



Date: October 10, 2017

Appalachian EB-5 Regional Center, LLC
C/O Andrew Dover
One Town Square Blvd., Suite 315
Biltmore Park Town Square
Asheville, NC 28803

Application: Form I-924
Application for Regional Center Designation Under the Immigrant Investor Program

Applicant(s): Appalachian EB-5 Regional Center

Re: Request to Amend Regional Center Designation
Appalachian EB-5 Regional Center
RCW1631454520 /ID1209050633

On November 9, 2016, Appalachian EB-5 Regional Center (“the Regional Center”) filed a Form I-924 to request an amendment to its regional center designation. The Regional Center entity was established on October 13, 2011 in North Carolina, and is structured as a LLC. The Regional Center was initially approved for designation in the Immigrant Investor Program (“the Program”)¹ on July 11, 2013.

Specifically, the Form I-924 requests the following:

- Approval for a change to the geographic area of the Regional Center;
- Preliminary determination of EB-5 compliance for an exemplar Form I-526, Immigrant Petition by Entrepreneur, for a new commercial enterprise;

Effective as of the date of this notice, and as discussed further below, USCIS approves the Regional Center’s request.

¹ Section 610 of Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993, Pub. L. No. 102-395, 106 Stat. 1828 (1992), as amended (hereinafter the “Act”).

I. Regional Center Designation

A. Changes to Geographic Area

Under section 610(a) of the Act, “[a] regional center shall have jurisdiction over a limited geographic area, which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones.” A regional center’s geographic area must be contiguous and clearly delineated.

Based on the initial designation and any subsequently approved amendments, the Regional Center has jurisdiction over the following geographic area:

State	Counties/Cities			
North Carolina (Approved 7/11/13)	Haywood	Stokes	Caldwell	Madison
	Ashe	Mitchell	Buncombe	Burke
	Polk	Henderson	Davie	Forsyth
	Rutherford	Avery	Surry	Transylvania
	Clay	Swain	McDowell	Graham
	Yadkin	Cherokee	Jackson	Watauga
	Alexander	Macon	Wilkes	Alleghany
	Yancey			
Tennessee (Approved 7/11/13)	Hamilton	Cocke	Campbell	Jackson
	Rhea	Claiborne	Louden	Johnson
	Cannon	Roane	Sequatchie	Union
	Bradley	Macon	Scott	Cumberland
	Meigs	DeKalb	Coffee	Sevier
	Grainger	Carter	Fentress	Greene
	Smith	Van Buren	Unicoi	Franklin
	Monroe	Sullivan	Hamblen	Bledsoe
	McMinn	Morgan	Warren	Washington
	Marion	Grundy	Overton	White
	Anderson	Clay	Hancock	Pickett
	Knox	Jefferson	Blount	Hawkins
	Putnam	Polk		

The Regional Center requested expansion of its geographic area to include the locations below. After reviewing the submission, USCIS has determined that the documents submitted by the Regional Center justify approval of the requested expansion of the Regional Center’s geographic area. Effective as of the date of this notice, the Regional Center has been approved for expansion into the following geographic areas:

State	Counties
South Carolina	Spartanburg
	Greenville
	Cherokee

II. Preliminary Determination of EB-5 Compliance for a Form I-526 Exemplar

Through this Form I-924 and the documents submitted, the Regional Center requests preliminary determination of EB-5 compliance for a Form I-526 exemplar. The Regional Center presented evidence asserting that 385 investors will invest \$192.5 million into Odlum Equestrian Lenders, LLC – the new commercial enterprise (NCE). The NCE will lend the entire amount to Tryon Equestrian Partners, LLC, the job creating entity (JCE), which will use the pooled investment for construction and operation of a multifaceted development, featuring a world class equestrian park with full support services, lodging for people and horses, entertainment and health facilities, and supporting businesses including manufacturing, farming, retail, food and beverage services, all located in North Carolina, Tryon International Equestrian Center and Resort (“TIEC”). The Regional Center asserts that the investment from EB-5 petitioners will create approximately 6,972 jobs. USCIS calculates that at least 4,994 jobs will be created. The Regional Center also asserts that the NCE will be principally doing business within a targeted employment area (TEA).²

After review of the documents submitted in connection with this request, USCIS has determined that the Regional Center has demonstrated that the Form I-526 exemplar complies with EB-5 requirements. Per USCIS policy, this determination will be accorded deference in subsequent filings under the project involving the same material facts and issues, absent material change, fraud, willful misrepresentation, or a legally deficient determination. Notwithstanding this approval, investors with related Form I-526 petitions must independently demonstrate eligibility with applicable EB-5 requirements, including the requirement that he or she is eligible for the requested benefit at the time of filing the benefit request and continues to be eligible through adjudication. 8 C.F.R. § 103.2(b)(1).

If the Regional Center has any questions concerning its designation under the Immigrant Investor Program, please contact the USCIS by email at:

USCIS.ImmigrantInvestorProgram@uscis.dhs.gov

² Based on the evidence presented, USCIS has determined that NCE will principally be doing business within a TEA for the purposes of this exemplar filing. However, investors with related Form I-526 petitions must establish that at the time of investment or at the time of filing the immigrant petition, as applicable, the geographic area in question qualified as a TEA. A geographic area that once qualified as a TEA may no longer qualify as employment rates or population increases over time. In addition, an immigrant investor cannot rely on previous TEA determinations made based on facts that have subsequently changed.

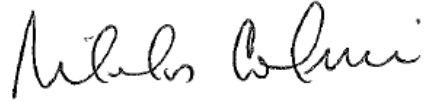
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Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas Colucci". The signature is written in a cursive style with a large initial "N" and a distinct "C".

Nicholas Colucci

Chief, Immigrant Investor Program

cc: Daniel Lundy
Klasko Immigration Law Partners, LLC
1601 Market St, Suite 2600
Philadelphia, PA 19103