

Fooshee Pass Campground and Recreation Area - Request for Proposal Submittal Instructions

Applicants who are interested in operating Fooshee Pass Campground and Recreation Area should submit their proposal to TVA by mail at the following address:

Tennessee Valley Authority
400 West Summit Hill
Knoxville, TN 37902

Proposals must be submitted via hardcopy in a three-ring binder with paper that is no larger than ledger size (11x17) as well as an electronic copy on a CD. Please submit five (5) hardcopies of the proposal. **NOTE:** Please do not include thumb drives with your package; they will not be opened or returned. Proposals may be delivered through any standard delivery service (e.g. U.S.P.S., FedEx or UPS). It is recommended that proposals be sent certified or registered with a return receipt requested. **In order to be considered, the proposal must be received by TVA no later than 90 days after the posting date.**

All applicants must provide the following information before TVA will review the proposal:

- [Applicable Business Experience \(Form 1\).](#) Include a detailed explanation of experience relating to development, operation and maintenance of campgrounds and associated facilities and other business or work experience.
- [Financial Statements and Viability of Operation \(Form 2\).](#) The applicant should have cash or readily convertible assets equivalent to at least 25 percent of estimated operating costs. FINANCIAL STATEMENTS AND PLANS FOR FINANCING ARE SECURED IN CONFIDENCE AND ARE NOT PUBLIC INFORMATION.
- [A Complete Credit Application \(Form 3\).](#) Provide the information contained in "TVA Credit Evaluation Materials" as well as a completed "Release of Information Form." One component of your proposal's acceptance will be a favorable credit review.
- [Five-year Business Plan \(Form 4\).](#) Provide a narrative description of all services and facilities to be provided including projected occupancy rates, cash flows, revenues, operating costs and expected capital outlay for the first five years. Provide a description of any proposed facility expansions or additional development, including a list of proposed upgrades. For proposals containing expanded facilities, please include a general schedule, description of phases of construction, and anticipated completion dates along with the anticipated costs for each phase of expansion. Provide a general concept plan and scope of land impact, including a conceptual site plan and related drawing(s) that includes both existing facilities and any proposed expansion plans.
- [Business References \(Form 5\).](#) In support of those items above, the names, addresses, and telephone numbers of at least three (3) business references, not related to the applicant by blood or marriage, should be submitted.
- [Operating Proposal \(Form 6 – attach additional pages if necessary\).](#) Describe how the recreation area would be operated, the type of equipment to be utilized, and how public services would be provided. While not limited to the following list, please supply details regarding the following at a minimum:
 - Number of employees, duties, and supervisors

- Fee collection
 - Security
 - Cleaning, mowing, and maintenance of premises and facilities
 - Storage and maintenance of materials and equipment
 - Reservation system (if proposed)
 - Type of temporary resident manager living quarters, if applicable
 - Other revenue-producing operations
 - Long-term campsite rentals (location and proportion)
 - Source, amount, and scope of liability insurance (see minimum in prospectus)
 - Source and type of security assurance.
 - Operation of day-use area (if applicable).
 - Communication of campground rules and other information (flooding or other emergencies) to campers (i.e. signage, newsletters, Facebook, email, etc.)
 - Campground operating season including proposed date of the mandatory two-week vacancy period
 - Detailed plan for holding an annual lottery drawing or management of a waiting list to comply with the Length of Stay guidelines
- [Statement of Authorization \(Form 7\)](#). Provide Form 7 authorizing TVA to investigate, if necessary, the applicant's ability to finance, develop, and operate facilities including the authority to run any background checks deemed necessary by TVA
 - Completed [Land Use Application \(Form 8\)](#)
 - Completed [Section 26a Application \(Form 9\)](#)
 - Completed [Applicant Disclosure Form \(Form 10\)](#)
 - [Commitment Statement \(Form 11\)](#). Proposals must be signed by an official that is authorized to bind the applicant, and proposals shall remain binding for twelve months after the closing date of this prospectus
 - [Processing and Administrative Costs](#). Applicants must submit a \$5,000 deposit payable to TVA with each proposal. If selected as the grantee, the \$5,000 deposit will be applied toward the total administrative cost. If the successful applicant withdraws after being notified they were selected, the \$5,000 deposit shall be forfeited to TVA. Applicants that are not selected will receive a full refund of the \$5,000 deposit.
 - \$5,000 check made payable to TVA for initial processing fee (see prospectus for administrative fee details). Full refunds will be provided to individuals not selected.

Selection Criteria

TVA's objective is to select the most qualified operator to provide quality recreation services and facilities to the public. TVA will judge proposals on various evaluation criteria, including, but not limited to, the following:

- Experience and qualifications in developing, operating, and managing campgrounds, marinas and other commercial recreation or similar facilities
- Capability to perform required services and meet minimum operation and maintenance standards
- Type and quality of services proposed
- Professional qualifications and experience of the applicant
- Comprehensiveness and clarity of the submitted proposal
- Proposed plans and development schedule for facility improvements and enhancements

TVA reserves the right to reject any and all proposals and to waive any technical defects in the proposals. TVA will not be obligated to pay any costs incurred by applicants in the preparation of proposals. Proposals that include any false information or misrepresentation will be rejected. Plans and materials submitted with proposals will not be returned unless specifically requested by the applicant.

Minimum Criteria

- Three (3) years of business operation experience; operation and development of a commercial recreation facility is preferred
- Net worth of \$1 million is preferred
- Demonstrated ability to meet financial requirements for operation and development
- No prior liens, suits, judgments or bankruptcies

Disclaimer

- All applicants are advised to read the prospectus carefully and contact TVA with any questions. Inquiries may be sent via email to Aurora Moldovanyi Pulliam at admoldovanyi@tva.gov or by calling (800) TVA-LAND.
- TVA does not warrant or guarantee the grantee a profitable operation. Each applicant is encouraged to make his or her own economic appraisal of the opportunity offered by the prospectus relative to the location, current condition and other factors.
- It is the applicant's responsibility to make his or her own assessments of the operational needs in considering a proposal. TVA makes no warranties or representations, expressed or implied, about the information contained in the prospectus.
- An individual from the firm, corporation, business, partnership, or sole proprietorship can request an onsite inspection of the facility and tour of the area led by a TVA representative before responding with a proposal. Please contact Aurora Moldovanyi Pulliam at admoldovanyi@tva.gov or by calling (800) TVA-LAND to schedule an appointment.
- Applicants may wish to identify portions of their proposal that they consider personal or confidential (e.g. personal financial statements or proprietary business data). TVA will independently determine whether such material may be exempt from public disclosure under the Freedom of Information Act procedures.
- The provisions and conditions of this invitation and prospectus may be changed or supplemented by TVA in writing at any time.

Questions about the proposal submission requirements should be sent to:

Aurora Moldovanyi Pulliam
Recreation Agreement Specialist
TVA Natural Resources

Tennessee Valley Authority
400 West Summitt Hill Drive
Knoxville, TN 37902
(800) TVA-LAND
admoldovanyi@tva.gov

[TVA's Public Land Information Center](#)
1-800-882-5263

APPLICABLE BUSINESS EXPERIENCE

Include a detailed explanation of the applicant's experience relating to operation of campground and associated facilities.

Name of business: _____

Dates: _____

Location: _____

Description: _____

Services provided: _____

Public served: _____

Number of employees: _____

Volume of business: _____

APPLICABLE BUSINESS EXPERIENCE (continued)

Indicate other business or work experience for at least the past 5 years.

Employer: _____

Dates: _____

Location: _____

Job title and description of responsibilities: _____

FINANCIAL STATEMENT

Financial Statement of _____

This financial statement is submitted in connection with a proposal for a lease agreement to operate a campground.

Each applicant must provide the following information.

<u>ASSETS</u>		<u>LIABILITIES</u>	
1. Cash (including savings)	\$ _____	1. Accounts Payable	\$ _____
2. Accounts Receivable	\$ _____	2. Notes Payable	\$ _____
3. Notes Receivable	\$ _____	3. Mortgage	\$ _____
4. Equipment Owned		4. Other Liabilities	
Vehicles	\$ _____	_____	\$ _____
Other	\$ _____	_____	\$ _____
5. Real Property	\$ _____	_____	\$ _____
6. Marketable Investments	\$ _____	_____	\$ _____
7. Other Major Assets		_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
TOTAL ASSETS	\$ <u> </u>	TOTAL LIABILITIES	\$ <u> </u>
NET WORTH \$ <u> </u>			

The applicant should have cash or readily convertible assets equivalent to at least 25 percent of estimated operating costs. **FINANCIAL STATEMENTS AND PLANS FOR FINANCING ARE SECURED IN CONFIDENCE AND ARE NOT PUBLIC INFORMATION.**

Credit Evaluation Guidelines

Initial Credit Evaluation

Each party will be subject to a complete credit evaluation in order for TVA to determine creditworthiness. In completing the initial credit evaluation, TVA will consider many factors including, but not limited to:

- 1) Financial Statements:
 - a) Audited financial statements for the last three (3) preceding fiscal years that include balance sheets, income statements, statements of cash flows, and notes to the financial statements.
 - b) Interim financial statements for the most recent fiscal quarter.
 - c) If publicly traded:
 - i) Annual report on Form 10-K for the last three (3) preceding fiscal years
 - ii) Form 10-Q for the most recent fiscal period.
- 2) Rating Agency Reports (S&P, Moody's, and Fitch), if available.
- 3) Bank Information (name, address, phone number and officer contact).
- 4) Credit References (from three (3) sources that include name, address, phone number and contact).
- 5) Legal name and the state of incorporation.
- 6) Shareholder ownership schedule (if applicable).
- 7) Company brochure.
- 8) Complete disclosure of any material litigation, commitments or contingencies, etc.

Credit Release of Information

I, _____, do hereby certify that I am engaged in discussions with the **Tennessee Valley Authority (TVA)** regarding a particular agreement. Further, I do hereby authorize TVA to draw information necessary to complete their review of this proposed transaction, but not limited to a consumer credit report.

Signed: _____ Social Security # _____

Name: _____ Date: _____

Home Address: _____

Bank Reference:

Name: _____

Address: _____

Phone: _____

Officer Contact: _____

Guidelines for Business Plan Information

Cover Sheet

Executive Summary of Proposal

Table of Contents

Company Analysis

- Name, History, Legal Structure, Product/Service Description
- Organization Plan: Owner/Shareholder Information, Location/Facilities, Scope/Size of Business, Impact to Local Economy
- Operational Plan: Employees, Management
- Plans for Growth, Exit Strategy

Marketing Analysis

- Industry Description, Overall Market Discussion and Study, Competition Analysis
- Target Market, SWOT Analysis, Pricing, Promotional Techniques, Supply Chain & Agreements with Suppliers, Projected Sales, Current and Potential Customers List

Financial Analysis

- Startup Costs, Financing of Costs, Accounting System, Loan Applications, Inventory System, Break Even Analysis, Financial Ratios, Assets, Growth Projections
- Income Statement (5 Years)
- Balance Sheet (5 Years)
- Annual Cash Flow Projections/Budget (5 Years, Year 1 by month)

Supporting Documents

- Agreements/Contracts, Resumes, Licenses, Quotes, Maps, Tax Returns

BUSINESS REFERENCES

Please list three references who can confirm the information provided on Proposal Form 1.

1. Name _____

Address _____

Telephone _____

2. Name _____

Address _____

Telephone _____

3. Name _____

Address _____

Telephone _____

OPERATING PROPOSAL

Describe how the recreation area will be operated, the type of equipment to be utilized, and how public services will be provided.

a. Number of employees, duties, and supervision:

b. Fee collections:

c. Security:

d. Cleaning, mowing, and maintenance of facilities and premises:

OPERATING PROPOSAL (continued)

e. Storage and maintenance of material and equipment:

f. Reservation system:

g. Type and location of temporary residence:

h. Other revenue-producing operations:

i. Seasonal campsite rentals:

j. Source and estimated annual cost of liability insurance:

OPERATING PROPOSAL (continued)

k. Source and type of performance guarantee:

l. Operation of the day-use area, swimming beach, boat ramp (if applicable):

m. Communication of camping rules:

n. Operation of annual lottery system:

o. Date of the mandatory two-week vacancy period:

(Reproduce or use additional sheets as necessary.)

AUTHORIZATION TO INVESTIGATE
(Each applicant must complete this authorization)

I hereby authorize TVA to investigate, if necessary, my ability to finance, develop, and operate the facilities, including the authority to run any background checks deemed necessary by TVA

Signature of Applicant

Social Security # _____

Date _____

Please Type or Print Information:

Name: _____

Street Address: _____

City, State, Zip: _____

Telephone Number: _____

TVA SENSITIVE INFORMATION

TENNESSEE VALLEY AUTHORITY



RESERVOIR LAND USE APPLICATION

The Tennessee Valley Authority (TVA) is the steward for public lands and shorelines in the Tennessee Valley pursuant to the TVA Act. To apply for use of TVA reservoir land, consult with staff in the Regional Watershed Office that serves the reservoir of your request. TVA staff will help determine the appropriate initial application fee rate. Submit your completed application with the appropriate initial fee to the regional office to start application review. Your request will be examined in relation to TVA's statutory and operational interests reservoir land management plans, and its current Land Policy as determined by the TVA Board of Directors. The review is subject to the National Environmental Policy Act (NEPA). Submitting an application and payment of the initial fee or other costs does NOT guarantee approval of your request.

TVA OFFICIAL USE ONLY

RLR No.: _____

Tract No. Assigned by Realty: _____

1. Name and Mailing Address of Applicant:

Telephone No. - Home: _____

Office: _____

Cell: _____

E-mail Address: _____

2. Name, Address, and Title of Authorized Agent: (i.e., builder, engineer) Include a letter confirming authorization.

Telephone No. - Home: _____

Office: _____

Cell: _____

E-mail Address: _____

3. Location:

Attach a location map and a map showing boundaries of TVA land needed.

Subdivision: _____

Subdivision Plat Lot No.: _____

Tax Map & Parcel No.: _____

Reservoir: _____

River: _____

River Mile: _____

4. Type of Land Use and TVA Action Level:

Please contact your regional watershed office to help determine the appropriate level of TVA action needed.

Approval by TVA Regional Watershed Office:

☐ Land Use Permit☐ License Agreement☐ Sufferance Agreement

(For these requests, complete only sections 1-7 and 13)

Approval by TVA Board or CEO:

☐ Easement☐ Deed Modification☐ Lease (____ years needed)☐ Abandonment☐ Land Transfer

5. Proposed Time Schedule for your Project:

Start Date: _____

Projected Completion Date: _____

6. Describe your project and its purpose and intended use:

Describe the proposed development, on or off TVA land. Include a general description of proposed structures to be erected and land disturbance, including vegetation removal, fills, and/or excavations. Attach a copy of detailed plans as appropriate.

7. Will federal assistance be used as part of this project?

☐ Yes ☐ No If "yes", describe activity and complete Applicant Information Pre-Award Form.

Skip sections 8-12 and proceed to section 13 if your request requires approval by the Regional Watershed Office. Complete all sections (1 through 13) if your request requires approval by the TVA Board of Directors or TVA Chief Executive Officer. (Section 4)

8. Alternative Site(s) Considered: (Include justification for rejecting alternate locations; attach explanation if needed)

TVA SENSITIVE INFORMATION

9. Anticipated Economic Impacts of your Project:

A. Projected cost estimate and funding source (if project is to be completed in phases, please include time schedule and costs for each phase):

B. Number of jobs to be created - Near-Term

 (including construction) Long-Term

C. Negative socioeconomic impacts considered:

D. Expected public and investor benefits:

10. Describe Anticipated Environmental Impacts: (Include copies of reviews, assessments, or letters from federal or state agencies)

11. List all permits, approvals, or certifications required by other federal, state, or local agencies:

(Include those required for any structure, construction activity, discharge, or other activities described in this application. Attach copies)

Issuing Agency	Type of Approval	Identification Number	Date of Application	Date of Approval

12. Has any agency denied approval for the project described herein or any activity related to the project?

☐ No ☐ Yes (If "Yes", attach explanation)

13. AUTHORIZATION FOR TVA TO PROCESS YOUR APPLICATION:

Application is hereby made for approval of the land use described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. By submitting this request, I understand credit checks will be performed as part of the normal business procedure. Additional financial information may be requested.

PAYMENT TERMS: Payment for land use application processing fees, land transactions, and any related costs are due Net thirty (30) days from the date of invoice. On any overdue payment, TVA shall charge interest at the rate payable by TVA under the United States Prompt Payment Act (31 U.S.C. §§3901-3906) from the date payment is due until the date TVA receives payment. Payment of interest shall be due within thirty (30) days after TVA's invoice for such interest is dated. Failure by the Applicant to pay all invoices within sixty (60) days will result in termination of the request.

I understand TVA charges an initial application fee that is appropriate to the type of request, and that full cost recovery is required for certain actions. I understand and agree to pay all of TVA's costs associated with the processing of this application. Upon receipt of a complete application and the appropriate initial application fee, TVA will initiate a review of my land use request. I understand TVA will invoice me monthly for any review processing costs that exceed the initial application fee. Upon completion of the draft instrument, a standard closing cost fee, if applicable, will be assessed for deed execution, mailing, and filing. Payment of any fee does not guarantee TVA approval. TVA may impose terms and conditions at the time of the approval. The processing fees are in addition to any payment required for the purchase or use of the TVA land. Any unused portion of the initial processing fee will be refunded.

Date

Signature of Applicant

FOR TVA USE ONLY					
Date Application & Fee Received	BSR Initials	Date PL ready to request shortcode	Project Lead Initials	Date of Manager Concurrence	Manager Signature

TVA RESTRICTED INFORMATION

JOINT APPLICATION FORM

Department of the Army/TVA

OMB No. 3316-0060
Exp. Date 08/31/2019

The Department of the Army (DA) permit program is authorized by **Section 10 of the Rivers and Harbors Act of 1899** and **Section 404 of the Clean Water Act (P.L. 95-217)**. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. **Section 26a of the Tennessee Valley Authority Act**, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

Name and Mailing Address of Applicant: _____ Email Address: _____ Telephone Number: Home _____ Office _____ Mobile _____	Name, Mailing Address, and Title of Authorized Agent: _____ Email Address: _____ Telephone Number: Home _____ Office _____ Mobile _____
Facility/Activity Location (include all known information): _____ Reservoir _____ Address: _____ Subdivision, Lot No., and/or Tax Parcel No.: _____ Stream Name and Mile: _____ Longitude/Latitude: _____	
Application submitted to <input type="checkbox"/> DA <input type="checkbox"/> TVA Date activity is proposed to commence: _____ Date activity is proposed to be completed: _____	

Describe in detail the proposed activity, its purpose and intended use (*private, public, commercial, or other*). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I understand that TVA and the U.S. Army Corps of Engineers may contact an Authorized Agent listed above and such Agent may act on my behalf on all aspects of this application. **I agree that, if this application is approved by TVA, I will comply with the terms and conditions and any special conditions that may be imposed by TVA. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.**

Date_____
Name of Applicant (Printed)_____
Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway:

TVA RESTRICTED INFORMATION

List of previous DA/TVA permits/approvals ☐ DA _____ ☐ TVA _____
Permit Number Permit Number

Previous Property Owner (if known) _____

Is any portion of the activity for which authorization is sought now complete? ☐ Yes ☐ No (If "Yes" attach explanation)
 Month and year the activity was completed: _____. Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
☐ Yes ☐ No (If "Yes" attach explanation)

Project plans or drawings, on paper suitable for reproduction no larger than 11 x 17 inches or in electronic format (dxf, docx, or pdf), must accompany the application. Submit the application to the appropriate TVA and U.S. Army Corps of Engineers offices. An application that is not complete will be returned for additional information.

U.S.A.C.E. Offices		TVA Offices	
U.S. Army Corps of Engineers Eastern Regulatory Field Office 501 Adesa Parkway., Suite 250 Lenoir City, Tennessee 37771 (865) 986-7296	U.S. Army Corps of Engineers Savannah District The Plaza, Suite 130 1590 Adamson Parkway Morrow, Georgia 30260-1763 (678) 422-2729	Tennessee Valley Authority Chattanooga Regional Office 4601 N. Access Road, Bldg. B Chattanooga, Tennessee 37415-3825 1-800-882-5263	Tennessee Valley Authority Murphy Regional Office 4800 US Highway 64 West, Suite 102 Murphy, North Carolina 28906 1-800-882-5263
U.S. Army Corps of Engineers Regulatory Branch 3701 Bell Road Nashville, Tennessee 37214 (615) 369-7500	U.S. Army Corps of Engineers Western Regulatory Field Office 2424 Danville Road, SW, Suite N Decatur, Alabama 35603 (256) 350-5620	Tennessee Valley Authority Gray Regional Office 106 Tri-Cities Business Park Drive Gray, Tennessee 37615 1-800-882-5263	Tennessee Valley Authority Muscle Shoals Regional Office Post Office Box 1010, MPB 1H Muscle Shoals, Alabama 35662-1010 1-800-882-5263
U.S. Army Corps of Engineers Norfolk District P.O. Box 338 Abingdon, Virginia 24212 (276) 623-5259	U.S. Army Corps of Engineers Asheville Regulatory Field Office 151 Patton Avenue, Room 208 Asheville, North Carolina 28801-5006 (828) 271-4856	Tennessee Valley Authority Guntersville Regional Office 3941 Brashers Chapel Road Guntersville, Alabama 35976 1-800-882-5263	Tennessee Valley Authority Paris Regional Office 2835-A East Wood Street Paris, Tennessee 38242-5948 1-800-882-5263
		Tennessee Valley Authority Lenoir City Regional Office 260 Interchange Park Drive, LCB 1A-LCT Lenoir City, Tennessee 37772-5664 1-800-882-5263	

Privacy Act Statement

This information is being requested in accordance with Section 26a of the TVA Act as cited on the front page of this form. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.

**Section 26a Permit and Land Use Application
Applicant Disclosure Form**

By signing the Joint Application Form (Department of Army/TVA) or TVA's Land Use Application and again below, you agree to disclose any business, political, or financial interest that may present an actual or potential conflict of interest with TVA. If a new significant business, political, or financial interest is obtained during the period of the time that the application is under review, you agree to file an additional disclosure.

Disclose if any of the following apply to you (check all that apply ☒). I am:

- ☐ An elected government official
- ☐ A policy making level employee of an entity that regulates TVA or its activities
- ☐ A management level employee of a power customer of TVA
- ☐ A TVA Director
- ☐ A TVA employee
- ☐ An immediate family member of one of the above
- ☐ A representative of a corporation or entity submitting an application and one of the above applies to me. Print entity or corporation name, and identify which of the above applies to you.

- ☐ A representative of a corporation or entity submitting an application and the corporation or entity has partners, investors, or senior management that are one of the above. Print entity or corporation name, and identify the partner(s), investor(s), or senior manager(s) and which of the above applies.

- ☐ None of the above

By signing this form, you consent to this Applicant Disclosure Form being made available to the public in response to an appropriate request, including, without limitation, a request made under the Freedom of Information Act.

Please sign and return this form with your application package. Your application cannot be processed without receipt of this signed form.

Name of applicant (Printed)

Signature of Applicant

Date

All applications and communications that occur as part of the application process may be made public to the extent permitted by applicable law, including the Freedom of Information Act and the Privacy Act, and could be reviewed formally by the Office of Inspector General (OIG). All written correspondence regarding your request may be forwarded to the TVA Chief Ethics and Compliance Officer (CECO) and the OIG, and all oral communication between TVA and the applicant regarding this request may be documented and maintained by TVA. Inquiries concerning your application from any person who falls into one of the categories described above will be disclosed to the CECO and OIG.

Privacy Act Statement

This information is being requested in accordance with Sections 4(k), 15d, 26a, and/or 31 of the TVA Act; 40 U.S.C. § 1314; 30 U.S.C. § 185; 16 U.S.C. § 667b; and/or 40 U.S.C. § 483. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your application being denied. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or the applicable program; and for oversight or similar purposes, corrective action, litigation, or law enforcement.

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.

Commitment Statement

By submitting this signed commitment statement with a proposal in accordance with TVA's requirements in the Request for Proposals for Fooshee Pass Recreation Area, the undersigned applicant or authorized agent hereby acknowledges and agrees to deposit FIVE - THOUSAND AND NO/DOLLARS (\$5,000.00) payable to TVA upon submission of a proposal. If the undersigned applicant is chosen (Selectee) to develop and operate Fooshee Pass Recreation Area, the Selectee agrees to pay the balance of TVA's administrative cost for obtaining a commercial recreation easement to operate the existing "as is" facilities. The administrative cost is \$30,000 due at the signing/execution of the easement, which includes an initial \$5,000 application fee. In the event the Selectee withdraws after being notified by TVA of their selection, the \$5,000.00 deposit shall be forfeited.

The \$5,000.00 deposit will be refunded to applicants not selected.

Acknowledged by,

Name

Title

Date