incumbent or predecessor member, and in the same manner that the incumbent or predecessor was appointed. All directors so appointed shall serve for a term of four years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Board shall continue in office subsequent to the expiration date of the member’s term until the member’s successor takes office. A member of the Board is eligible for reappointment without limitation. Each member of the Board shall serve without compensation, but may receive reimbursement for the member’s reasonable expenses incurred in the performance of the duties of the member. No member appointed to the Board shall hold any other public office or employment except that of Notary Public, member of the State Militia or member of a reserve component of the United States Armed Forces; provided, that employment in a public school system or other educational institution shall not be a violation of this section. No member of the Board shall be interested in the profits or emoluments of any contract, job, work or service of the Port Authority, other than as permitted by Ohio law. Any member of the Board may be removed by that member’s appointing authority for misfeasance, nonfeasance or malfeasance in office.

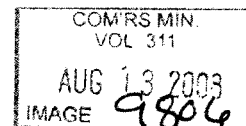
Section 5. *Requirements of the Port Authority.*

A. The Port Authority shall provide advance written notice and invitation to attend all meetings of the Board to individuals designated by either the Mayor or City Manager of the City or by the BOCC President or the County Administrator of the County.

B. The Port Authority shall report no less than annually to, and shall file its biennial report (if any) with, the City and the County on matters pertaining to its development and redevelopment activities, projects and programs, including information with respect to completion of projects or phases of projects, completed economic development financing activities, and the economic impact of completed projects and development financing activities, including economic inclusion results.

C. The Port Authority shall establish policies (no less than the City’s own minimum standards as determined by the Board) that stimulate economic inclusion and ensure an equal opportunity to participate in Port Authority projects among all ages, races, and genders in all aspects, including in design, construction, execution, and operation.

D. The Port Authority may appoint such community advisory committees as it deems appropriate.



E. Before exercising the power of eminent domain, the Port Authority shall obtain the approval of (i) Council if the subject property is, in whole or in part, within the incorporated territory of the City or (ii) the BOCC if the property is, in whole or in part, within the boundaries of the County but entirely outside of the incorporated territory of the City; provided, that sixty (60) days after delivery of an adopted Board resolution requesting any such approval to the City (to the Manager) or the County (to the Administrator), the approval shall be deemed granted if not denied.

Section 6. In order to provide funding to carry out the activities, projects and programs of the Port Authority pursuant to the Agreement, the City and the County agree to provide in calendar year 2008, and agree to provide, subject to annual appropriation by the Council or the BOCC, as applicable, in subsequent years during the term of the Agreement, not later than May 1 of the applicable year, \$350,000 (to provide a total of \$700,000) to the Port Authority in each of those years. The amounts provided to the Port Authority by the City and the County pursuant to this Section 6 shall be used by the Port Authority for the operating expenses of the Port Authority as authorized by the Board and for any activities, projects and programs of the Port Authority that the Board deems appropriate, consistent with the Port Act and this Restated Port Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Amended and Restated Agreement for the Creation of a Port Authority to be executed on the dates stated below:

Recommended for City by:

William B. Davis
Director of Economic Development

CITY OF CINCINNATI, OHIO

By: *Milton Doherty Jr*

Approved as to Form for City by:

Stephen J. Fagel
Asst. City Solicitor

Milton Doherty Jr
City Manager

Date: *August 28*, 2008

Recommended for County by:

Patrick Thompson
County Administrator

COUNTY OF HAMILTON, OHIO

By: *[Signature]*
President, Board of County Commissioners

Approved as to Form for County by:

Prosecuting Attorney

And by: *[Signature]*
County Commissioner

And by: _____
County Commissioner

CERTIFICATE AUG 26 2008
FUNDING 050968 0000 7289
350,000.00
ASST. *John M. [Signature]*

Date: *Aug 13*, 2008



Hamilton County

Board of County Commissioners

Todd Portune
President of the Board
Phone (513) 946-4401
Fax (513) 946-4446

David Pepper
Vice President
Phone (513) 946-4409
Fax (513) 946-4407

Pat DeWine
Phone (513) 946-4405
Fax (513) 946-4404

Room 603
County Administration Building
138 East Court Street
Cincinnati, Ohio 45202

TDD/TTY: (513) 946-4719
www.hamiltoncountyohio.gov

Patrick Thompson
Administrator
Phone (513) 946-4420
Fax (513) 946-4444

Jacqueline Panioto
Clerk of the Board
Phone (513) 946-4414
Fax (513) 946-4444

September 22, 2008

Ms. Kim Satzger
Port Authority
1014 Vine Street, Suite 1440
Cincinnati, Ohio 45202

Dear Ms. Satzger:

The Board of County Commissioners, at its meeting on September 10, 2008 adopted a resolution authorizing an amendment to Section 5(E) of the amended and restated agreement for the creation of the Port Authority.

I am enclosing a certified copy of said resolution for your records.

Very truly yours,

A large, stylized cursive signature of Jacqueline Panioto.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

Enclosure
JP/das

On motion of Mr. Pepper, seconded by Mr. Portune the resolution was adopted.

COMRS MIN.
VOL 311

SEP 10 2008
IMAGE 17317

15-2
K. Satzger

**RESOLUTION AUTHORIZING AN AMENDMENT TO SECTION 5(E)
OF THE AMENDED & RESTATED AGREEMENT FOR
THE CREATION OF THE PORT AUTHORITY**

BY THE BOARD:

WHEREAS, a Resolution Authorizing the Amended & Restated Agreement for the Creation of a Port Authority was previously adopted by the Board on August 13, 2008 as recorded at Vol 311, Image 9799-9798; and

WHEREAS, the City and County have agreed to amend Section 5(E) of said Agreement; now, therefore;

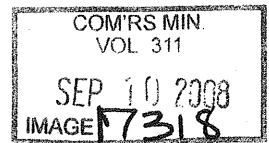
BE IT RESOLVED by the Board of Commissioners of Hamilton County, Ohio that the County Administrator is authorized and directed to execute an amendment to Section 5(E) of the current Amended and Restated Agreement for the Creation of a Port Authority to read as follows:

"Before exercising the power of eminent domain, the Port Authority shall obtain the approval of (i) Council if the subject property is, in whole or part, within the incorporated territory of the City or (ii) the BOCC if the property is, in whole or part, within the boundaries of the County but entirely outside of the incorporated territory of the City. The City or County shall respond to the Port Authority Board request within sixty days. If not affirmatively approved by the Council or BOCC within sixty days after delivery of an adopted Board resolution requesting any such approval, the request shall be deemed denied."

BE IT FURTHER RESOLVED that the Clerk of the Board be and hereby is authorized and directed to certify copies of this resolution to Kim Satzger, President of the Port Authority and the City of Cincinnati's Clerk of Council.

ADOPTED at a regularly adjourned meeting of the Board of Commissioners of Hamilton County, Ohio, this 10th day of September, 2009.

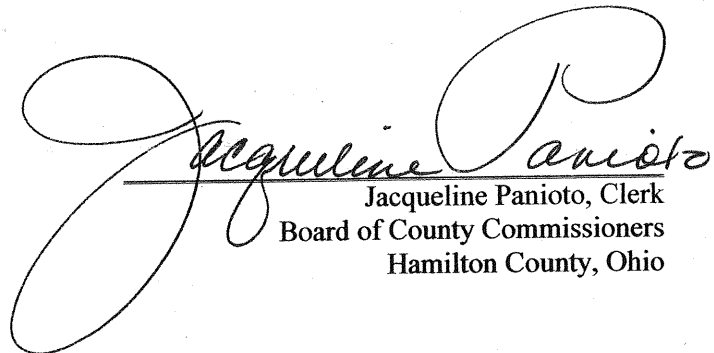
Mr. DeWine YES Mr. Pepper YES Mr. Portune YES



CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of Commissioners of Hamilton County, Ohio, in session the 10th day of September, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Commissioners of Hamilton County, Ohio the 10th day of September, 2008.



Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

SJE
JPC/RAH

RESOLUTION NO. 47 - 2008

EXPRESSING City Council's commitment to the success of the revised Port Authority by recommending that the City Manager amend the Amended and Restated Agreement for the Creation of a Port Authority.

WHEREAS, on August 6, 2008, Council passed Ordinance 270-2008 authorizing the City Manager to enter into an Amended and Restated Agreement for the Creation of a Port Authority (the "Agreement"); and

WHEREAS, on August 13, 2008, the City and County completed execution of the Agreement; and

WHEREAS, the Board of Commissioners for Hamilton County, Ohio is proposing to amend Section 5.E. of the Agreement regarding the exercise of eminent domain powers by the Port Authority; and

WHEREAS, City Council, in order to promote uniformity with the County in the operation of the Port, also recommends that the City agree to such an amendment; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager of the City of Cincinnati ("City") and the Board of Commissioners of Hamilton County ("BOCC" or "County") shall amend Section 5.E. of the Amended and Restated Agreement for the Creation of a Port Authority to read as follows:

Before exercising the power of eminent domain, the Port Authority shall obtain the approval of (i) Council if the subject property is, in whole or part, within the incorporated territory of the City or (ii) the BOCC if the property is, in whole or part, within the boundaries of the County but entirely outside of the incorporated territory of the City. The City or County shall respond to the Port Authority Board request within sixty days. If not affirmatively approved by the Council or BOCC within sixty days after delivery of an adopted Board resolution requesting any such approval, the request shall be deemed denied.

Section 2. That this resolution be spread upon the minutes of Council and copies sent to the City Manager and the Hamilton County Board of County Commissioners.

Passed September 10, 2008

Attest: William A. [Signature]
Clerk

[Signature]
Mayor

Submitted by Councilmember John Cranley

THE PORT

Making Real Estate Work

3 East Fourth St Suite 300
Cincinnati, OH 45202
513.621.3000

November 25, 2019

Mr. Matt Didier
U.S. EPA Region 5
77 West Jackson Boulevard
Mail Code SB-5J
Chicago, IL 60604-3507

Re: Brownfields Cleanup Revolving Loan Fund (BCRLF) Program

Dear Mr. Didier:

In conjunction with the submission of an application to the United States Environmental Protection Agency for a Revolving Loan Fund Grant under the BCRLF Program, we have been asked to provide a legal opinion pursuant to the Guidelines for the BCRLF Program. Our legal opinion is required to address to specific issues: first, the legal authority of the Port of Greater Cincinnati Development Authority, doing business as the Port of Greater Cincinnati Development Authority ("Port"), to access and secure sites subject to this Program in the event of an emergency, a default under a loan agreement executed in conjunction with the Program or non-performance under a subgrant; and second, the legal authority of the Port to perform the actions necessary to manage a revolving loan fund program, including the ability to hold funds, make loans, enter into loan agreements, and collect repayments.

The Port is a public body corporate and politic organized and existing under the Constitution and laws of the State of Ohio, and the statutory authority for the exercise of powers by the Port is set forth in Ohio Revised Code ("ORC") Chapter 4582. Further, the Port is authorized to do all acts necessary or proper to carry out the powers granted in sections 4582.21 through 4582.59 of the ORC pursuant to ORC 4582.31(A)(26).

ORC 4582.31(A)(4) states that a Port created in accordance with section 4582.22 may acquire, construct, furnish, equip, maintain, or repair real or personal property, or any combination thereof, related to, useful for, or in furtherance of any authorized purpose. Further, ORC 4582.31(A)(15) states that a Port created in accordance with section 4582.22 may do any of the following, in regard to any interests in any real or personal property, or any combination thereof, related to, useful for, or in furtherance of any authorized purpose: (a) loan moneys to any person or governmental entity for the acquisition, construction, furnishing, and equipping of the property; and (b) acquire, construct, maintain, furnish, and equip the property. In addition, we anticipate that the loan agreements and documentation for implementation of the Program will include specific rights of access for the Port in the event of an emergency, a default under the loan agreement, or for non-performance by a borrower or sub-grantee.

The Port also has the legal authority to perform the actions necessary to manage a revolving loan fund. In addition to the broad grant of powers referenced above, the Port has the express power pursuant to ORC 4582.31(A)(1 8) to make and enter into all contracts and agreements and execute all instruments necessary or incidental to the performance of its duties and the execution of its powers. Further, pursuant to ORC 4582.3 1(A)(20), the Port maintains the express power to receive and accept from any state or federal agency grants and loans for or in aid of the construction of any Port facility or for research and development with respect to Port facilities, and receive and accept aid or contributions from any source of money to be held, used, and applied only for the purposes for which the grants and contributions are made. Also, in addition to the broad powers afforded by ORC 4582.3 1(A)(26), ORC 4582.59 states that all of these pertinent sections of the ORC, being necessary for the welfare of the state and its inhabitants, are to be liberally construed to effect the purposes thereof.

Accordingly, it is our legal opinion that the Port has the legal authority to access and secure sites subject to this program in the event of an emergency, a default under an applicable loan agreement or upon non-performance by a borrower or subgrantee. It is further our legal opinion that the Port has the legal authority to perform actions necessary to manage and create a revolving loan fund. In particular, the Port has the power to create a program providing for the origination of loans to fund environmental remediation projects, as contemplated by the BCRLF application, and to apply any repayments to the creation and administration of an ongoing revolving loan fund program.

We have prepared this legal opinion for attachment to the Port's application to the United States Environmental Protection Agency for a Revolving Loan Fund Grant. It is our understanding that this legal opinion will be submitted in conjunction with the application in fulfillment of the requirements set forth for attachments to that application.

Please contact us at your convenience if any further actions are required on our part in conjunction with the finalization of the grant application. We look forward to working with the United States Environmental Protection Agency to be part of this important program.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'C. M. Recht', is written over a horizontal line.

Christopher M. Recht
Vice President and General Counsel
Port of Greater Cincinnati Development Authority
3 East Fourth Street, Suite 300
Cincinnati, OH 45202
513.621.3000
crecht@cincinnatiport.org



**Department
of Commerce**

Mike DeWine, Governor
Jon Husted, Lt. Governor

Division of State Fire Marshal
Sheryl Maxfield, Director



November 18, 2019

Matt Didier
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Mail Code SE-7J
Chicago, IL 60604-3507

**RE: The Port of Greater Cincinnati Development Authority Community-Wide Brownfield
Revolving Loan Fund Grant Proposal**

Subject: Letter of Support for the Port of Greater Cincinnati Development Authority - USEPA
Brownfield Revolving Loan Fund Grant proposal

Dear Mr. Didier:

This letter acknowledges that the Port of Greater Cincinnati Development Authority (The Port) notified the Office of the Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR) of its plans to use the \$250,000 of the larger \$1,000,000 grant proposal for a community-wide brownfield Revolving Loan Fund (RLF) for sites with petroleum waste contamination. The remaining portion of the loan would be used for sites with hazardous waste. The grant will be used to fund large scale brownfield site along the I-75/Mill Creek Corridor through Hamilton County, specifically the localities of Queensgate, Camp Washington, Carthage and the City of Reading. By addressing these areas and others, the revolving loan fund will support ongoing efforts to improve livability, add to ongoing redevelopment efforts and provide new economic development and employment opportunities. The Port plans to combine private investment, other government agencies and community organizations to obtain investment opportunities, grants and financing to cleanup and redevelop sites assessed through this grant.

I am pleased to offer BUSTR's support for the Port of Greater Cincinnati Development Authority's Brownfield Revolving Loan Fund Grant proposal. We look forward to working with the Port of Greater Cincinnati Development Authority and the U.S.EPA on this project

Sincerely,

Verne A. Ord
Bureau Chief – BUSTR
Division of State Fire Marshal
Ohio Department of Commerce

xc: Site File
Melissa Johnson, The Port of Greater Cincinnati Development Authority

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

12/02/2019

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Port of Greater Cincinnati Development Authority

* b. Employer/Taxpayer Identification Number (EIN/TIN):

* c. Organizational DUNS:

1267366720000

d. Address:

* Street1: 3 East Fourth Street

Street2: Suite 300

* City: Cincinnati

County/Parish:

* State:

OH: Ohio

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code: 45202-3728

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Julie

Middle Name:

* Last Name:

Banner

Suffix:

Title: Industrial Development Manager

Organizational Affiliation:

* Telephone Number: 513-632-3757

Fax Number:

* Email: jbanner@cincinnatiport.org

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

X: Other (specify)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

Port Authority

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-19-06

* Title:

FY20 GUIDELINES FOR BROWNFIELD REVOLVING LOAN FUND GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

U.S. EPA Brownfields Revolving Loan Fund Grant

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="1,000,000.00"/>
* b. Applicant	<input type="text" value="200,000.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="1,200,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed: