

- Water management facility
- Infrastructure and equestrian development of the area around Lake Okeechobee
- Asphalt and road materials manufacturing
- The production and use of U.S. Army Corps of Engineers and Florida Department of Transportation certified materials
- Purchasing equipment for the various projects
- Agricultural development, and
- Trucking, rail and barge transportation.

The Regional Center shall focus on offering EB-5 compliant capital investment opportunities into investments in rock mining and mineral extraction, ecosystem restoration and waste water treatment facility, farming and agricultural development, land renovation, asphalt and road materials manufacturing, trucking, rail and barge transportation in the following eight (8) target industry economic categories:

1. NAICS 21231 Rocking Mining
2. NAICS 1112 Farming
3. NAICS 324121 Asphalt Manufacturing
4. NAICS 484220 Trucking
5. NAICS 2213 Wetland Construction
6. NAICS 212321 Sand Processing
7. NAICS 488210 Rail Loading
8. NAICS 488320 Barge Loading

Note: If any investment opportunities arise that are beyond the scope of the approved industry categories, then an amendment would be required to add that category.

Aliens seeking immigrant visas through the Immigrant Investor Pilot Program may file individual petitions with USCIS for capital investments in new commercial enterprises located within and affiliated with the approved Regional Center area.

For any alien requesting the reduced threshold of \$500,000 based upon an investment in a Targeted Employment Area ("TEA"), the alien must establish at the time of filing of the I-526 petition that the investment will be made in a TEA, or was made in a TEA at the time of the alien's initial investment into the enterprise.

EMPLOYMENT CREATION

Immigrant investors who file petitions for capital investments in new commercial enterprises located within and affiliated with the Regional Center area must fulfill all of the requirements set forth in INA 203(b)(5), 8 CFR 204.6, and 8 CFR 216.6, except that the petition need not show that the new commercial enterprises created ten new jobs directly as a result of the immigrant investor's investment. The determination whether the alien investor has met the job creation requirements will be established by a review of the required initial evidence at 8 CFR 204.6(j) and 8 CFR 216.6(a)(4) for the Form I-526 and Form I-829 petitions, respectively.

The capital investment and job creation activities outlined in the individual petitions must fall within the bounds of the final economic analysis that is contained as part of the approved Regional Center proposal and its indirect job creation model and multipliers contained within the final approved Regional Center application package. The econometric model used by the regional center is IMPLAN and the determining factor for job creation used is by industry for each \$1 million invested. Since the project is an on-going project and 27 jobs have been already created prior to the designation of this regional center, those 27 jobs cannot be credited to EB-5 investors.

The EB-5 investor must show at the time of filing the Form I-829 Petition that he or she performed the activities described in the approved Form I-526 petition, and the activities must be based on the approved regional center methodology for demonstrating job creation based on the EB-5 investor's investment in order for the I-829 petition to be approved and the conditions removed from the EB-5 investor's lawful permanent resident status.

Additional Guidelines for individual Immigrant Investors Visa Petition (I-526)

Each individual petition, in order to demonstrate that it is associated with the Regional Center, in conjunction with addressing all the requirements for an individual immigrant investor petition, shall also contain as supporting evidence relating to this Regional Center designation, the following:

1. A copy of this letter, the Regional Center approval and designation.
2. A copy of the USCIS approved Regional Center narrative proposal and business plan.
3. A copy of the job creation methodology required in 8 CFR 204.6(j)(4)(iii), as contained in the final Regional Center economic analysis which has been approved by USCIS, which reflects that investment by an individual immigrant investor will create not fewer than ten (10) full-time employment positions for qualified employees, either directly or indirectly, per immigrant investor. If the approval of the plan for capital investments in a given industry economic cluster is based upon an exemplar capital investment project, then the immigrant investor petition must also be supported by a business plan and associated economic that shows that the actual capital investment in the Form I-526 petition comports to the exemplar capital investment project approved in the regional center designation and that it is otherwise EB-5 compliant.
4. A legally executed copy of the USCIS reviewed and approved documents:
 - a. Operating Agreement Dated January 1, 2011
 - b. Private Placement Memorandum Submission date July 26, 2010
 - c. Subscription Agreement Submission date July 26, 2010
 - d. Limited Partnership Agreement; and Submission date July 26, 2010
 - e. Escrow Agreement. Submission date July 26, 2010

Capital Investment Plan for the Lake Point Wetlands and Restoration Project

Based on its review and analysis of your proposal, USCIS hereby designates the **Lake Point Wetlands and Restoration Project** as an approved Capital Investment Project for the Lake Point EcoVentures Regional Center. The project plan is to create jobs and restore the wetlands in and around Lake Okeechobee in western Martin County, Florida, over a four-year, three phase period of renovation. This project approval will allow the 45 investors sought to begin filing their respective Forms I-526, Immigrant Petition by Alien Entrepreneur, with the appropriate fee.

To demonstrate that an individual alien investor is associated with this project and your regional center, each Form I-526 petition, in conjunction with addressing all the requirements for that petition, shall also contain supporting evidence relating to this Capital Investment Project and the regional center designation, as follows:

1. A copy of all the documents listed above.
2. Listing of all investors as of the date of filing the I-526 and identify those investors who are seeking classification as an alien entrepreneur under section 203(b)(5).
3. Letters of commitment from non-EB-5 equity investors.
4. The relating Business Plan and Economic Analysis submitted with the RC proposal.

If there are any substantial changes altering the Capital Investment project plans including the investment plan, then a Form I-924 amendment application would have to be filed by the Regional Center.

DESIGNEE'S RESPONSIBILITIES INHERENT IN CONDUCT OF THE REGIONAL CENTER:

The law, as reflected in the regulations at 8 CFR 204.6(m)(6), requires that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether your Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information in order to provide the information required on the Form I-924A supplement. Form I-924A, Supplement to Form I-924 is available in the "Forms" section on the USCIS website at www.uscis.gov.

Effective November 23, 2010, the failure to timely file a Form I-924A Supplement for each fiscal years in which the regional center has been designated for participation in the Immigrant Investor Pilot Program will result in the issuance of an intent to terminate the participation of the regional center in the Pilot Program, which may ultimately result in the termination of the approval and designation of the regional center.

Note: The requirement for the filing of Form I-924A Supplement commences in fiscal year 2011. Each regional center that remains designated for participation in the pilot program as of September 30, 2011 must submit the Form I-924A Supplement with the required supporting documentation on or before December 29, 2011.

If you have any questions concerning the Regional Center approval and designation under the Immigrant Investor Pilot Program, please contact the USCIS by Email at USCIS.ImmigrantInvestorProgram@dhs.gov.

Sincerely,



Rosemary Langley Melville
Director
California Service Center

cc: Jose E. Latour, Esq.



**U.S. Citizenship
and Immigration
Services**

DATE **MAY 16 2011**

Lake Point EcoVentures, LLC
Attn: Jacob P. Levin
4500 Biscayne Boulevard # 105
Miami, FL 33137

Application: Request for Designation as a Regional Center
Applicant(s): Jacob P. Levin

Re: Lake Point EcoVentures Regional Center
RCW1031910037

Pursuant to Section 610 of the Appropriations Act of 1993, as amended, on July 1, 2010, Jacob P. Levin submitted a proposal seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the Lake Point EcoVentures Regional Center.

USCIS hereby designates Lake Point EcoVentures Regional Center as a Regional Center within the Immigrant Investor Pilot Program and approves the request as described below:

GEOGRAPHIC AREA:

The Lake Point EcoVentures Regional Center shall have a geographic scope which includes Martin, Palm Beach, Okeechobee and St. Lucie counties in the State of Florida.

FOCUS OF INVESTMENT ACTIVITY:

As depicted in the economic model, the general proposal, business plan and associated economic analysis, the Regional Center will engage in the following economic activities:

- Rock mining
- Mineral extraction
- Wetlands and ecosystem restoration
- Rock and sand processing facilities
- Rebuilding the Herbert Hoover Dike on Lake Okeechobee
- Water restoration
- Water purification systems
- Storm water treatment areas
- Farming activities
- Land management and renovation of Lake Okeechobee

- Water management facility
- Infrastructure and equestrian development of the area around Lake Okeechobee
- Asphalt and road materials manufacturing
- The production and use of U.S. Army Corps of Engineers and Florida Department of Transportation certified materials
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Sincerely,



Rosemary Langley Melville
Director
California Service Center

cc: Jose E. Latour, Esq.