DRAFT

Date, 2020

Mr. Andrew McGilvray
Executive Secretary
Foreign-Trade Zones Board
U.S. Department of Commerce,
FCB - Suite 4100W
1401 Constitution Avenue NW
Washington, D.C. 20230

Subject: Application for Minor Boundary Modification

Dear Mr. McGilvray:

Broward County, Florida, as Grantee of Foreign-Trade Zone (FTZ) No. 25, hereby formally requests approval of a Minor Boundary Modification under the alternative site framework.

FTZ No. 25 consists of approximately 435 acres of land designated as FTZ, of which 83 acres are currently activated with existing buildings at virtually 100% occupancy. In addition, Subzones 25B, 25C, 25D, 25E, and 25F have been added to accommodate the special-purpose needs of CITGO Petroleum Corporation, TransMontaigne Product Services, Inc., Motiva Enterprises LLC, Chevron Products Company, and South Florida Materials Corporation, respectively.

Broward County has received a request for FTZ designation from Universal Shipyard, LLC (Universal). Universal is a Florida corporation that owns and operates Universal Marine Center, a mega-yacht marina with full docking amenities, in Fort Lauderdale, FL. Universal has expressed an immediate need for FTZ benefits at their location to handle a growing market for its yacht sales business. Therefore, Broward County, on behalf of Universal, is requesting that 11.54 acres of available marina basin located at 2700 SW 25th Terrace, Fort Lauderdale, FL, be designated as a part of Broward County 's foreign-trade zone as established under its Foreign-Trade Zone Grant of Authority. Broward County seeks such designation through a minor boundary modification because of the immediate need of Universal. In this manner, Universal will be able to become active in the FTZ immediately upon FTZB approval and subsequent CBP activation.

Universal's current business needs dictate that it become active at the new site as soon as possible. FTZ benefits are essential to Universal's business plan and its related job retention/creation and investment in South Florida. With FTZ benefits, Universal expects to expand its business and grow employment.

Broward County and Universal respectfully request that this Application be processed expeditiously so as not to unduly delay Universal's ability to meet the demand for their services or disrupt their planned FTZ business expansion activities. Once approved by the FTZB, Universal will be able to serve a broader market in its new FTZ location immediately upon subsequent CBP activation.

Broward County is submitting this Application as an extension of the long effort by civic leaders to increase employment opportunities and investment in Broward County by encouraging international business activities. The foreign-trade zone operations envisioned will be an essential factor in the County's continuing program to attract new industries and help the existing industry to expand. The data contained in this Application sets forth the importance of this project to the continued growth of the community.

Enclosed is an original copy of the Application for Minor Boundary Modification for your consideration. Broward County appreciates your timely review of the Application for the reasons discussed therein. Thank you in advance for your support and assistance. If you have any questions regarding this report, please contact Jorge A. Hernández, Director of Business Administration, at jorhernandez@broward.org, with a copy to Robert C. Jacob, Jr., Foreign-Trade Zone Operator, at rjacob@broward.org.

Sincerely,

Glenn A. Wiltshire, Acting Chief Executive & Port Director

Enclosure

OMB Control No. 0625-0139 Expiration Date: 03/31/2019

Application for Subzone or Usage-Driven Designation ("Minor Boundary Modification") Under the Alternative Site Framework (ASF)

Instruction Sheet

This collection of information contains Paperwork Reduction Act (PRA) requirements approved by the Office of Management and Budget (OMB). Notwithstanding any other provision of law, no person is required to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 3.5 hours, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons wishing to comment on the burden estimate or any aspect of this collection of information, or offer suggestions for reducing this burden, should send their comments to the ITA Reports Clearance Officer, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, DC 20230.

No zone, subzone, zone expansion/reorganization/modification, or production authority may be approved unless a completed application/notification/request has been received (19 U.S.C. 81a-81u; 15 CFR Part 400). The Foreign-Trade Zones Board has no authority to finance zone projects. Its approval is in the form of a grant of authority (license) for operating a facility under foreign-trade zone procedures. The basic requirements for foreign-trade zone applications are found in the regulations of the Foreign-Trade Zones Board (15 CFR Part 400), including Sections 400.21 through 400.25. Application formats are available on the FTZ Board web site: http://www.trade.gov/ftz.

Corporations submitting applications must be qualified to apply under the laws of the state in which the zone is to be located. Applicants may submit drafts of their applications to the FTZ Staff, which can provide comments and technical assistance in interpreting the Board's regulations.

Applicants should note that conduct of their proposed activity under FTZ procedures would result in an additional, ongoing information-collection burden associated with the Annual Report from Foreign-Trade Zones (OMB Control No. 0625-0109).

FTZ Staff March 2013

Foreign-Trade Zones Board U.S. Department of Commerce 1401 Constitution Avenue, N.W., Room 21013 Washington, D.C. 20230 (202) 482-2862

Alternative Site Framework

APPLICATION FOR SUBZONE OR USAGE-DRIVEN DESIGNATION ("MINOR BOUNDARY MODIFICATION")

NOTE: This format is only for a Minor Boundary Modification (MBM) to propose a "Subzone" or "Usage-Driven" site(s) under the Alternative Site Framework (ASF).

INSTRUCTIONS

General: This format consists of a small number of questions to answer and, for ease of use, is provided as a MS Word document. The actual submitted request may take the form of a letter from the grantee requesting approval and answering each question listed below. Alternatively, the request may include a cover letter from the grantee identifying the specific Subzone/Usage-Driven site for which it is requesting approval and then a separate document answering the questions below. Leave each question in place (including its number) and provide your response directly below each question.

Subzone versus Usage-Driven Designation: Under the FTZ Board's regulations (§400.24(c)), a grantee can request designation of a site(s) as a subzone that qualifies for usage-driven status, where warranted by the circumstances and so long as the subzone activity remains subject to the activation limit for the zone in question. As with usage-driven sites, subzone sites designated under this process will be subject to the standard three-year sunset provision.

Sites versus Parcels: A "site" is comprised of one or more generally contiguous parcels of land organized and functioning as an integrated unit, such as all or part of an industrial park or airport facility. If parcels do not meet that definition, they must be treated as separate sites.

Submitted Request Must Be Complete: Submitted MBM requests must be complete – with the sole allowable exception of any comments from U.S. Customs and Border Protection (CBP), if necessary. Incomplete submitted requests or documents submitted separately will be returned to the sender. The FTZ Staff cannot assemble complete requests from individual elements submitted separately.

Number of Copies: Please submit the original and <u>one electronic copy</u> of the complete request (Adobe PDF format preferred; you may use MS Word format if you are unable to submit PDF). The electronic copy must include a color map(s) and scans of all signed letters.

Timing: Under the FTZ Board's regulations, the ordinary timeframe to process MBM requests is within 30 days of the FTZ Staff having received a complete request. Timing will depend on receipt of CBP's comments on the request.

Alternative Site Framework

APPLICATION FOR SUBZONE OR USAGE-DRIVEN DESIGNATION ("MINOR BOUNDARY MODIFICATION")

QUESTIONS

| 1. | Please mark the appropriate space below to indicate whether you are requesting "Subzone" or "Usage-Driven" designation for the proposed site(s): | | | |
|----|--|--|--|--|
| | SubzoneXUsage-Driven | | | |
| 2. | List the address of the site(s), including the jurisdiction in which the site(s) falls (town, city, county). | | | |
| | 2700 SW 25th Terrace, Fort Lauderdale, Broward County, Florida | | | |
| 3. | . Explain how the proposed site(s) is within the grantee's approved ASF service area. | | | |
| | The proposed site is located in Broward County, all of which consists of Broward County's approved ASF service area. | | | |
| 4. | State the proposed acreage of the site(s). | | | |
| | The proposed site consists of 11.54 acres | | | |
| 5. | Indicate the company for which the site(s) will be designated. | | | |
| | The designation of the proposed site is for the use of Universal Shipyard, LLC | | | |
| 6. | Provide a summary of the company's planned activities. | | | |
| | Universal Shipyard, LLC's planned FTZ activities consist of docking and safe harboring international flagged yachts to be serviced, shown to prospective buyers, taken for "sea trials", returned and exported to International Waters. | | | |
| 7. | Indicate the current zoning and the existing and planned buildings (including square footage for the site(s). (Note: Sites (or areas within a site) with inappropriate zoning – such as agricultural, retail, or residential – are not eligible for FTZ status and should not be proposed in any MBM request.) | | | |

The current zoning is "20", which is described as "Airports (private or

commercial), bus terminals, marine terminals, piers, marinas".

8. Confirm that FTZ designation or the use of FTZ procedures is not a requirement or a precondition for future activity or construction at the site(s).

The FTZ designation or the use of FTZ procedures is not a requirement or a precondition for future activity or construction at the site.

9. List the owner(s). (If a site(s) is not owned by the grantee or the company planning to use the site(s) – as named in response to Question 5 above – then provide a "Right to Use" attachment with documentation demonstrating the right to use the site(s). Such evidence could be a signed letter from the proposed operator on its letterhead attesting to its right to use the property or a letter of concurrence from the owner of the proposed site(s).)

The owner of the proposed site is Universal Shipyard, LLC.

ATTACHMENTS

Attach the documents listed below (Items 10 and 11, plus Item 12 if applicable) directly behind the text of your request.

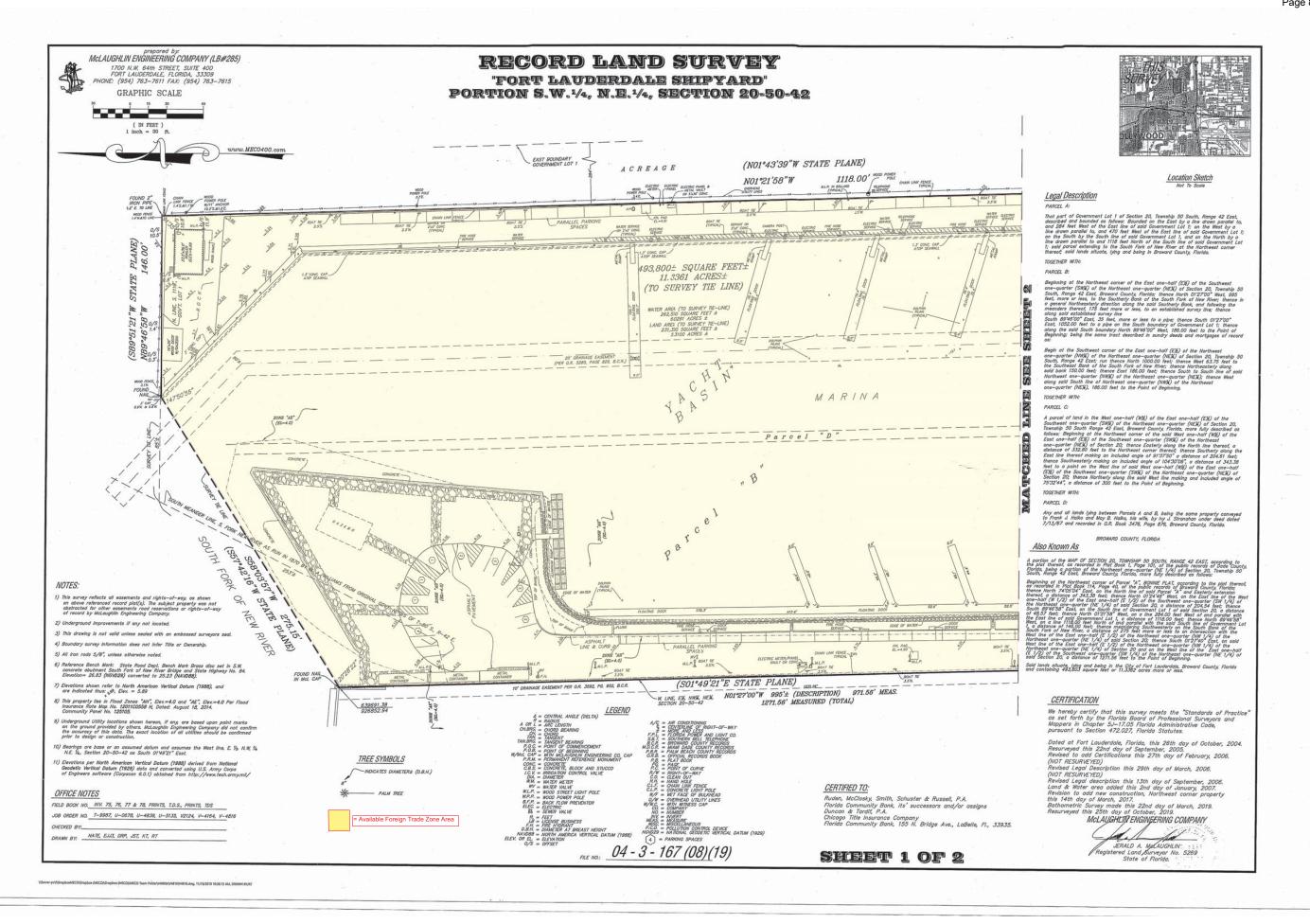
10. A clear and detailed site map showing existing and planned structures. The site boundaries must be outlined clearly <u>in red</u>. Note that if streets or similar landmarks are not legible on the site map, you will also need to provide a detailed street map with the proposed site's boundaries <u>in red</u>. Any map should be no larger than letter-sized (8 1/2" x 11") and clearly labeled, with legends provided for any markings.

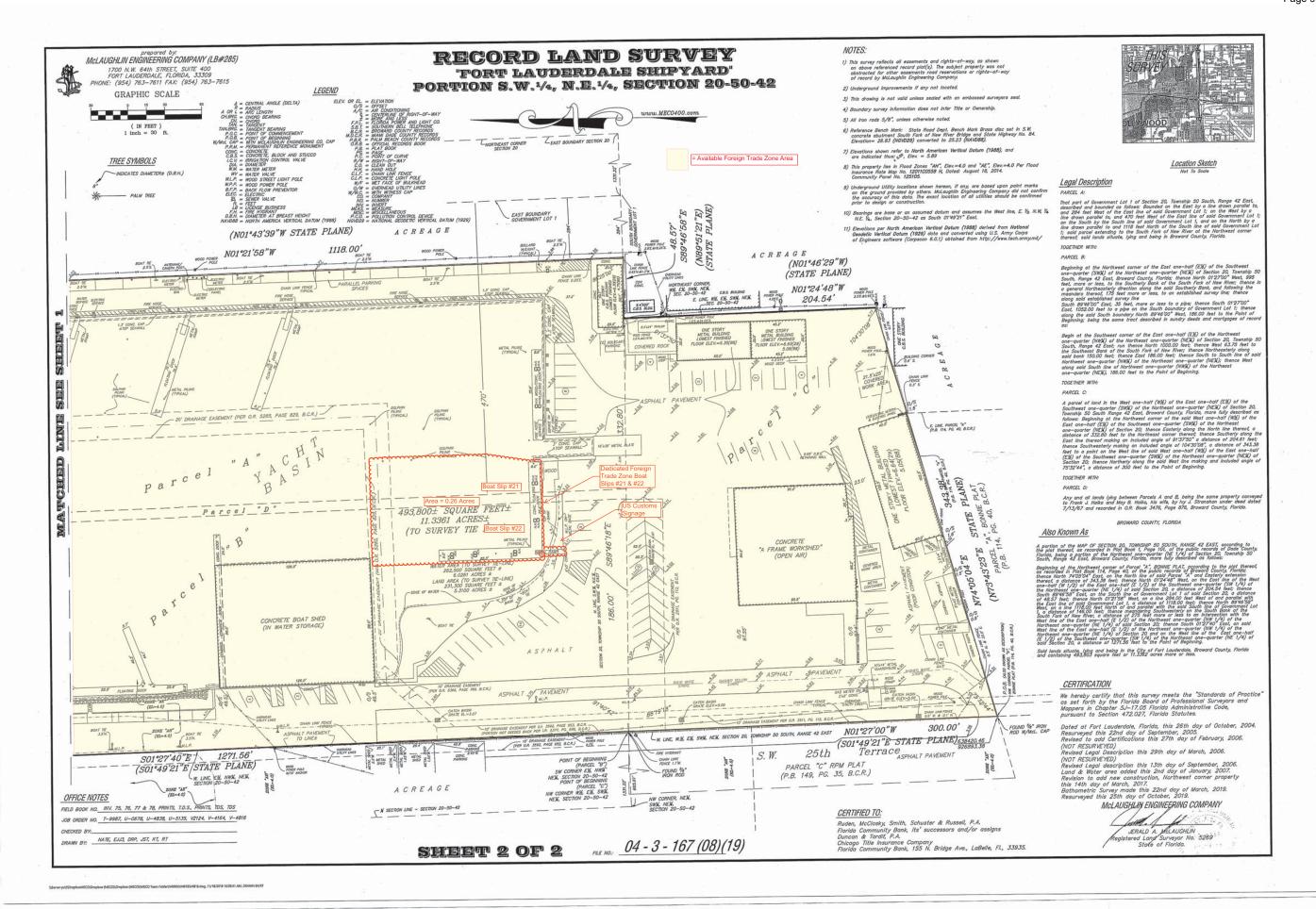
The detailed site map showing existing structures and site boundaries is attached hereto as a part of Exhibit A.

11. Comments from U.S. Customs and Border Protection (CBP): The grantee generally should provide comments from CBP with the submitted request. Alternatively, the grantee may provide a copy of the request to CBP at the time the request is submitted to the FTZ Board, in which case the grantee should also communicate with CBP regarding the 20-day timeframe in the FTZ Board's regulations for CBP to provide comments to the FTZ Board.

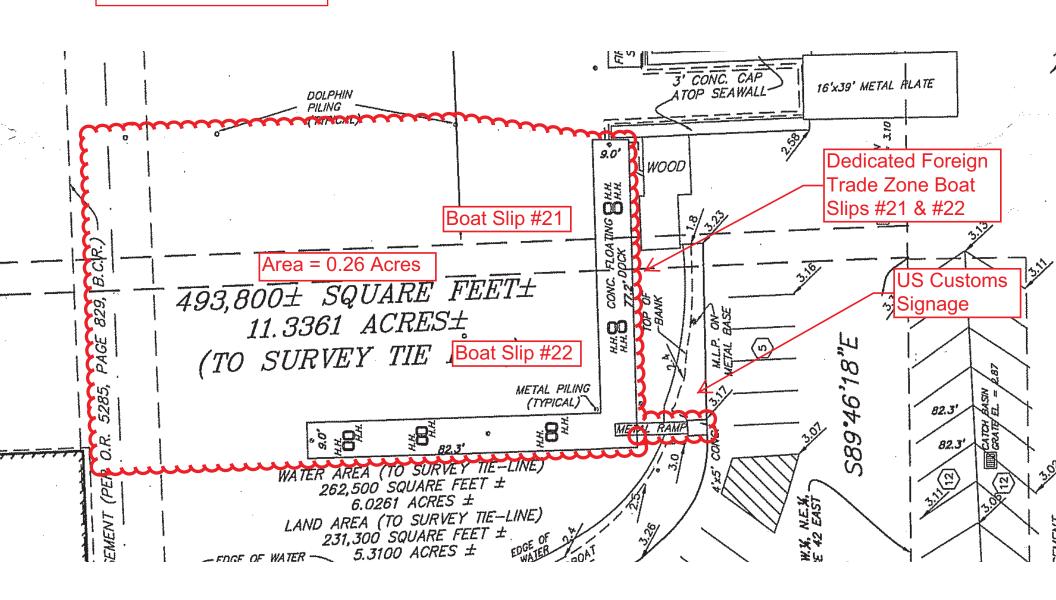
Comments from CBP have been prepared and are attached hereto as a part of Exhibit B.

- 12. If your state (such as TX, KY, AZ) has one or more taxes for which collections will be affected by the proposed FTZ designation of the new site(s), please attach all of the following:
 - A. An explanation of the specific local taxes that will be affected;
 - B. A stand-alone letter that:
 - Lists all of the affected parties;
 - Includes a statement below the list certifying that this is a complete list of all parties that would be affected by this particular request; and,
 - Is signed by an official of the grantee organization.
 - C. Correspondence from all of the affected parties (such as a local school board) indicating their concurrence (or non-objection) regarding the proposed FTZ designation.





Universal Marine Center 2700 SW 25th Terrace Fort Lauderdale, Florida 33312



UNIVERSAL SHIPYARD, LLC

2751 SW 25th Terrace Ft Lauderdale, Florida 33312 Phone: (954) 791-0550 Fax: (954) 791-0555

October 3, 2019

Transmit via email (RJacob@broward.org) & Hand Delivery

Robert C. Jacob, Jr, Foreign - Trade Zone Operator Port Everglades Department Business Administration Foreign - Trade Zone No. 25 BROWARD COUNTY FLORIDA 1850 Eller Drive Fort Lauderdale, Florida 33316

RE: Foreign-Trade Zone No. 25 Operator Application for Universal Marine Center, 2781 SW 25th Terrace, Fort Lauderdale, Broward County, Florida.

Subject: Designation of Portion of Property to become a Foreign-Trade Zone No. 25.

Dear Mr. Jacob;

Please accept this correspondence as our written confirmation that is our desire to activate under Broward County's Foreign-Trade Zone No. 25 a portion of our Universal Marine Center Marina property located at 2781 SW 25th Terrace, Fort Lauderdale, Broward County, Florida.

I, Marc Elalouf, being the Title Manager of Universal Shipyard, LLC a Florida Limited Liability Corporation (owner of the property) through my Registered Agent Laurent Bensoussan, hereby give consent to the designation of our properties (listed below in our table) as a part of Foreign-Trade Zone No. 25. Below are the street addresses, Broward County Property Appraisers (BCPA) Tax Folio Nos. and legal descriptions of the properties being designated.

| Universal Shipyard, LLC Foreign-Trade Zone No. 25 Properties | | | | |
|---|---|--------------------------|---|--|
| # | Street Address | BCPA Tax Folio No. | Abbr. Legal Description | |
| 1 | 2781 SW 25 th Terrace, Ft. Lauderdale, Florida 33312 | 5042 20 00 0050 | 20-50-42 BEG AT SW COR OF E1/2 OF NW1/4, N 995 TO S BANK OF S FORK NEW RIVER, NE ALG SLY BANK 175M/L, E 35, S 1052 TO S/L OF NW1/4 OF NE1/4, W 186 TO POB, TOG WITH E½ OF NW ¼ OF NE LYING S OF S FORK OF NEW RIVER AS DESC IN OR 2911/458, LF.SS PT DESC IN DB 708/544 | |
| 2 | 2781 SW 25 th Terrace, Ft. Lauderdale, Florida 33312 | 5042 20 00 0113 | 20-50-42 BEG AT NW COR OF W1/2 OF E1/2 OF SW1/4 OF NE1/4 THENCE RUN ELY ALONG N LINE 332.80 TO NE COR TERREOF, SLY ALONG E LINE 204.61 SWLY 343.38 TO POINT ON W LINE, NLY ALONG W LINE 300 TO POB | |

Robert C. Jacob, Jr, Foreign - Trade Zone Operator Port Everglades Department October 3, 2019 Page 2 of 2

If you should require any additional information, please continue to correspond with our applicant FTZ agent Mr. Michael Betancourt (954-640-4400). Thank you.

Sincerely,

UNIVERSAL SHIPYARD, LLC

Laurent Bensoussan Registered Agent