

Jefferson Industrial Park 44 Acres

CERTIFIED BY
ENTERGY
ARKANSAS

SELECT
SITE

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Entergy
Arkansas

Certified December 2019



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General Information

Site Name: Jefferson Industrial Park

Site Address: 5320 Jefferson Parkway, Pine Bluff, Arkansas

Owner Contact Name: Economic Development Alliance for Jefferson County

Economic Development Organization Contact Information: Allison Thompson, President and CEO, EDAJC
510 Main Street
Pine Bluff, AR 71603
870-535-0110
allison@jeffersoncountyalliance.com

Site Size: 44.42 acres

Site Control Document: Site is owned by the Economic Development Alliance of Jefferson County.

Aerial Site Location Map: See attachment G-1 for detail.





BUSINESS
DEVELOPMENT
ARKANSAS

JEFFERSON INDUSTRIAL PARK

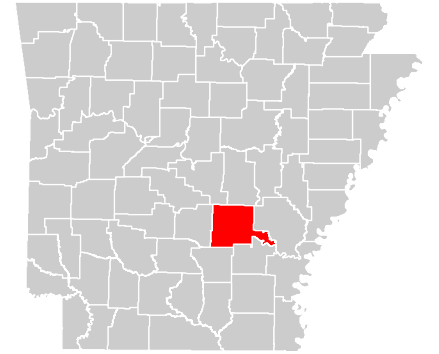
Aerial

425 West Capital Ave Suite 2700
Little Rock, AR 72201

Phone: 1-888-301-5861

goentergy.com/ar

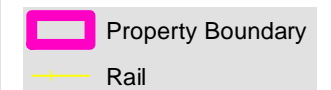
JEFFERSON COUNTY



VICINITY



LEGEND



NOTE

These drawings are provided merely to assist in economic development efforts. The Entergy Companies make no representations or warranties whatsoever regarding the accuracy or completeness of any information contained herein nor the condition or suitability of any properties. Users should direct inquiries about any property to the listing broker for that property.

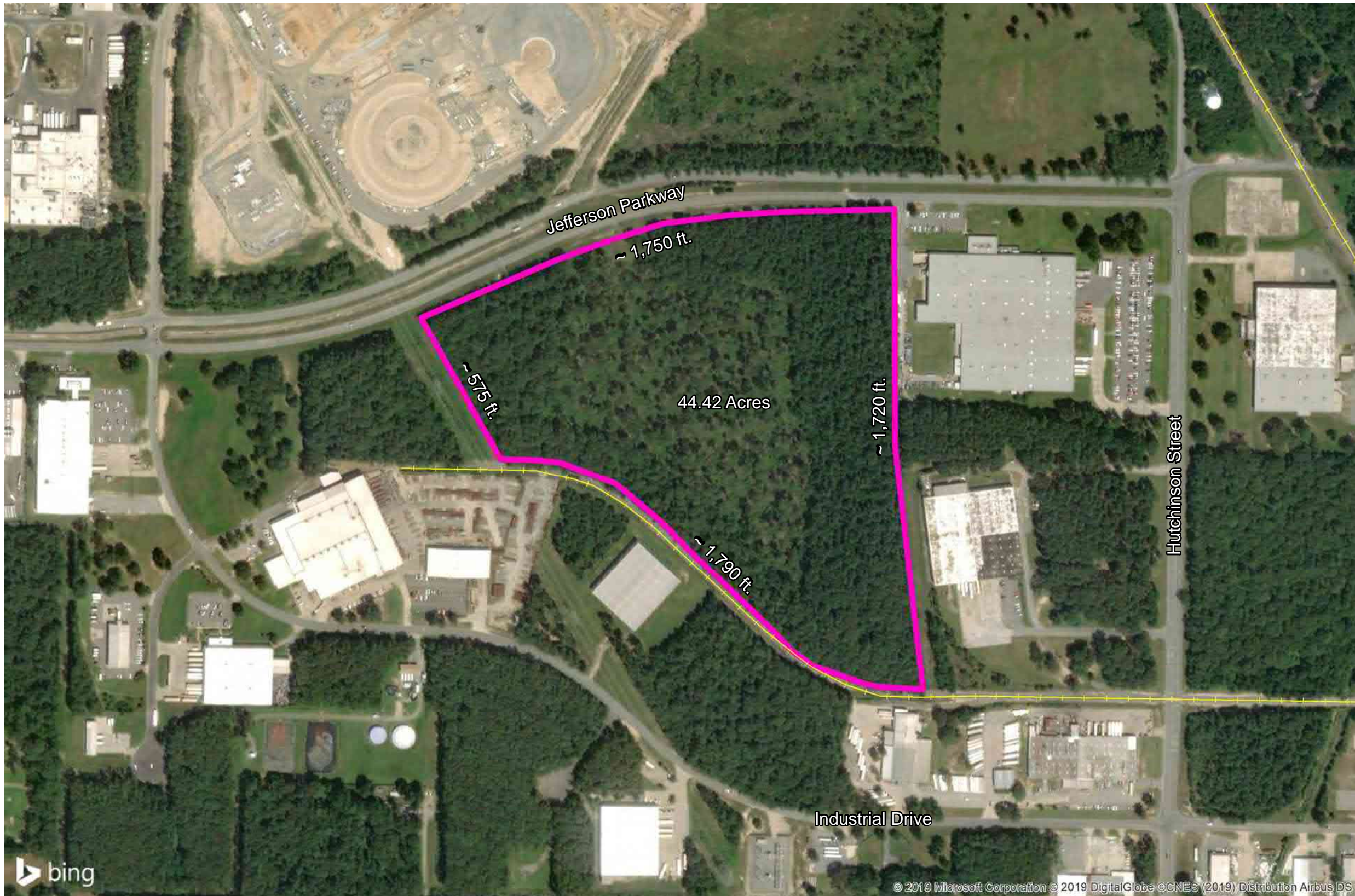
SOURCE

Roads: Census Tiger, 2018
Rail: Bureau of Labor Statistics, 2019
Property Boundary: BuildingsAndSites.com

Created by: RPG
Date: 10/2019

0 375 750
Feet

0 90 180
Meters



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Site Characteristics

Acreage:	44.42 acres
Dimensions:	1750' x 1720' x 1790' x 575'
Previous Use:	Timber
Fire Rating:	Class 2
Distance to Fire Station:	4.2 miles
Distance to Nearest Interstate and 4-lane Highway and Access Points:	2 miles to Interstate 530
Road Frontage, Type and Weight Capacities:	Site is bordered by Jefferson Parkway (main Industrial Park thoroughfare) on the north and Hutchinson Street on the east. No weight limits.
Distance to Nearest Rail:	The Union Pacific mainline is approximately 0.25 miles away. A UP spur runs the length of the site's southern border.
Distance to Nearest Commercial Airport:	38 miles to Little Rock National Airport 11 miles to Pine Bluff Regional Airport
Distance to Nearest Port Facility:	10 miles to public terminal services at Port of Pine Bluff
Distance from Retail or Central Business District:	1 mile to Woodlands Plaza Shopping Center and 6 miles to Pine Bluff Central Business District
Site Type:	Industrial Park
Site Survey:	See Attachment S-1



Cost Estimates and Timing

Cost per Acre: \$23,500

Special Timing Considerations: None

Clearing Cost: \$3,000/acre. See attachment C-1 for estimate.

Grading Cost: \$13.00/cubic yard. See attachment C-1 for estimate.

Cut/Fill Cost: \$8.00/cubic yard. See attachment C-1 for estimate.

Utility Extension or Upgrade Costs: Electric – Service at site. Upgrades would be contingent on customer requirements.

Gas – Service at site. Upgrades would be contingent on customer requirements.

Sewer – Service at site. Upgrades would be contingent on customer requirements.

Water – Service at site. Upgrades would be contingent on customer requirements

Telecom/Fiber – Service at site. No upgrades necessary.

Rail – Rail at site. A spur would be required for specific customer needs.



License # _____

Expires: _____

Page No. 1 of 1

Cannon Contracting, Inc.
6404 West Barraque
Pine Bluff, AR 71602
PH 870-247-1427
Fax 870-247-3408

PROPOSAL

PROPOSAL SUBMITTED TO Jefferson County Alliance		TODAY'S DATE 8/28/2019	DATE OF PLANS/PAGE #/S
PHONE NUMBER	FAX NUMBER	JOB NAME	
ADDRESS, CITY, STATE, ZIP		JOB LOCATION Jefferson Industrial Park, Pine Bluff Arkansas	

We propose hereby to furnish material and labor necessary for the completion of:

Jefferson County Alliance Quote Request

44.42 Acres

Clear and Grubb site @ \$3,000.00 per acre

Cut and Fill on site @ \$8.00 per cy pit measure

Select Fill, Haul, Spread and compact to subgrade @ \$13.00 per cy truck measure

We propose hereby to furnish material and labor – complete in accordance with above specifications for the sum of:
as stated above dollars: (\$1)

Payment as follows: _____

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. If either party commences legal action to enforce its rights pursuant to this agreement, the prevailing party in said legal action shall be entitled to recover its reasonable attorney's fees and costs of litigation relating to said legal action, as determined by a court of competent jurisdiction.

Authorized
Signature



Note: this proposal may be withdrawn by us
if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance _____

Environmental

Wetlands Screening: See attachment E-1 for detail.

Floodplain Delineation: The site is not located in a flood zone.
See attachment E-2 for detail.

Historical and Cultural Review: No documented historic properties exist on the site. Refer to AHPP Tracking Number 104546.
See attachment E-3 for detail.

Endangered Species: There are no critical habitats within the site boundaries.
See attachment E-4 for detail.

Environmental Phase I (and Phase II if required): No recognized environmental concerns exist for this site.
See attachment E-5 for detail.

Stormwater Retention Plan: See attachment E-6 for detail.





National Wetland Inventory

JEFFERSON COUNTY



- ## NOTE

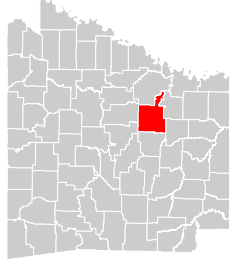
SOURCE

JEFFERSON INDUSTRIAL PARK

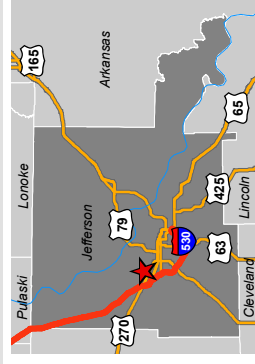
FEMA Flood Hazards

425 West Capital Ave Suite 2700
Little Rock, AR 72201
Phone: 1-888-301-5861
goentergy.com/ar

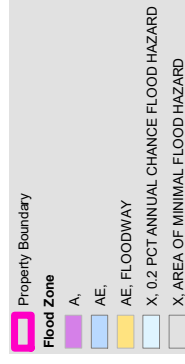
JEFFERSON COUNTY



VICINITY



LEGEND

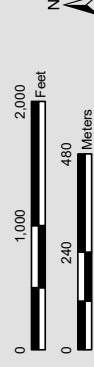


NOTE

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SOURCE

FEMA Flood Hazards, Downloaded 10/20/19
Property Boundary: BuildingsAndSites.com
Created by: RPG
Date: 10/20/19





THE DEPARTMENT OF ARKANSAS
HERITAGE

Asa Hutchinson
Governor

Stacy Hurst
Secretary
Parks, Heritage & Tourism

Arkansas Arts Council

Arkansas Historic
Preservation Program

Arkansas Natural
Heritage Commission

Arkansas State Archives

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars Cultural Center

Old State House Museum



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Little Rock, AR 72201

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info@arkansaspreservation.org
www.arkansaspreservation.com

An Equal Opportunity Employer

October 3, 2019

Ms. Nancy Lee McNew
Vice-President of Economic Development
Economic Development Alliance of Jefferson County, Arkansas
P.O. Box 5069
Pine Bluff, AR 71611

RE: Jefferson County — White Hall
Section 106 Review — EDA
Proposed Undertaking — 49.5-Acre Pine Bluff Industrial Park
Development
AHPP Tracking Number: 104546

Dear Ms. McNew:

The staff of the Arkansas Historic Preservation Program (AHPP) reviewed the records for previous investigations and significant archaeological, architectural, or historic resources within or proximal to the proposed area of potential effects (APE) in Section 23, Township 5 South, Range 10 West in Jefferson County. Thank you for the additional information requested by the AHPP.

There are no documented historic properties within the tract demarcated on the map provided in your submission. In the event this tract is later associated with a federal undertaking as defined in 36 CFR § 800.16(y), please forward the required information to the AHPP for our review and comment.

Tribes that have expressed an interest in the area include the Caddo Nation (Ms. Tamara Francis), the Cherokee Nation (Ms. Elizabeth Toombs), the Chickasaw Nation (Ms. Karen Brunso), the Choctaw Nation of Oklahoma (Ms. Madison Currie), the Jena Band of Choctaw Indians (Ms. Alina J. Shively), the Muscogee (Creek) Nation (Ms. Corain Lowe-Zepeda), the Osage Nation (Dr. Andrea Hunter), the Quapaw Nation (Mr. Everett Bandy), and the Shawnee Tribe (Ms. Tonya Tipton). We recommend consultation in accordance with 36 CFR § 800.2(c)(2).

Thank you for the opportunity to review this proposed project. Please refer to the AHPP Tracking Number listed above in all correspondence.

Sincerely,


Scott Kaufman
Director, AHPP

cc: Dr. Ann Early, Arkansas Archeological Survey



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arkansas Ecological Services Field Office
110 South Amity Suite 300
Conway, AR 72032-8975
Phone: (501) 513-4470 Fax: (501) 513-4480
<http://www.fws.gov/arkansas-es>



In Reply Refer To:
Consultation Code: 04ER1000-2019-SLI-1401
Event Code: 04ER1000-2019-E-02818
Project Name: Jefferson Industrial Park 49.5 acres site

August 21, 2019

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies endangered, threatened, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). **This letter only provides an official species list and technical assistance; if you determine that listed species and/or designated critical habitat may be affected in any way by the proposed project, even if the effect is wholly beneficial, consultation with the Service will be necessary.**

If you determine that this project will have no effect on listed species and their habitat in any way, then you have completed Section 7 consultation with the Service and may use this letter in your project file or application.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found on our website.

Please visit our website at <http://www.fws.gov/arkansas-es/IPaC/home.html> for species-specific guidance to avoid and minimize adverse effects to federally endangered,

threatened, proposed, and candidate species. Our web site also contains additional information on species life history and habitat requirements that may be useful in project planning.

If your project involves in-stream construction activities, oil and natural gas infrastructure, road construction, transmission lines, or communication towers, please review our project specific guidance at <http://www.fws.gov/arkansas-es/IPaC/ProjSpec.html>.

The karst region of Arkansas is a unique region that covers the **northern third of Arkansas** and we have specific guidance to conserve sensitive cave-obligate and bat species. **Please visit <http://www.fws.gov/arkansas-es/IPaC/Karst.html> to determine if your project occurs in the karst region and to view karst specific-guidance.** Proper implementation and maintenance of best management practices specified in these guidance documents is necessary to avoid adverse effects to federally protected species and often avoids the more lengthy formal consultation process.

If your species list includes any mussels, Northern Long-eared Bat, Indiana Bat, Yellowcheek Darter, Red-cockaded Woodpecker, or American Burying Beetle, your project may require a presence/absence and/or habitat survey prior to commencing project activities. Please check the appropriate species-specific guidance on our website to determine if your project requires a survey. We strongly recommend that you contact the appropriate staff species lead biologist (see office directory or species page) prior to conducting presence/absence surveys to ensure the appropriate level of effort and methodology.

Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at www.fws.gov/endangered/esa-library/index.html#consultations.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to

federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, **the accuracy of this species list should be verified after 90 days.** This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Arkansas Ecological Services Field Office

110 South Amity Suite 300

Conway, AR 72032-8975

(501) 513-4470

Project Summary

Consultation Code: 04ER1000-2019-SLI-1401

Event Code: 04ER1000-2019-E-02818

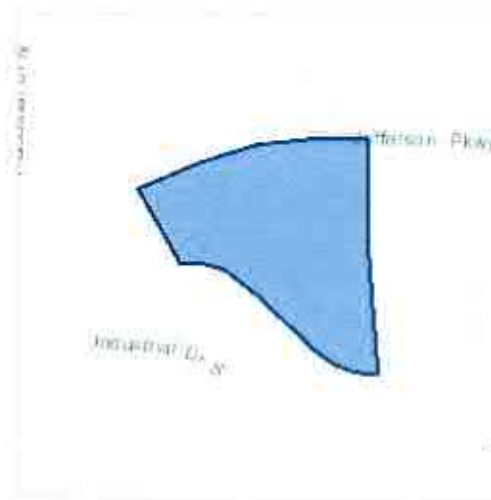
Project Name: Jefferson Industrial Park 49.5 acres site

Project Type: ** OTHER **

Project Description: I am currently in the process of enrolling a Jefferson Industrial Park site at Pine Bluff in Entergy's "Select Site" program, which entails completing a set of comprehensive and pre-determined criteria. It is recommended by Entergy that we contact you to define this project and receive an official list of any potential endangered species. If you have any questions please give me a call at 870-535-0110 or email at nancylmcnew@sbcglobal.net. I have a 30 day window for this project.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.260643661258044N92.06630865187503W>



Counties: Jefferson, AR

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

ORDINANCE NO. 6191

CITY OF PINE BLUFF STORM WATER ORDINANCE

1 **WHEREAS**, under Phase II the Clean Water Act as administered by the U. S.
2 Environmental Agency all entities are required to take measures to comply with “Best
3 Management Practices (BMP’s), which are used to control silt, dust and other pollutants
4 when disturbing one acre or more; and

5 **WHEREAS**, under Phase II of the Clean Water Act, the City will assist the State
6 of Arkansas in regulating the construction sites and require the contractors to take the
7 needed measures to control dust and silt runoff; and

8 **WHEREAS**, under Phase II of the Clean Water Act, the City will prohibit illegal
9 discharges into the municipal storm drain system and waterways; and

10 **WHEREAS**, a storm water permit and fee is established for disturbing one acre
11 of land or more that involves clearing, filling in of land, grading or excavation, road
12 construction, the construction of residential and industrial buildings.

13 **NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF**
14 **THE CITY OF PINE BLUFF, ARKANSAS THAT:** a Municipal Code entitled, Storm
15 Water Regulations is hereby enacted for the purpose of regulating storm water
16 discharges, issuing permits and collecting fees.

17 **SECTION 1: INTRODUCTION/PURPOSE**

18 The purpose of this ordinance is to regulate discharges to the storm water
19 drainage system as required by federal and state law. This ordinance establishes methods
20 for controlling the introduction of pollutants into the municipal separate storm sewer
21 system (MS4) in order to comply with requirements of the National Pollutant Discharge
22 Elimination System (NPDES) Phase II permit process. This ordinance also sets forth the
23 minimum requirements for construction site activities and those activities associated with
24 excavation, grading, and removal of trees and vegetation. The objective of this ordinance
25 is:

- 26 (a) To regulate the contribution of pollutants to the municipal separate storm sewer
27 system by storm water discharges by any user.
28 (b) To regulate dust, silt and other construction site non-point pollution.

1 (c) To prohibit illicit connections and discharges to the municipal separate storm
2 water system.

3 (d) To establish legal authority and a permitting fee to carry out inspections,
4 surveillance and monitoring procedures necessary to ensure compliance with this
5 ordinance.

6 (e) To establish and collect fees for services provided for education, maintenance
7 and construction of the city storm water systems.

8 **SECTION2: DEFINITIONS**

9 For the purpose of this ordinance, the following shall mean:

10 Authorized Enforcement Agency. Employees or designees of the City of Pine
11 Bluff Program Administrator.

12 Best Management Practices (BMP's). Schedules of activities, prohibitions of
13 practices, general good house keeping practices, pollution prevention and educational
14 practices, maintenance procedures, and other management practices to prevent or reduce
15 the discharge of pollutants directly or indirectly to storm water, receiving waters, or
16 storm water conveyance systems. BMP's also include treatment practices, operating
17 procedures, and practices to control site runoff, dust, spillage or leaks, sludge or water
18 disposal, or drainage from raw materials storage. Said BMP's shall comply with
19 Arkansas Department of Environmental Quality BMP's Practices and Procedures
20 Guidelines and the City BMP's Practices and Procedures as determined by the Program
21 Administrator.

22 Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et
23 seq.), and any subsequent amendments thereto.

24 Construction Activities. Activities subject to a National Pollutant Discharge
25 Elimination Permit. These include construction projects resulting in land disturbance
26 including but not limited to clearing, grubbing, excavating, and demolition.

27 Hazardous Materials. Any material, including any substance, waste, or
28 combination thereof, which because of its quantity, concentration, or physical, chemical,
29 or infectious characteristics may cause, or significantly contribute to, a substantial
30 present or potential hazard to human health, safety, property, or the environment when
31 improperly treated, stored, transported, disposed of, or otherwise managed.

1 Illegal Discharge. Any direct or indirect non-storm water discharge to the storm
2 drain system, except as exempted in this ordinance.

3 Illicit Connections. An illicit connection is defined as either of the following:

4 (a) Any drain or conveyance, whether on the surface or subsurface, which allows an
5 illegal discharge to enter the storm drain system including but not limited to any
6 conveyances which allow any non-storm water discharge including sewage, process
7 wastewater, and wash water to enter the storm drain system and any connections to the
8 storm drain system from indoor drains and sinks, regardless of whether said drain or
9 connection had been previously allowed, permitted, or approved by an authorized
10 enforcement agency or,

11 (b) Any drain or conveyance connected from a commercial or industrial land use to
12 the storm drain system which has not been documented in plans, maps or equivalent
13 records and approved by an authorized enforcement agency.

14 Industrial Activity. Activities subject to National Pollutant Discharge
15 Elimination System (NPDES) Industrial Permits as defined in 40 CFR, Section 122.26
16 (b) (14).

17 MS4. Municipal Separate Storm Sewer System.

18 National Pollutant Discharge Elimination Permit. (NPDES) This means a permit
19 issued by EPA (or by a State under authority pursuant to 33 U.S.C. § 1342(b) that
20 authorizes the discharge of pollutants to waters of the United States, whether the permit
21 is applicable on an individual, group, or general area-wide basis. This permit is also
22 referred to as a MS4 permit for discharge of storm water runoff under the Arkansas
23 Department of Environmental Quality.

24 Notice of Intent (NOI). Application form for obtaining coverage under a General
25 Storm Water Permit for construction activities that disturbs one or more acres or for
26 industrial activities.

27 Non-Storm Water Discharge. Any discharge to the storm drain system that is not
28 composed entirely of storm water.

29 Person. Means any individual, association, organization, partnership, firm,
30 corporation or other entity acting as either the owner or as the owner's agent.

1 Pollutant. Anything that causes or contributes to pollution. Pollutants may
2 include, but are not limited to: paints, varnishes, and solvents; oil and other automotive
3 fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage,
4 litter, or other discarded or abandoned objects, and accumulations, so that same may
5 cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers;
6 hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and
7 particulate metals; animal wastes; wastes and residues that result from constructing a
8 building or structure; and noxious or offensive matter of any kind.

9 Premises. Any building, lot, parcel of land, or portion of land whether improved
10 or unimproved including adjacent sidewalks and parking strips.

11 Program Administrator. The office, or individual responsible for enforcing the
12 requirements of this ordinance—Authorized Enforcement Agency.

13 Operator. Means the owner, party, person, general contractor, sub-contractor,
14 corporation, or other entity that has operations control over the construction project. The
15 operator is responsible for ensuring compliance with all conditions for the elimination of
16 dust and storm water pollution.

17 Storm Drainage System. Publicly or privately-owned facilities by which storm
18 water is collected and/or conveyed, including but not limited to any roads with drainage
19 systems,

20 Storm Water. Any surface flow, runoff, and drainage consisting entirely of water
21 from any form of natural precipitation, and resulting from such precipitation.

22 Storm Water Pollution Prevention Plan (SWPPP). A document which describes
23 the Best Management Practices and activities to be implemented by a person or business
24 to identify sources of pollution or contamination at a site and the actions to eliminate or
25 reduce pollutant discharges to Storm Water, Storm Water Conveyance Systems, and/or
26 Receiving Waters to the Maximum Extent Practicable.

27 Wastewater. Means any water or other liquid, other than uncontaminated storm
28 water, discharged from a facility.

1 **SECTION 3: APPLICABILITY**

2 This ordinance shall apply to all water entering the City of Pine Bluff storm drain
3 system generated on any public or private developed and undeveloped lands regardless of
4 size and location unless explicitly exempted.

5 **SECTION 4: RESPONSIBILITY FOR ADMINISTRATION**

6 The Program Administrator or designated agent, shall administer, implement, and
7 enforce the provisions of this ordinance acting in the beneficial interest of the city.

8 **SECTION 5: STORM WATER PROGRAM ADMINISTRATOR**

9 **Section 5-1:** The Mayor shall appoint a Storm Water Administrator, who shall
10 administer this ordinance and be responsible to address other related storm water issues
11 as they relate to the City's compliance with its Small MS4 Storm Water Permit as issued
12 by ADEQ to the City.

13 **Section 5-2:** The Mayor shall designate a person, who shall administer the storm
14 water regulations and its affairs in the same manner as all other departments under his
15 jurisdiction.

16 **SECTION 6: PERMITS**

17 A city permit will be required for construction site activities and those activities
18 associated with excavation, grading, and removal of trees and vegetation. The permit
19 shall be required for only those sites where one (1) acre or more of the land is disturbed.
20 The permit application for sites between one (1) acre and five (5) acres shall consist of
21 documentation the applicant has filed his Notice of Intent (NOI) that is filed with the
22 Arkansas Department of Environmental Quality (ADEQ) and providing the Program
23 Administrator with a copy of the SWPPP for the construction site that meets ADEQ and
24 the City BMP's practices and procedures as determined by the Program Administrator.

25 The City permit application for sites of five (5) acres or more shall consist of
26 documentation that ADEQ has approved the construction site SWPPP and that a copy of
27 said plan and documentation is submitted to the Program Administrator along with
28 documentation as to complying with the City BMP's practices and procedures as
29 determined by the Program Administrator. Prior to starting any of the above stated
30 construction activities the application shall obtain a storm water permit. No zoning and

1 building permit shall be issued for said site until the applicant has received his storm
2 water permit.

3 **SECTION 7: PERMIT FEES**

4 The permit and rates associated with the implementation of this ordinance will be
5 on the disturbance for more than one or more acres of land as stated in this ordinance.

6	▪ Single family dwellings	\$25.00
7	▪ Multiple family dwellings 4 units or less	\$100.00
8	▪ Multiple family dwellings 5 units or more	\$250.00
9	▪ Commercial and industrial buildings 10,000 sq. ft. or larger	\$250.00
10	▪ Commercial and industrial buildings 5,000 sq. ft. to 9,999 sq. ft.	\$100.00
11	▪ Commercial and industrial building additions	
12	between 5,000 sq.ft. and 9,999 sq. ft.	\$50.00
13	▪ Commercial and industrial building additions	
14	10,000 sq.ft. or larger	\$100.00
15	▪ Parking lots 10,000 sq. ft. or more	\$100.00
16	▪ Parking lots 5,000 sq. ft. to 9,999 sq. ft.	\$75.00
17	▪ Parking Lots less than 5,000 sq. ft.	\$50.00
18	▪ Subdivisions up to 5 lots	\$100.00
19	▪ Subdivisions from 6 lots to 12 lots	\$200.00
20	▪ Subdivisions with 13 lots or more	\$400.00
21	▪ Other activities that disturb between 1 acre and 3 acres	\$100.00
22	▪ Other activities that disturb more than 3 acres	\$200.00

23 Permit exceptions are as follows:

- 24 (1) Land used for agricultural purpose.
- 25 (2) Land where timber extraction takes place provided that it is to be re-seeded as
- 26 timber land.

27 Enforcement Fee:

28 Where code enforcement action is needed to bring a site into compliance with the

29 Clean Water Act, the following fees will be charged to the permit holder and or the

30 property owner.

- 31 ▪ Program Administrator or his designated agent hourly

1	fee in monitoring and process violation compliance	\$50.00 per minimum
2	▪ Street sweeper	\$100.00 per minimum
3	▪ Other equipment or action as needed	\$100.00 per minimum

4 **SECTION 8: SEVERABILITY**

5 The provisions of this ordinance are hereby declared to be severable. If any
6 provision, clause, sentence, or paragraph of this Ordinance or the application thereof to
7 any person, establishment, or circumstances shall be held invalid, such invalidity shall
8 not affect the other application of this Ordinance.

9 **SECTION 9: RESPONSIBILITY**

10 The standards set forth herein and promulgated pursuant to this ordinance are
11 minimum standards; therefore this ordinance does not intend nor imply that compliance
12 by any person will ensure that there will be no contamination, pollution, nor unauthorized
13 discharge of pollutants.

14 **SECTION 10: PROHIBITIONS AND PERMISSIBLE DISCHARGE**

15 A. Prohibition of Illegal Discharges.

16 No person shall discharge or cause to be discharged into the municipal storm
17 drain system or watercourses any materials, including but not limited to pollutants or
18 waters containing any pollutants that cause or contribute to a violation of applicable
19 water quality standards, other than storm water. The commencement, conduct or
20 continuance of any illegal discharge to the storm drain system is prohibited. The
21 following is a partial list, provided for informational purposes only, of common
22 substances which are illicit discharges when allowed to enter a public drainage control
23 system: solid waste, human and animal waste, antifreeze, oil, gasoline, grease and all
24 other automotive and petroleum products, flammable or explosive materials, metals in
25 excess of naturally occurring amounts whether in liquid or solid form, chemicals not
26 normally found in uncontaminated water, solvents and degreasers, painting products,
27 drain cleaners, commercial and household cleaning materials, pesticides, herbicides,
28 fertilizers, acids, alkalis, ink, steam-cleaning waste, laundry waste, soap, detergent,
29 ammonia, chlorine, swimming pool or hot tub water, domestic or sanitary sewage, animal
30 carcasses, food and food waste, yard waste, dirt, sand and gravel, and commercial car
31 wash discharge water.

1 B. Permissible Discharges.

2 The following discharges are exempt from discharge prohibitions established by this
3 ordinance: water line flushing or other potable water sources, landscape irrigation or
4 lawn watering, diverted stream flows, rising ground water, ground water infiltration to
5 storm drains, uncontaminated pumped ground water, foundation or footing drains (not
6 including active groundwater de-watering systems), crawl space pumps, air conditioning
7 condensation, springs, non-commercial washing of vehicles, natural riparian habitat or
8 wet-land flows, swimming pools (if de-chlorinated – typically less than one PPM
9 chlorine), fire fighting activities, and any other water source not containing pollutants.
10 Dye testing is an allowable discharge, but requires a verbal notification to the authorized
11 enforcement agency prior to the time of the test. The prohibition shall not apply to any
12 non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge
13 order issued to the discharger and administered under the authority of the Arkansas
14 Department of Environmental Quality provided that the discharger is in full compliance
15 with all requirements of the permit, waiver, or order and other applicable laws and
16 regulations, and provided that written approval has been granted for any discharge to the
17 storm drain system.

18 B. Prohibition of Illicit Connections.

19 The construction, use, maintenance or continued existence of illicit connections to the
20 storm drain system is prohibited. This prohibition expressly includes, without limitation,
21 illicit connections made in the past, regardless of whether the connection was permissible
22 under law or practices applicable or prevailing at the time of connection. A person is
23 considered to be in violation of this ordinance if the person connects a line conveying
24 sewage to the MS4, or allows such a connection to continue.

25 **SECTION 11: SUSPENSION OF MS4 ACCESS**

26 A. Suspension due to Illicit Discharges in Emergency Situations.

27 The Program Administrator may, without prior notice, suspend MS4 discharge
28 access to a person when such suspension is necessary to stop an actual or threatened
29 discharge which presents or may present imminent and substantial danger to the
30 environment, or to the health or welfare of persons, or to the MS4 or Waters of the
31 United States. If the violator fails to comply with a suspension order issued in an

1 emergency, the authorized enforcement agency may take such steps as deemed necessary
2 to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize
3 danger to persons.

4 B. Suspension due to the Detection of Illicit Discharge.

5 Any person discharging to the MS4 in violation of this ordinance may have their
6 MS4 access terminated if such termination would abate or reduce an illicit discharge.
7 The authorized enforcement agency will notify a violator of the proposed termination of
8 its MS4 access. The violator may petition in writing the Pine Bluff City Council for a
9 reconsideration and hearing.

10 **SECTION 12: INDUSTRIAL OR CONSTRUCTION ACTIVITY**

11 **DISCHARGES**

12 Any person subject to an industrial or construction activity NPDES storm water
13 discharge permit shall comply with all provisions of such permit. Proof of compliance
14 with said permit may be required in a form acceptable to the Program Administrator prior
15 to the allowing of discharges to the MS4.

16 **SECTION 13: MONITORING OF DISCHARGES**

17 A. Applicability.

18 This section applies to all facilities that have storm water discharges associated
19 with industrial activity, and construction activity.

20 B. Access to Facilities.

21 The Program Administrator shall be permitted to enter and inspect facilities
22 subject to regulation under this ordinance as often as may be necessary to determine
23 compliance with this ordinance. If a discharger has security measures in force which
24 require proper identification and clearance before entry into its premises, the discharger
25 shall make the necessary arrangements to allow access to representatives of the
26 authorized enforcement agency.

27 Facility operators shall allow the Program Administrator ready access to all parts
28 of the premises for the purposes of inspection, sampling, examination and copying of
29 records that must be kept under the conditions of an NPDES permit to discharge storm
30 water, and the performance of any additional duties as defined by state and federal law.

1 The Program Administrator shall have the right to set up on any permitted facility
2 such devices as are necessary in the opinion of the authorized enforcement agency to
3 conduct monitoring and/or sampling of the facility's storm water discharge.

4 The Program Administrator shall have the right to require the discharger to install
5 monitoring equipment as necessary. The facility's sampling and monitoring equipment
6 shall be maintained at all times in a safe and proper operating condition by the discharger
7 at its own expense. All devices used to measure storm water flow and quality shall be
8 calibrated to ensure their accuracy.

9 Any temporary or permanent obstruction to safe and easy access to the facility to
10 be inspected and/or sampled shall be promptly removed by the operator at the written or
11 oral request of the Program Administrator and shall not be replaced. The costs of
12 clearing such access shall be borne by the operator.

13 Unreasonable delays in allowing the Program Administrator access to a permitted
14 facility is a violation of a storm water discharge permit and of this ordinance. A person
15 who is the operator of a facility with a NPDES permit to discharge storm water
16 associated with industrial activity commits an offense if the person denies the authorized
17 enforcement agency reasonable access to the permitted facility for the purpose of
18 conducting any activity authorized or required by this ordinance.

19 If the Program Administrator has been refused access to any part of the premises
20 from which storm water is discharged, and he/she is able to demonstrate probable cause
21 to believe that there may be a violation of this ordinance, or that there is a need to inspect
22 and/or sample as part of a routine inspection and sampling program designed to verify
23 compliance with this ordinance or any order issued hereunder, or to protect the overall
24 public health, safety, and welfare of the community, then the authorized enforcement
25 agency may seek issuance of a search warrant from any court of competent jurisdiction.

26 **SECTION 14: REQUIREMENT TO PREVENT, CONTROL, AND**
27 **REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST**
28 **MANAGEMENT PRACTICES.**

29 The City of Pine Bluff requires Best Management Practices (BMP's) for any
30 activity, operation, or facility which may cause or contribute to pollution or
31 contamination of storm water, the storm drain system, or waters of the United States.

1 The owner or operator of a residential, commercial or industrial establishment shall
2 provide, at their own expense, reasonable protection from accidental discharge of
3 prohibited materials or other wastes into the municipal storm drain system or
4 watercourses through the use of these structural and non-structural BMPs. Further, any
5 person responsible for a property or premise, which is, or may be, the source of an illicit
6 discharge, may be required to implement, at said person's expense, additional structural
7 and non-structural BMPs to prevent the further discharge of pollutants to the municipal
8 separate storm sewer system. Compliance with all terms and conditions of a valid
9 NPDES permit authorizing the discharge of storm water associated with industrial
10 activity, to the extent practicable, shall be deemed compliance with the provisions of this
11 section. These BMPs shall be part of a storm water pollution prevention plan (SWPPP)
12 as necessary for compliance with requirements of the NPDES permit.

13 **SECTION 15: WATERCOURSE PROTECTION**

14 Every person owning property through which a watercourse passes, or such
15 person's lessee, shall keep and maintain that part of the watercourse within the property
16 free of trash, debris, and other deleterious materials that would pollute, contaminate, or
17 significantly degrade the flow of water through the watercourse. In addition, the owner
18 or lessee shall maintain existing privately owned structures within or adjacent to a
19 watercourse, so that such structures will not become a hazard to the use, function, or
20 physical integrity of the watercourse.

21 **SECTION 16: NOTIFICATION OF SPILLS OR RELEASES**

22 Notwithstanding other requirements of law, as soon as any person responsible for
23 a facility or operation, or responsible for emergency responses for a facility or operation
24 has information of any known or suspected release of materials which are resulting or
25 may result in illegal discharges or pollutants discharging into storm water, the storm
26 drain system, or water of the United States said person shall take all necessary steps to
27 ensure the discovery, containment, and cleanup of such release. In the event of a release
28 of hazardous materials said person shall immediately notify emergency response
29 agencies of the occurrence via emergency dispatch services. In the event of a release of
30 non-hazardous materials, said person shall notify the authorized enforcement agency in
31 person or by phone or facsimile no later than the next business day. Notifications in

1 person or by phone shall be confirmed by written notice addressed and mailed to the City
2 Program Administrator within five business days of the phone notice.

3 **SECTION 17: ENFORCEMENT**

4 Notice of Violation. Whenever the Program Administrator finds that an
5 organization has violated a prohibition or failed to meet a requirement of this Ordinance,
6 the authorized enforcement agency may order compliance by written notice of violation
7 to the responsible person. Such notice may require without limitation:

- 8 ▪ The performance of monitoring, analyses, and reporting;
- 9 ▪ The elimination of illicit connections or discharges;
- 10 ▪ That violating discharges, practices, or operations shall cease and desist;
- 11 ▪ The abatement or remediation of storm water pollution or contamination hazards and
12 the restoration of any affected property;
- 13 ▪ Payment of fees to cover administrative and remediation costs; and
- 14 ▪ The implementation of source control or treatment BMPs.

15 If abatement of a violation and/or restoration of affected property are required, the notice
16 shall set forth a deadline within which such remediation or restoration must be
17 completed. Said notice shall further advise that, should the violator fail to remediate or
18 restore within the established deadline, the work will be done by a designated
19 governmental agency or a contractor and the expense thereof shall be charged to the
20 violator.

21 **SECTION 18: APPEAL OF NOTICE OF VIOLATION**

22 A person receiving a Notice of Violation may appeal the determination of the
23 authorized enforcement agency. The notice of appeal must be in writing and received
24 within 5 days from the date of the Notice of Violation. Hearing on the appeal before the
25 Pine Bluff City Council shall take place at the next regularly scheduled City Council
26 meeting. The decision of the City Council shall be final.

27 **SECTION 19: ENFORCEMENT MEASURES AFTER APPEAL**

28 If the violation has not been corrected pursuant to the requirements set forth in the
29 Notice of Violation, or, in the event of an appeal, within 10 days of the decision of the
30 City Council upholding the decision of the authorized enforcement agency, then
31 representatives of the City of Pine Bluff may enter upon the subject private property and

1 are authorized to take any and all measures necessary to abate the violation. It shall be
2 unlawful for any person, owner, agent or person in possession of any premises to refuse
3 to allow the government agency or designated agent to enter upon the premises for the
4 purposes set forth above.

5 **SECTION 20: COST OF ABATEMENT OF THE VIOLATION**

6 Within 30 days after abatement of the violation, the owner of the property will be
7 notified of the cost of abatement, including administrative costs. The owner of the
8 property may file a written protest objecting to the amount of the assessment within 10
9 days. If the amount due is not paid within a timely manner as determined by the decision
10 of the city council or by expiration of the time in which to file an appeal, the charges
11 shall become a special assessment against the property and shall constitute a lien on the
12 property for the amount of the assessment.

13 Any person violating any of the provisions of this article shall become liable to
14 the city by reason of such violation. The liability shall be paid in not more than 12 equal
15 payments. Interest at the rate of 10 percent per annum shall be assessed on the balance
16 beginning on the 1st day following discovery of the violation.

17 **SECTION 21: PENALTIES FOR VIOLATION**

18 (A) Violation of the provisions of this ordinance or failure to comply with any of its
19 requirements shall constitute a misdemeanor. After the expiration date indicated by the
20 notice of violation, any person who violates this chapter or fails to comply with any of its
21 requirements shall upon conviction thereof, be fined not less than one hundred dollars
22 (\$100.00) nor more than five hundred dollars (\$500), or double such sum for each
23 repetition thereof, and, in addition, shall pay all costs and expenses involved in the case.
24 After the expiration date indicated by the notice of violation, each day such violation
25 continues shall be considered a separate offense. The penalty for allowing continuance
26 thereof of a violation that is continuous with respect to time is a fine not to exceed \$250
27 for each day that the same is unlawfully continued.

28 (B) The owner or tenant of the premises or part thereof, and builder,
29 contractor, agent or other person, who willfully commits, participates in, assists in, or
30 maintains such violation may each be found guilty of a separate offense and suffer the
31 penalties herein provided.

1 **SECTION 22: VIOLATIONS DEEMED A PUBLIC NUISANCE**

2 In addition to the enforcement processes and penalties provided, any condition
3 caused or permitted to exist in violation of any of the provisions of this Ordinance is a
4 threat to public health, safety, and welfare, and is declared and deemed a nuisance, and
5 may be summarily abated or restored at the violator's expense, and/or a civil action to
6 abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

7 **SECTION 23: REMEDIES NOT EXCLUSIVE**

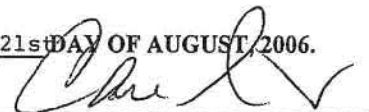
8 The remedies listed in this ordinance are not exclusive of any other remedies
9 available under any applicable federal, state or local law and it is within the discretion of
10 the authorized enforcement agency to seek cumulative remedies.

11 (A) Full Force and Effect. This ordinance shall be in full force and effect the date of
12 passage and publication as required by law.

13 (B) Severability of Provisions. If any section, subsection, sentence, clause, phase or
14 portion of this ordinance be held invalid or unconstitutional by any court of competent
15 jurisdiction, such portion shall be deemed a separate, distinct and independent provision,
16 and such holding shall not affect the validity of the remaining portion thereof.

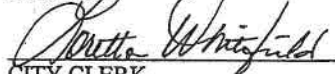
17 (C) Repealer. This ordinance shall be construed to repeal any prior ordinance
18 inconsistent herewith.

19 **PASSED AND APPROVED THIS 21st DAY OF AUGUST, 2006.**



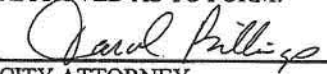
Mayor

20
21
22 **ATTEST:**

23 
24 _____
CITY CLERK

George Stepps (CH)
SPONSOR

25 **APPROVED AS TO FORM:**

26 
27 _____
CITY ATTORNEY

Geotechnical

Soils Report: See attachment GT-1 for detail. The soils report provided is from the site where Highland Pellets is now located, approximately 1500 feet north across Jefferson Parkway.

Seismic Rating: Pine Bluff is located in Zone 1 in the historical seismic zone map, which has the least amount of seismic activity.

The United State Geological Survey provides National Seismic Hazard Maps which are derived from seismic hazard curves calculated on a grid of sites across the United State that describe the annual frequency of exceeding a set of ground motions. Pine Bluff is in one of the lower ratings of probability of exceeding peak ground acceleration.



GEOTECHNICAL FEASIBILITY STUDY
PROPOSED MANUFACTURING PLANT SITE
PINE BLUFF, ARKANSAS

Report

To

DANA
TOTAL FACILITY RESOURCES
SHANNON PROPERTIES GROUP
Toledo, Ohio

GRUBBS, HOSKYN, BARTON & WYATT, INC.
Little Rock, Arkansas

June 1999



P.O. Box 55105
Little Rock, Arkansas 72215-5105
10501 Stagecoach Road 72209
(501) 455-2536
FAX (501) 455-4137

June 7, 1999
Job No. 99-207

Dana
Total Facility Resources
Shannon Properties Group
1801 Richards Road
Toledo, Ohio 43607

Attn: Mr. Keith Recknagel

**REF: GEOTECHNICAL FEASIBILITY STUDY
PROPOSED MANUFACTURING PLANT SITE
PINE BLUFF, ARKANSAS**

INTRODUCTION

This report presents the results of the geotechnical feasibility study performed for the proposed manufacturing plant site in Pine Bluff, Arkansas. This study was authorized on May 17, 1999 and has been performed in general accordance with our proposal dated May 15, 1999.

We understand the project will consist of a single-story, pre-engineered metal building with approximately 132,000 sq ft footprint area. The location being considered for the plant is a 13-acre tract in Pine Bluff, Arkansas. Foundation loads are anticipated to be light. Site grading plans are not available. However, some fill is anticipated to attain a dock-high plant floor. The project will also include paved drives and parking areas.

The purposes of this study were to perform a limited exploration of subsurface conditions at the subject site and to develop general information for planning regarding foundation and pavement design and construction considerations. The following report sections discuss the results of the field and laboratory studies and recommendations are presented for foundation design and construction.

SUBSURFACE INVESTIGATION

Subsurface conditions at the project site were explored by drilling four (4) borings to depths of 5.5 to 30 ft below existing grades. The borings were drilled with a truck-mounted Failing 1500 rotary drilling rig using a combination of dry-auger and rotary-wash drilling methods. The approximate boring locations are shown on Plate 1. Descriptions of the soil stratigraphy encountered in the borings, as well as results of field and laboratory tests, are presented on the boring logs, Plates 2 through 5. A key to the terms and symbols used on the logs is included as Plate 6.

Soil samples were obtained at approximately 2-ft intervals to a depth of 10 ft and at 5-ft intervals thereafter. Undisturbed samples of the cohesive soils were obtained using a 3-inch-diameter thin-walled tube hydraulically advanced into the soil. Undrained shear strength of cohesive soils was estimated in the field using a calibrated hand penetrometer. Estimated shear strength values are plotted on the log forms, in tons per sq ft, as circles enclosing an "x".

Samples of the slightly cohesive or granular soils were obtained using a 2-inch-diameter split-barrel sampler driven into the strata by blows of a 140-lb hammer dropped 30 inches, in accordance with Standard Penetration Test (SPT) procedures. The number of blows required to drive the standard split-barrel sampler the final 12 inches of an 18-inch total drive, or portion thereof, is defined as the Standard Penetration Number (N). Recorded N-values are shown on the appropriate boring logs in the "Blows Per Ft" column.

All soil samples were examined, visually classified by the field technician, and placed in appropriate containers to prevent moisture loss and/or change in condition during transfer to our laboratory for further examination and testing.

Groundwater conditions were observed during and following drilling operations. Groundwater observations are noted in the lower-right portion of each log and are discussed in subsequent sections of this report.

LABORATORY TESTING

To evaluate representative soil properties, laboratory tests consisting of shear strength tests, classification, and natural water content determinations were performed. Soil shear strength was estimated in the field using hand penetrometer and SPT results. In addition, laboratory strength

testing included one (1) unconfined compression test and one (1) unconsolidated-undrained triaxial compression test. Undrained shear strength (cohesion) determined from the results of the compression tests are plotted on the boring log at the appropriate depth, in tons per sq ft, as an open circle or open triangle, for unconfined and triaxial compression tests, respectively.

Unit dry weight and natural water content were also determined as a part of each strength test. In addition, twenty (20) natural water content determinations were performed on representative samples to develop information regarding *in-situ* soil-water content conditions for each boring. Water content results are plotted on the log forms as a solid circle in accordance with the scale and symbols shown in the legend located in the upper-right corner of the log.

To verify field classification and to evaluate plasticity of the soils, seven (7) liquid and plastic (Atterberg) limit determinations and seven (7) sieve analyses were performed. The Atterberg limits are plotted on the boring logs as pluses connected with a dashed line using the water content scale. The percent of soil passing the No. 200 sieve is noted in the "Minus No. 200" column on the appropriate log forms.

SITE and SUBSURFACE CONDITIONS

Site Conditions

The project site is located on the northwest quadrant of the Jefferson Parkway and Hutchinson Street intersection in Pine Bluff, Arkansas. The site is currently vacant and wooded. Surface drainage is considered fair to poor. The site contains several low-lying areas with wet and soft surface soils.

Site Geology

The site is located in the Gulf Coastal Plain Geophysical Province. Based on the Geologic Map of Arkansas, the site is in the mapped locale of Quaternary Terrace Deposits. The terrace deposits are typically comprised of a mixture of silt, sandy silt, silty clay, sandy gravel, clayey gravel and clay with a variable mixture of sand, gravel and clay at depth.

Seismic Conditions

The Jefferson County site is located in Seismic Zone 1; the area of low anticipated seismic damage. A Soil-Profile Type S_2 and a Seismic Site Coefficient (S) value of 1.2, in accordance with

Standard Building Code criteria, are considered appropriate for use in design. Liquefaction potential of the soils encountered within the exploration depths of the borings is considered to be minor.

Subsurface Conditions

In light of the results of the borings, subsurface conditions are considered variable, both vertically and horizontally. The surficial soils to 1- to 4-ft depth are generally comprised of very soft light gray and tan clayey silt (ML and ML-CL) and silty clay (CL) to very soft to firm brown and tan fine sandy clay (CL). The surface soils exhibit low plasticity, low shear strength and high compressibility.

The surface soils are underlain by stiff to very stiff tan and gray to reddish brown and light gray fine sandy clay (CL) and clay (CH). Some discontinuous medium dense light gray and tan clayey fine sand (SC) strata are also present. The fine sandy clay and clay exhibited moderate shear strength and low compressibility. Soil plasticity varied from low to moderate.

The generalized stratigraphy described above has been inferred between discrete and relatively widely spaced boring locations. In view of the natural variations in stratigraphy and subsurface conditions, variations in soil conditions must be anticipated. Additionally, the natural transition between soil strata is typically variable, particularly in a terrace deposit geologic environment.

Groundwater Conditions

Groundwater was measured at 3-ft depth in two (2) borings and was not encountered in the remaining borings (May 1999). We believe the shallow water represents perched water in the silty upper soils. Groundwater levels will vary with seasonal precipitation, surface runoff and infiltration and stream levels in nearby waterways.

Significant Conditions

The significant site and subsurface conditions considered pertinent to design and construction of the project are:

- (a) The generally flat-lying terrain of the site, often with poor surface drainage;
- (b) The presence of trees across the site;
- (c) The low shear strength exhibited by the surface soils to 1- to 4-ft depth;

- (d) The moisture sensitivity of the surface soils to about 1 to 4 ft, with the potential for significant reduction in shear strength and increase in compressibility when saturated and/or disturbed;
- (e) The increase in shear strength and decrease in compressibility of the sandy clay predominant below about 1- to 4-ft depth;
- (f) The low to moderate plasticity of the near-surface soils with low potential for shrink-swell activity; and
- (g) The presence of localized shallow perched groundwater at 3-ft depth in May 1999, with potential variations in groundwater levels with seasonal conditions.

The significant conditions above have been used to develop broad conclusions regarding design and construction of facilities on the subject site.

CONCLUSIONS

Foundation Design

Foundations for structures must satisfy two (2) basic and independent design criteria. First, foundations must have an acceptable factor of safety against bearing failure under maximum design loads. Secondly, movement of foundations due to consolidation or swelling of the underlying strata should not exceed tolerable limits for the structure or equipment operational requirements. Construction factors, such as installation of foundations, excavation procedures and surface and groundwater conditions, must also be considered.

In light of the results of the borings and the site conditions, light to moderate structural loads could appropriately be supported on a shallow foundation system. Alternatively, foundation loads could be supported on drilled piers. Specific foundation considerations and recommendations will depend on the particular loading characteristics of the project being planned for the site. However, general considerations for foundation alternatives are discussed in the following report sections. Geotechnical recommendations for use in final design must be developed based on a site- and project-specific study. This will require acquiring additional data on subsurface conditions via exploration and laboratory testing.

Shallow Foundations

Light to moderate structural loads may typically be supported on continuous or individual footings founded in the natural stiff to very stiff fine sandy clay. Footing depth would be anticipated to range from about 1.5 to 4.5 ft below existing grades. Footings supported in the stiff to very stiff

fine sandy clay can probably be designed with respect to net allowable soil bearing pressures of 2500 to 3500 lbs per sq ft. These values should include a factor of safety of 2.0 to 2.5 and should limit post-construction settlement to less than 1 inch for light to moderate loads. Where sustained dynamic loads are present, the net allowable bearing capacity will be reduced.

Depending on final site grading plans, footings could also be supported in compacted, high-quality fill. Individual or continuous footings founded in select fill can commonly be designed for net allowable soil bearing pressures of 1500 to 2500 lbs per sq ft. Final bearing capacity will be a function of the specific site conditions, depth of fill and the magnitude of loads.

Individual footings should typically have a minimum dimension of 24 to 30 inches and continuous footings a minimum width of 18 to 24 inches. Perimeter footings, or footings in unheated areas, should be placed a minimum of 1.5 ft below lowest adjacent grade for frost protection.

Drilled Piers

As an alternative to shallow foundations, structural loads could be supported on drilled piers. Drilled-and-underreamed (belled) or straight-shaft piers founded at a minimum depth of 10 ft below existing grade could probably be designed for net allowable end-bearing pressures on the order of 5 to 7.5 kips per sq ft, and possibly more. Groundwater is not expected to be a problem for drilled piers installed to depths on the order of 10 to 20 ft and casing is not expected to be required. However, casing should be on site during installation, in the event it is required. A minimum shaft diameter of 24 inches is recommended.

Floor Slabs

Slab-on-fill construction should be suitable for floor slabs. For design of slabs placed on a properly-prepared subgrade of the stiff natural soils, a subgrade modulus (k) value on the order of 75 to 125 lbs per cu inch is probably suitable. If grades are raised, as-built slabs may ultimately be supported on select fill. A k value of 125 to 200 lbs per cu inch may be developed for an improved subgrade comprised of a minimum of 2 ft of select fill or aggregate base. Floor slabs should be placed on a 4- to 6-inch-thick layer of clean granular material and underlain by an impervious barrier to prevent moisture transmission.

Site Grading

Positive surface drainage should be established at the start of construction, should be maintained during the work, and incorporated into final site grades. During wet seasons some seepage into shallow excavations may occur. However, such seepage is likely to be minor and can probably be controlled with a sump-and-pump system or ditching. Excavations extending below about 5 to 8 ft are more likely to encounter significant groundwater.

Site preparation should begin with clearing and grubbing of the trees and stripping the approximately 6- to 12-inch-thick zone of organic-containing surface soils. As noted, the surface soils are moisture sensitive and relatively weak. Consequently, some undercutting should be anticipated. Depending on final grading plans and seasonal site conditions, undercuts of 2 to 4 ft, more or less, could be required. Disturbance resulting from clearing and grubbing activities may mandate mass undercut. All stump holes should be properly backfilled with compacted select fill.

Depending on seasonal site conditions, use of a geotextile may be cost effective in reducing the need for undercut in areas of deeper fill. Consideration could also be given to the use of geogrids.

Following stripping and any cut or undercut, and prior to fill placement, the subgrade should be evaluated by the Geotechnical Engineer to determine suitability. Soft, wet or loose soils should be excavated and replaced with select fill. Site preparation during wet seasons will warrant modification of these recommendations.

The on-site clayey silt and highly organic surface soils are not considered suitable for use as structural fill. The low-plasticity fine sandy clay will be suitable for select fill use. Imported borrow for fill and backfill may consist of low-plasticity sandy clay (CL), clayey sand (SC), or gravelly clay (GC) with a liquid limit less than 45, or an approved alternate. All fill and backfill should be free of organics and debris and approved by the Engineer. Any granular or slightly cohesive fill materials must be protected from erosion or contained.

Fill, backfill or recompacted on-site soils in building areas should be compacted to a specified minimum value, to be determined based on specific project requirements. Fill should typically be placed in nominal 6- to 8-inch-thick loose lifts. Each lift of fill should be properly compacted, tested and approved prior to placing subsequent lifts.

Pavements

The very soft to firm surface soils typically offer poor to very poor support for pavements. However, after clearing, grubbing and stripping some subgrade will probably be suitable for pavement subgrade. The following properties are typically suitable for use in pavement design on the natural soils in a dry and firm condition:

Subgrade: Stiff fine sandy clay
California Bearing Ratio (CBR): 3 to 5
Modulus of Subgrade Reaction (k): 75 to 100 lbs per cu inch

Where the subgrade is comprised of 12 to 24 inches of high-quality select fill, fair to good subgrade support would be anticipated. The following subgrade properties would typically be suitable for pavement design on such a subgrade:

Subgrade: Select low-plasticity fill
California Bearing Ratio (CBR): 5 to 10
Modulus of Subgrade Reaction (k): 100 to 150 lbs per cu inch

We believe that suitable asphalt or concrete pavements can be designed and constructed on the site. Specific design will depend on the traffic mix, loads, and volume. Some periodic maintenance of pavements will be required. As a minimum, this should include periodic sealing of all joints and cracks to prevent surface water infiltration.

CLOSURE

This report has been prepared to provide preliminary information regarding site and subsurface conditions. The conclusions and comments contained herein have been developed based on a discrete number of widely-spaced borings. This information is intended for use in planning and conceptual design only. Specific design recommendations should be based on an appropriate geotechnical study for the project, as well as site grading plans and final structure/building layout.

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The following illustrations are attached and complete this report:

Plate 1	Plan of Borings
Plates 3 through 5	Boring Logs
Plate 6	Key to Terms and Symbols

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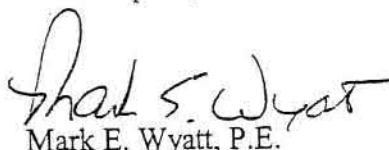
We appreciate the opportunity to be of service to you on the preliminary phase of this project. Should you have any questions regarding this report, or when we may be of additional assistance during final design or construction, please call on us.

Respectfully Submitted,

**GRUBBS, HOSKYN,
BARTON & WYATT, INC.**



Ben Simpson, E.I.



Mark E. Wyatt, P.E.

Manager, Geotechnical Services

BMS/MEW/caa

Copies submitted: Dana, Total Facility Resources, Shannon Properties Group
Attn: Mr. Keith Recknagel (3+fax)



HUTCHINSON STREET

PARKING
AREA



B-4



B-3

PROPOSED
WAREHOUSE



B-2



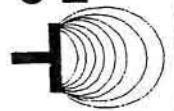
B-1

PARKING



PLAN OF BORINGS
Feasibility Study - Manufacturing Plant
Pine Bluff, Arkansas

**Grubbs, Hoskyn,
Barton & Wyatt, Inc.**
Consulting Engineers



SCALE: N.T.S.

JOB NO.: 99-207

PLATE 1 OF 6

LOG OF BORING NO. 1
Feasibility Study - Manufacturing Plant
Pine Bluff, Arkansas

LOCATION: See Plate 1

DEPTH, FT	SYMBOL	SAMPLES	DESCRIPTION OF MATERIAL	BLOWS PER FT	UNIT DRY WT LB/CU FT	COHESION, TON/SQ FT			- No. 200 %
						0.2 0.4 0.6 0.8 1.0 1.2 1.4			
						PLASTIC LIMIT + 10 20 30 40 50 60 70	WATER CONTENT ● 40 50 60 70	LIQUID LIMIT + 10 20 30 40 50 60 70	
			Very soft light gray and tan clayey silt w/ferrous stains, wet	1		⊗	+ ●		80
5			Stiff tan and light gray fine sandy clay w/ferrous stains				+ ●	+ ⊗	77
10			Medium dense tan and light gray silty clay w/ferrous staining and light gray sand pockets	31		●		⊗	
15			Stiff reddish brown and light gray clay w/ferrous staining, seams and pockets and some fine sand	31			+ ●	+ ⊗	81
20			Medium dense light gray and tan clayey fine sand w/tan light gray clay seams and layers					⊗	
25			Stiff gray and brown silty clay w/ferrous staining and nodules					⊗	
30								⊗	

COMPLETION DEPTH: 30.0 ft
DATE: 5-20-99
DEPTH TO WATER
IN BORING: 3 ft
DATE: 5/20/99

GENEW 99-207 GP J 6-4-99



Grubbs, Hoskyn,
Barton & Wyatt, Inc.
Consulting Engineers

LOG OF BORING NO. 3

Feasibility Study - Manufacturing Plant
Pine Bluff, Arkansas

TYPE: Auger to 10 ft/Wash

LOCATION: See Plate 1

TITLE: August 10 1999													
DEPTH, FT	SYMBOL	SAMPLES	DESCRIPTION OF MATERIAL	BLOWS PER FT	UNIT DRY WT LB/CU FT	COHESION, TON/SQ FT						- No. 200 %	
						0.2	0.4	0.6	0.8	1.0	1.2		1.4
SURF. EL:						PLASTIC LIMIT +-----+ 10 20 30 40 50 60 70							
						WATER CONTENT +-----+ 10 20 30 40 50 60 70							
						LIQUID LIMIT +-----+ 10 20 30 40 50 60 70							
			Firm brown fine sandy clay										
			Stiff to very stiff tan sandy clay w/ferrous stains - tan and light gray below 2 ft		107								84
5			- w/dark gray laminations below 6.5 ft										81
10													
15			Very stiff gray and brown fine sandy clay w/ferrous staining and dark gray clay laminations										
20													
25			Very stiff gray and dark brown clay w/ferrous staining										
30			- reddish brown and gray, w/trace clay below 29 ft										
COMPLETION DEPTH: 30.0 ft				DEPTH TO WATER IN BORING: Dry				DATE: 5/20/99					

LGBNEW 99-207 GPJ 8-7-99



**Grubbs, Hoskyn,
Barton & Wyatt, Inc.**
Consulting Engineers

LOG OF BORING NO. 4

Feasibility Study - Manufacturing Plant
Pine Bluff, Arkansas

TYPE: Auger

LOCATION: See Plate 1

DEPTH, FT			SYMBOL	SAMPLES	DESCRIPTION OF MATERIAL	SURF. EL:	BLOWS PER FT	UNIT DRY WT LB/CU FT	COHESION, TON/SQ FT							- No. 200 %
0.2 0.4 0.6 0.8 1.0 1.2 1.4																
PLASTIC LIMIT		WATER CONTENT							LIQUID LIMIT							
+		+			+		+		+		+		+			
10 20 30 40 50 60 70		10 20 30 40 50 60 70		10 20 30 40 50 60 70		10 20 30 40 50 60 70		10 20 30 40 50 60 70		10 20 30 40 50 60 70		10 20 30 40 50 60 70				
			Very soft brown and tan fine sandy clay, silty w/ferrous stains - tan and light gray below 2 ft									76				
			Stiff tan and light gray silty clay w/ferrous stains and little fine sand													
5																
10																
15																
20																
25																
30																

COMPLETION DEPTH: 5.5 ft
DATE: 5-20-99

DEPTH TO WATER
IN BORING: 3 ft

DATE: 5/20/99

PLATE 5



SYMBOLS AND TERMS USED ON BORING LOGS

SOIL TYPES

(SHOWN IN SYMBOLS COLUMN)



Gravel



Sand



Silt



Clay

Predominant type shown heavy

SAMPLER TYPES

(SHOWN ON SAMPLES COLUMN)



Shelby
Tube



Rock
Core



Split
Spoon



No
Recovery



Cutting

TERMS DESCRIBING CONSISTENCY OR CONDITION

COARSE GRAINED SOILS (major portion retained on No. 200 sieve): Includes (1) Clean gravels and sands, and (2) silty or clayey gravels and sands. Condition is rated according to relative density, as determined by laboratory tests.

DESCRIPTIVE TERM	N-VALUE	RELATIVE DENSITY
VERY LOOSE	0-4	0-15%
LOOSE	4-10	15-35%
MEDIUM DENSE	10-30	35-65%
DENSE	30-50	65-85%
VERY DENSE	50 and above	85-100%

FINE GRAINED SOILS (major portion passing No. 200 sieve): Includes (1) Inorganic and organic silts and clays, (2) gravelly, sandy, or silty clays, and (3) clayey silts. Consistency is rated according to shearing strength, as indicated by penetrometer readings or by unconfined compression tests.

DESCRIPTIVE TERM

VERY SOFT
SOFT
FIRM
STIFF
VERY STIFF
HARD

UNCONFINED COMPRESSIVE STRENGTH TON/SQ. FT.

Less than 0.25
0.25-0.50
0.50-1.00
1.00-2.00
2.00-4.00
4.00 and higher

NOTE: Slickensided and fissured clays may have lower unconfined compressive strengths than shown above, because of planes of weakness or cracks in the soil. The consistency ratings of such soils are based on penetrometer readings.

TERMS CHARACTERIZING SOIL STRUCTURE

SLICKENSIDED - having inclined planes of weakness that are slick and glossy in appearance.

FISSURED - containing shrinkage cracks, frequently filled with fine sand or silt; usually more or less vertical.

LAMINATED - composed of thin layers of varying color and texture.

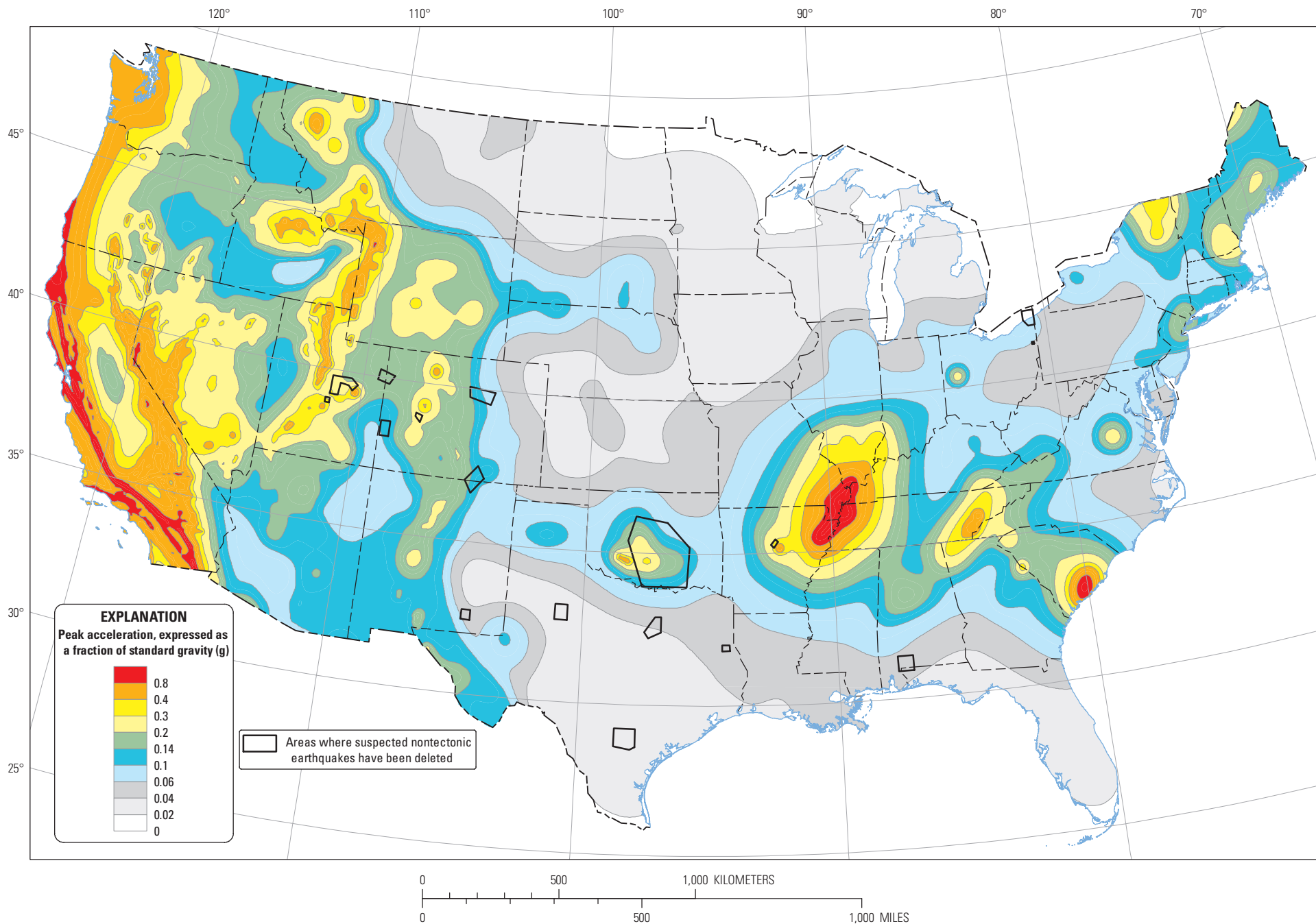
INTERBEDDED - composed of alternate layers of different soil types.

CALCAREOUS - containing appreciable quantities of calcium carbonate.

WELL GRADED - having a wide range in grain sizes and substantial amounts of all intermediate particle sizes.

POORLY GRADED - predominantly of one grain size, or having a range of sizes with some intermediate sizes missing.

Terms used on this report for describing soils according to their texture or grain size distribution are in accordance with the UNIFIED SOIL CLASSIFICATION SYSTEM, as described in Technical Memorandum No.3-357, Waterways Experiment Station, March 1953



Two-percent probability of exceedance in 50 years map of peak ground acceleration

Zoning/Permitting

Copy of Restrictive Covenants: See attachment Z-1 for detail.

Current Classification and Proposed Zoning (if different) to Conform with Intended Use:

I-4

Copy of Zoning Ordinance: See attachment Z-2 for detail.



Explanation of Process to Change Zoning: N/A



PROTECTIVE COVENANTS JEFFERSON INDUSTRIAL PARK

1. The property herein conveyed shall be used only for industrial, manufacturing, warehousing or distribution purposes. It shall not be used for residential purposes, nor for the retail sale of any merchandise or services, except that any occupant of the property, either owner or tenant, may sell at retail those products which are manufactured or handled at wholesale by the occupant. The financing of the sale of such merchandise is expressly permitted, as it is the retail sale of food, beverage and other such convenience items to occupant's employees so long as these items are not offered for sale to the general public. The purpose of this restriction is to prohibit the operation on this property of any business devoted primarily to the retail sale of merchandise or the furnishing of services to the general public.
2. The Grantee shall not use any of the land or premises for the manufacture, storage, distribution or sale of any materials or products which shall increase the insurance rates of the adjoining property or for any purposes which constitute a nuisance in the generally accepted definition of that term, and the Grantee agrees that it will use said property in compliance with all laws of the State of Arkansas and of the United States.
3. Any building or other structures erected on the property shall be of masonry (brick and mortar) construction, steel construction, or its equivalent. Wooden or frame construction is prohibited insofar as its use in an exposed or visible position is concerned. Grantee shall submit detailed plans and specifications for initial construction and for any exterior alteration, modification or additional construction to Grantor prior to the commencement of construction and Grantor's written approval shall be proof of compliance with this restriction.
4. Buildings erected within the Jefferson Industrial Park shall not be closer than seventy-five (75) feet from the right-of-way line of primary arterial streets, fifty (50) feet from other street rights-of-way, and twenty-five (25) feet from side property lines of individual tracts. Irrespective of compliance with these setback requirements, however, truck docks must be so situated that trucks, tractors, trailers or any combination thereof may not, while being either loaded or unloaded, project beyond the right-of-way of any street bordering the property.
5. Billboard posters and other advertising signs are prohibited except those signs which advertise the property owner's business or products.
6. No goods, equipment, supplies, or other materials shall be stored in the open except on the rear two-thirds (2/3) of said property, and then only when such open storage is fenced with a screening fence at least six (6) feet in height or an adequate height to screen stored materials from public street view. For those lots having irregular depths, the open storage area boundary line shall parallel the front street and its location shall be determined, with Grantor approval, by using the depth of the shorter side property line. All fencing for screening, security or other purpose shall be attractive in appearance and shall be of an all-metal industrial type fence of galvanized or non-ferrous material.
7. It shall be the responsibility of the property owner to provide parking space for employees, customers and visitors, and the public street shall not be used for parking. The surface of all driveways and permanent parking areas shall be of concrete, asphalt or other bituminous material. It shall be Grantee's responsibility to extend driveways to existing or presently projected streets at no expense to Grantor, even though part of this construction is within the street right-of-way.
8. The owner of said property shall keep the premises, buildings and improvements in a safe, clean, healthful and presentable condition at all times and shall comply in all respects with all government, health and police requirements.
9. Grantee agrees to landscape that portion of the property between the building or buildings and the curb line of any abutting streets, including any such property which may be in a street or utility right-of-way, and to remove undergrowth, weeds, debris, rubbish, trash, excess dirt and any other unsightly material from the remainder of the property, at no expense to Grantor.
10. No buildings or other structures shall be built or maintained which cover more than one-third (1/3) of the total land area in the above described plot.

11. The Grantee herein agrees to commence construction of a building covering at least _____ square feet within _____. However, until such time as buildings covering at least one-sixth (1/6) of the total ground area herein conveyed have been constructed, Grantee is prohibited from selling any of said land on which buildings have not been constructed without first offering said excess land to the Economic Development Alliance of Jefferson Co., Ark., at the price paid by Grantee. After written notice of the intention of Grantee to sell has been received by Grantor, Grantor shall have a period of ninety (90) days in which to exercise the right of repurchase. Whenever buildings covering one-sixth (1/6) of the total ground area have been constructed by Grantee, this clause shall become null and void and Grantor then waives any further right as to the resale of the property. All other restrictions, however, shall remain in full force and effect as separately provided.
12. Grantor agrees to provide paved street(s), water, power, gas, telephone and sanitary sewer lines in the easement or right-of-way adjoining Grantee's property at no cost to Grantee.
13. Grantor offers no assurance as to the provision of rail service to the property herein conveyed, it being the responsibility of the Grantee to negotiate for this service with the Union Pacific and Burlington Northern Companies.
14. Because of the difficulty in prescribing in advance the location of all utility, street and rail easements which may ultimately be required, Grantee herein agrees to offer every reasonable cooperation in providing such easements as may be required and as such may affect this property. Grantee agrees to acquire the property subject to any easements which may affect it, provided these easements have been clearly indicated on the engineer's survey of the property which has been furnished to Grantee. Grantee agrees to file jointly with other landowners in Jefferson Industrial Park a plat of record when all properties within Jefferson Industrial Park are sold.
15. The Grantor herein, its successors and assigns, may enforce these restrictions either by restraining order or may prosecute at law or in equity a suit for damages or any other remedy which the Grantor, its successors and assigns, may have.
16. Invalidation of any of the foregoing conditions, restrictions or covenants by a court of competent jurisdiction in no way affects any of the other provisions which shall remain in full force and effect.
17. Grantor affirms that there are no adverse occupants of said land; that there are no unrecorded options to purchase, sales contracts or lease agreements outstanding affecting said property; that there have been no improvements made thereon during the past 130 days for which a Mechanic's or Materialmen's lien may be filed; that there are no improvement district charges levied against the property; and that no roads or streets traverse the property.
18. Grantor agrees to invoke substantially similar restrictions in all subsequent conveyances.
19. These restrictions shall be covenants running with the land and shall be binding upon the Grantee, its successors and assigns, and shall be in full force and effect for twenty-five (25) years from the date of this Deed.

ECONOMIC DEVELOPMENT ALLIANCE FOR JEFFERSON COUNTY, ARKANSAS
510 MAIN  P O Box 5069
PINE BLUFF, AR 71611-5069
(870) 535-0110  FAX (870) 535-1643

Sec. 29-117. - I-4 industrial.

- (a) *General description and intent.* This section applies to the I-4 industrial district. This industrial district is intended to provide for industrial, manufacturing, warehousing or distribution purposes in Jefferson Industrial Park and the Harbor Industrial District.
- (b) *Permitted uses.* Industrial, manufacturing, warehousing or distribution facilities are permitted in this district.
 - (1) Use permitted on review: Day care center.
- (c) *Use limitations.* Any establishments devoted primarily to the retail sale of merchandise or to the furnishing of services to the general public is prohibited. No land or premises shall be used for the manufacture, storage, distribution or sale of any materials or products which shall increase the insurance rates of adjoining property or for any purposes which constitute a nuisance in the generally accepted definition of that term.
- (d) *Parking requirements.* On-site parking space for employees, customers and visitors shall be provided. Public streets shall not be used for parking. The surface of all driveways and permanent parking areas shall be of concrete, asphalt, or other bituminous material. Parking requirements outlined in article V, division 2 shall not be applicable to this district.
- (e) *Loading and unloading facilities.* Truck docks must be so situated that trucks, tractors, trailers or any combination thereof may not, while being either loaded or unloaded, project beyond the right-of-way of any street bordering the property.
- (f) *Screening and landscaping.* Screening and landscaping shall be provided pursuant to respective restrictive covenants.
- (g) *Signs.* Billboard posters and other advertising signs are prohibited, except those signs which identify the property owner's facility.
- (h) *Area regulations.* Buildings erected within this district shall not be closer than seventy-five (75) feet from the right-of-way line of primary arterial streets, fifty (50) feet from other street rights-of-way and twenty-five (25) feet from side property lines of individual tracts.

(Ord. No. 4807, as amended, § 22(A), 2-2-81; Ord. No. 6092, § 2E, 6-7-04)

Utilities

Electric:

Name of Utility: Entergy Arkansas
Contact Person(s): Joe Bailey or Chris Murphy
Address: 425 West Capitol Ave., Suite 2700
City, State, Zip: Little Rock, AR 72201
Phone: 501-377-4089 or 501-377-4467
Fax: 501-377-4448
Email: jbail12@entergy.com or cmurph4@entergy.com
Service and Proximity to Site: Distribution and transmission level voltage is adjacent to the site.

Natural Gas:

Name of Utility: CenterPoint
Contact Person(s): Chauncey Taylor
Address: P.O. Box 751
City, State, Zip: Little Rock, AR 72203
Phone: 501-377-4557
Fax: 501-377-4630
Email: Chauncey.taylor@centerpointenergy.com
Service and Proximity to Site: 6", 4" and 2" mains on property: 45 to 245 psi

Water:

Name of Utility: Liberty Utilities
Contact Person(s): Erin Foster
Address: 1100 State Street
City, State, Zip: Pine Bluff, AR 71601
Phone: 870-727-9448
Fax: 870-534-2037
Email: Erin.foster@libertyutilities.com
Service and Proximity to Site: 12" mains: 60 psi: 500,000-gallon elevated storage



Utilities

Sewer:

Name of Utility: Pine Bluff Wastewater Utility
Contact Person(s): Ken Johnson
Address: 1520 South Ohio Street
City, State, Zip: Pine Bluff, AR 71601
Phone: 870-535-6603
Fax: 870-535-6243
Email: ken@pbwastewater.com
Service and Proximity to Site: Sanitary – 12" and 10" laterals to 24" and 27" trunk lines

Telecommunications:

Name of Utility: AT&T
Contact Person(s): Kevin Varner, Area Manager
Address: 220 Prospect Avenue
City, State, Zip: Hot Springs, AR 71901
Phone: 501-321-3200
Fax:
Email: Kevin.varner@att.com
Service and Proximity to Site: AT&T network adjacent to the site can be expanded to provide a full range of AT&T Voice and Data products via fiber or copper solutions.

Rail:

Name of Utility: Union Pacific
Contact Person(s): Brandon Morris
Address: 1000 W. 4th Street
City, State, Zip: North Little Rock, AR 72114
Phone: 501-373-2937
Fax:
Email: Bdmorris@up.com
Service and Proximity to Site: Rail at site. A spur would be required for specific customer needs.



Taxes

Local Sales Tax City = 2.25%
Rates: County = 1.25%

Property Tax Rates Assessment ratio for real property is 20% of current market
(Real, Personal) and value.

Methods of

Assessment: Rate per \$1,000 of assessed value:

City

City	\$10.10
County	\$ 6.50
School District 3	<u>\$41.70</u>
Total	\$58.30 (city millage)

County

City	\$00.00
County	\$ 6.50
School District 3	<u>\$41.70</u>
Total	\$48.20 (county millage)

Example:

\$10,000,000 value x .20% = \$2,000,000

\$2,000,000 x 0.05830 (millage) = \$116,600 annual property
tax within the City of Pine Bluff.

\$2,000,000 x 0.04820 = \$96,400 if in the County (Jefferson).

State Taxation See Arkansas Economic Development Commission Taxation
Summary: Summary behind tab T1 for details.





as of August 2019

State of Arkansas Taxation Summary

Corporate Income Tax

Taxable income is apportioned according to a single-factor formula (sales attributed to Arkansas during the tax period). Corporate income tax is levied statewide only; not on the local level.

Net Income	Tax Rate
First \$3,000	1%
Next \$3,000	2%
Next \$5,000	3%
Next \$14,000	5%
Next \$75,000	6%
Over \$100,000	6.5%*

*In 2021, the tax percentage for over \$100,000 net income will be 5.9%.

Personal Income Tax

2019 (Personal income tax is levied statewide only; not on the local level)

For Incomes less than \$21,000 per year

Taxable Income	Tax Rate
\$0 - \$4,299	0.0%
\$4,300 - \$8,399	2.0%
\$8,400 - \$ 12,599	3.0%
\$12,600 - \$20,999	3.4%

For incomes between \$21,000 and \$75,000

Taxable Income	Tax Rate
\$0 - \$4,299	0.75%
\$4,300 - \$8,399	2.5%
\$8,400 - \$12,599	3.5%

\$12,600 - \$20,999	4.5%
\$21,000 - \$35,099	5.0%
\$35,100 - \$75,000	6.0%

For incomes more than \$75,000

Taxable Income	Tax Rate
\$0 - \$4,299	0.9%
\$4,300 - \$8,399	2.5%
\$8,400 - \$12,599	3.5%
\$12,600 - \$20,999	4.5%
\$21,000 - \$35,099	6.0%
\$35,100 +	6.9%

Incomes between \$75,000 and \$80,000 shall reduce the amount of income tax due by deducting bracket adjustment as set forth below

Taxable Income	Tax Rate
\$75,001 - \$76,000	\$440
\$76,001 - \$77,000	\$340
\$77,001 - \$78,000	\$240
\$78,001 - \$79,000	\$140
\$79,001 - \$80,000	\$ 40
\$80,001 and above	\$ 0

Federal Insurance Contributions Act (FICA)

The Federal Insurance Contributions Act (FICA) tax includes two separate taxes. One is social security tax and the other is Medicare tax. Different rates apply for each of these taxes.

The current tax rate for social security is 6.2% for the employer and 6.2% for the employee, or 12.4% total. The current rate for Medicare is 1.45% for the employer and 1.45% for the employee, or 2.9% total.

Only the social security tax has a wage base limit. The wage base limit is the maximum wage that is subject to the tax for that year. For earnings in 2019, this base is \$132,900. There is no wage base limit for Medicare tax. All covered wages are subject to Medicare tax.

Additional Medicare Tax are applied to an individual's Medicare wages that exceed a threshold amount based on the taxpayer's filing status. Employers are responsible for withholding the 0.9% Additional Medicare Tax on an individual's wages paid in excess of \$200,000 in a calendar year, without regard to filing status. An employer is required to begin withholding Additional Medicare Tax in the pay period in which it pays wages in excess of \$200,000 to an employee and continue to withhold it each pay period until the end of the calendar year. There is no employer match for Additional Medicare Tax.

Corporate Franchise Tax

The chart below lists the franchise tax rates for various entities under Arkansas Code 26-54-104.

Franchise Tax Type	Current Rate
Corporation/Bank with Stock	0.3% of the outstanding capital stock; \$150 minimum
Corporation/Bank without Stock	\$300
Limited Liability Company	\$150
Insurance Corporation Legal Reserve Mutual, Assets Less Than \$100 million	\$300
Insurance Corporation Legal Reserve Mutual, Assets Greater Than \$100 million	\$400
Insurance Company Outstanding Capital Stock Less Than \$500,000	\$300
Insurance Company Outstanding Capital Stock Greater Than \$500,000	\$400
Mortgage Loan Corporation	0.3% of the outstanding capital stock; \$300 minimum
Mutual Assessment Insurance Corporation	\$300

Sales Tax

The Arkansas sales tax is 6.5% of the gross receipts from the sales of tangible personal property and certain selected services. "Sale" includes the lease or rental of tangible personal property. In addition to the state sales and use tax, local sales and use taxes may be levied by each city or county. However, businesses may apply to the Arkansas Department of Finance and Administration for a refund of local taxes. "Single transaction" means any sale of tangible personal property or taxable service reflected in a single invoice, receipt or statement for which an aggregate sales or use tax amount has been reported or remitted to the state for a single, local taxing jurisdiction. These taxes are collected by the state and distributed to the cities and counties each month.

Sales Tax Exemptions – Sales Tax Savings

Exemptions from sales and use taxes for manufacturers are as follows:

- Property which becomes a recognizable, integral part of property manufactured, compounded, processed, or assembled for resale.
- Machinery and equipment used directly in manufacturing which are purchased for a new or expanding manufacturing facility or to replace existing machinery or equipment
- Machinery and equipment required by Arkansas law to be purchased for air or water pollution control

The value of this statutory exemption depends on the amount of eligible expenditures as determined by the Arkansas Department of Finance and Administration.

Sales and Use Tax Reduction on Electricity and Natural Gas

The State of Arkansas has a reduced rate of 0.625% on electricity and natural gas used directly in the manufacturing process. For purposes of determining what utility usage is subject to this reduced rate, the manufacturing process includes processes beginning at the point where raw materials are first moved from raw material storage to the beginning of manufacturing or processing of those raw materials into items of tangible personal property and ends when the finished manufactured goods are packaged and ready for shipment or storage.

Sales and Use Tax Refund – Replacement and Repair

Effective July 1, 2014, state sales and use taxes relating to the partial replacement and repair of machinery and equipment used directly in manufacturing process may be refunded. Act 772 of 2019 Sales and Use Tax Refund for Machinery and Equipment used to Modify, Replace, or Repair Molds and Dies Used in Manufacturing. Amended the Arkansas code §26-52-447(a) related to sales tax refund related to the partial replacement and repair of certain machinery and equipment to include machinery and equipment purchased to modify, replace, or repair, either in whole or in part, existing molds and dies used directly in producing, manufacturing, fabricating, assembling, processing, finishing or packaging articles of commerce at a manufacturing or processing facility. Effective date: July 1, 2019. Manufacturers may utilize one of two of the options presented on the next page:

Option One:

- Provides a refund of one percent (1%) of the total sales and use taxes (5.875* percent) levied for the purchase and installation of machinery and equipment to modify, replace or repair, either in whole or part, existing machinery or equipment used directly in the manufacturing process.

Effective Date	Option 1 Percentage
July 1, 2014	1%
July 1, 2018	2%
July 1, 2019	3%
July 1, 2020	4%
July 1, 2021	5%
July 1, 2022	Full exemption of state sales and use taxes

Option Two:

- Provides for an increased refund of the total sales and use taxes (5.875* percent) levied. It is discretionary and may be offered by the Executive Director of AEDC to those manufacturers who have a major maintenance and improvement project totaling at least \$3 million to purchase and install machinery or equipment used directly in the manufacturing process. The project is subject to approval and the Company must enter into a financial incentive agreement with AEDC for the project prior to incurring project expenditures.

*The excise tax of one-eighth of one percent (1/8 of 1%) levied in Arkansas Constitution, Amendment 75, and the temporary excise tax of one-half percent (0.5%) levied in Arkansas Constitution Amendment 91, are not subject to refund under this section.

Unemployment Insurance Tax

New Businesses

A business with no previous employment record in Arkansas is taxed at 3.2% on the first \$10,000 of each employee's earnings until an employment record is established, usually within three years.

Existing Arkansas Businesses

2019 Experience-Based Rate range between 0.1% - 14.0% and average 1.54%. Each business' employment record is determined primarily by its taxable payroll and history of employee

voluntary termination. The tax is determined by past experience and the amount of the reserve-ratio. The reserve-ratio is the excess of contributions paid over benefits charged as related to payroll. The higher the reserve-ratio, the lower the tax rate. Currently, the maximum weekly benefit in Arkansas is \$451.

Federal Unemployment Tax (FUTA)

Aside from state unemployment insurance taxes, employers pay a federal unemployment or FUTA tax. The FUTA tax rate is 6.0% with a taxable wage base of \$7,000. However, if states operate their unemployment insurance programs in compliance with federal law then the FUTA tax is reduced (credit) by 5.4% to 0.6%.

Property Tax

The State of Arkansas does not have a property tax; however, Arkansas cities and counties do collect a property tax, which is the principal source of revenue for funding local public schools.

The tax is calculated based on 20 percent of the true market value of real and to the usual selling price of personal property (vehicles, boats, etc.) and the average annual value of merchants' stocks and/or manufacturers' inventories based on millage rates in individual school districts. Business firms and individuals are subject to annual property tax on all real and personal property.

Local county tax assessors and collectors calculate and collect all personal and real property taxes. Revenue derived from personal property taxes supports your local government agencies. Personal property must be assessed each year before May 31. Any personal property taxes assessed after the deadline will include a monetary penalty determined by the respective county. These taxes are due on or before October 15 of the following year.

Real Property Option (Using Arkansas Average Millage Rate as an Example):

Total Market Value	x	Assessment Level	=	Assessed Value
\$4,000,000	x	20%	=	\$800,000
Assessed Value	x	Millage Rate	=	Annual Property Tax Due
\$800,000	x	.04748	=	\$37,984

Please note: Corporate personal property taxes (equipment, office furniture, etc.) follow a depreciation schedule for each type of property. The schedule below (with exceptions dependent on the area) is issued by each County Assessor's Office in Arkansas.

COMMERCIAL PERSONAL PROPERTY Depreciation Schedule

Remaining Life Percent

Schedule Age	3	5	6	8	10	12	16	20	25	30	Schedule Age
1	.55	.73	.78	.87	.89	.91	.93	.94	.96	.96	1
2	.30	.53	.60	.71	.82	.85	.88	.88	.91	.93	2
3	.10	.39	.48	.59	.75	.79	.84	.85	.87	.89	3
4		.24	.35	.50	.68	.73	.79	.81	.84	.87	4
5		.10	.23	.42	.61	.67	.75	.78	.81	.84	5
6			.10	.33	.53	.61	.70	.74	.79	.82	6
7				.24	.46	.55	.66	.71	.76	.80	7
8				.15	.39	.49	.61	.67	.73	.77	8
9					.32	.43	.57	.64	.70	.75	9
10					.25	.37	.52	.60	.67	.73	10
11						.31	.48	.57	.64	.70	11
12						.25	.43	.53	.62	.68	12
13							.39	.50	.59	.65	13
14							.34	.46	.56	.63	14
15							.30	.43	.53	.61	15
16							.25	.39	.50	.58	16
17								.36	.48	.56	17
18								.32	.45	.53	18
19								.29	.42	.51	19
20								.25	.39	.49	20
21									.36	.46	21
22									.33	.44	22
23									.31	.42	23
24									.28	.39	24
25									.25	.37	25
26										.34	26
27										.32	27
28										.30	28
29										.27	29
30										.25	30

Industrial revenue bond financing is available to a company in Arkansas for land acquisition, building acquisition, construction and equipment. Bonds can be issued as either taxable or tax exempt, depending on certain IRS qualifications and restrictions.

The Arkansas Economic Development Commission Bond Guaranty Program was created to provide long-term, tax exempt and taxable financing for businesses expanding or locating in Arkansas. Although the city or county may issue the revenue bond, the company is still responsible for paying the principal and interest.

Under this program, the Commission can guarantee timely payment of principal and interest, up to \$5,000,000 principal per bond issue, to the bondholders. This guaranty gives the bonds a better rating, thereby making the bond more attractive to investors and reducing the company's cost to borrow money.

An additional benefit of bond financing is:

Cities and counties are authorized to enter into a Payment in Lieu of Tax (PILOT) Agreement with industrial projects resulting in a reduction of property taxes that would otherwise be due. Industrial Revenue Bonds are issued by the city or county on behalf of the project. Under PILOT agreements, title to the property is held in name only by the public issuer for the term of the bond issue. At the end of the bond term, title will transfer to the company. The amount of the payment in lieu of taxes must not be less than 35% of what normal taxes would have been. The PILOT Agreement may not last longer than the term of the bond.

Inventory Tax

All real estate and tangible personal property (inventory) shall be assessed for taxation in the taxing district in which the property is located and kept in use.

If destination of a company's tangible personal property (inventory) is within the state, taxes will be assessed at its prior year's value only in the county/city of its destination.

Freeport Law

If destination of a company's tangible personal property (inventory) is out of state, the following statement applies:

Arkansas' Freeport Law exempts from property tax those finished goods and raw materials in transit or awaiting shipment to out-of-state customers.

Workers' Compensation Rate for the Manufacturing Sector

2018

Type of Rate	Rate per \$100 payroll
Assigned Risk	\$2.04
Advisory Loss Cost	\$1.02

Source: NCCI July 2019 Arkansas Manufacturing Rates

The assigned risk rate is based on the inability for companies to obtain their own insurance, while the loss cost is for companies which are self-insured.

Maps

The following maps are provided behind this tab:

- Transportation, Regional
- Transportation, Immediate
- Aerial
- Topographic
- Elevation Contours
- FEMA Flood Hazard
- National Wetlands Inventory
- Pipeline Infrastructure
- Entergy's Electrical Infrastructure
- Local Utilities and Surrounding Uses





**BUSINESS
DEVELOPMENT**
ARKANSAS

JEFFERSON INDUSTRIAL PARK

Pine Bluff, AR

425 West Capital Ave Suite 2700
Little Rock, AR 72201

Phone: 1-888-301-5861

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Coordinates: -92.065966, 34.260989



Contents

Transportation, Regional
Transportation, Immediate
Aerial
Topographic Map
Elevation Contours
FEMA Flood Hazard
National Wetland Inventory
Pipeline Infrastructure
Electrical Infrastructure



Note: Select Census Designated Places >= 60,000 Population

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Transportation, Regional

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A map of the state of Indiana, divided into its 92 counties. Elkhart County, located in the central-eastern part of the state, is highlighted in a solid red color. The surrounding counties are shown in a light gray color with black outlines.

A map of Missouri showing major highways and county boundaries. A red star marks the location of the 1993 shooting on Highway 270 near Highway 530. The map includes labels for Pulaski, Lonoke, Jefferson, Cleveland, Lincoln, and Arkansas counties, as well as Highway shields for 270, 79, 530, 63, 425, 65, and 165.

Legend:

- Site Location
- Rail
- Public Airports
- Ports
- Navigable Waterways
- Highways**
 - Interstate
 - US
 - State

These drawings are provided merely to assist in economic development efforts. The Entergy Companies make no representations or warranties whatsoever regarding the accuracy or completeness of any information contained herein nor the condition or suitability of any properties. Users should direct inquiries about any property to the listing broker for that property.

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Date:10/2019



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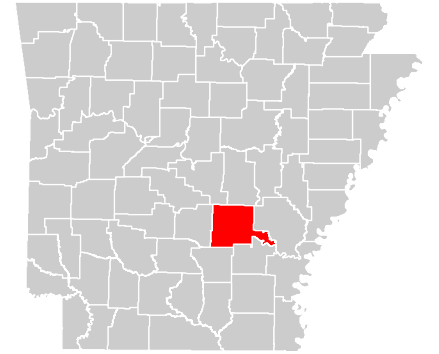
Transportation, Immediate

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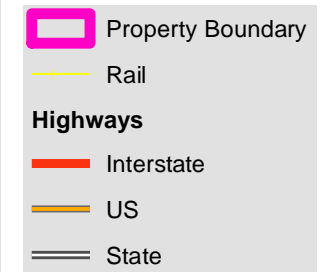
JEFFERSON COUNTY



VICINITY



LEGEND



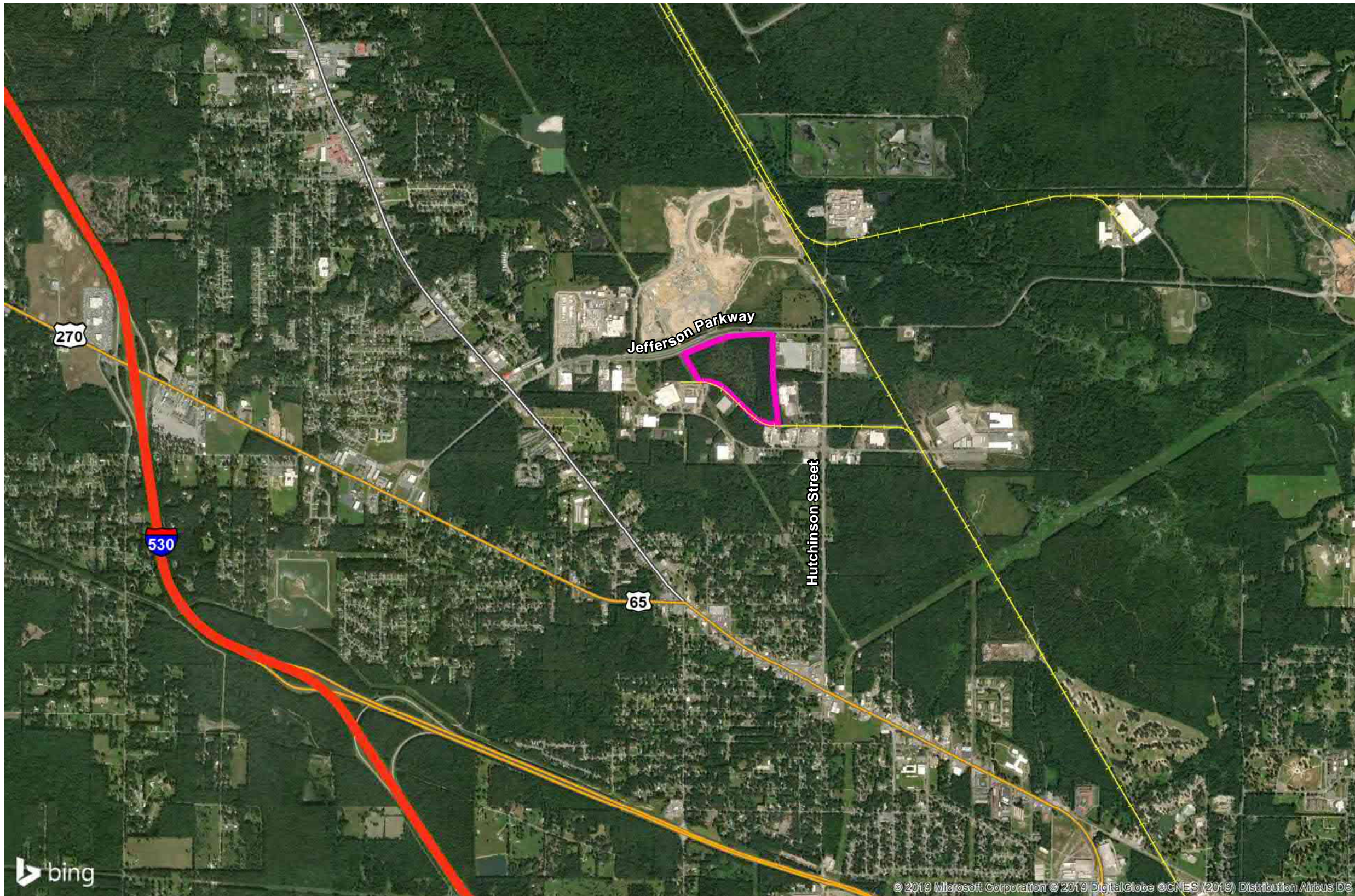
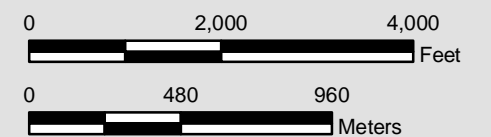
NOTE

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SOURCE

Roads: Census Tiger, 2018
Rail: Bureau of Labor Statistics, 2019
Property Boundary: BuildingsAndSites.com

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Date: 10/2019



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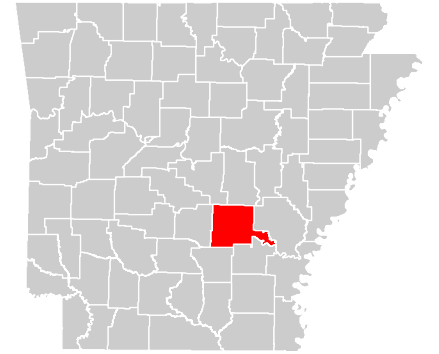
Aerial

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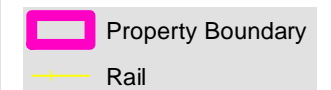
JEFFERSON COUNTY



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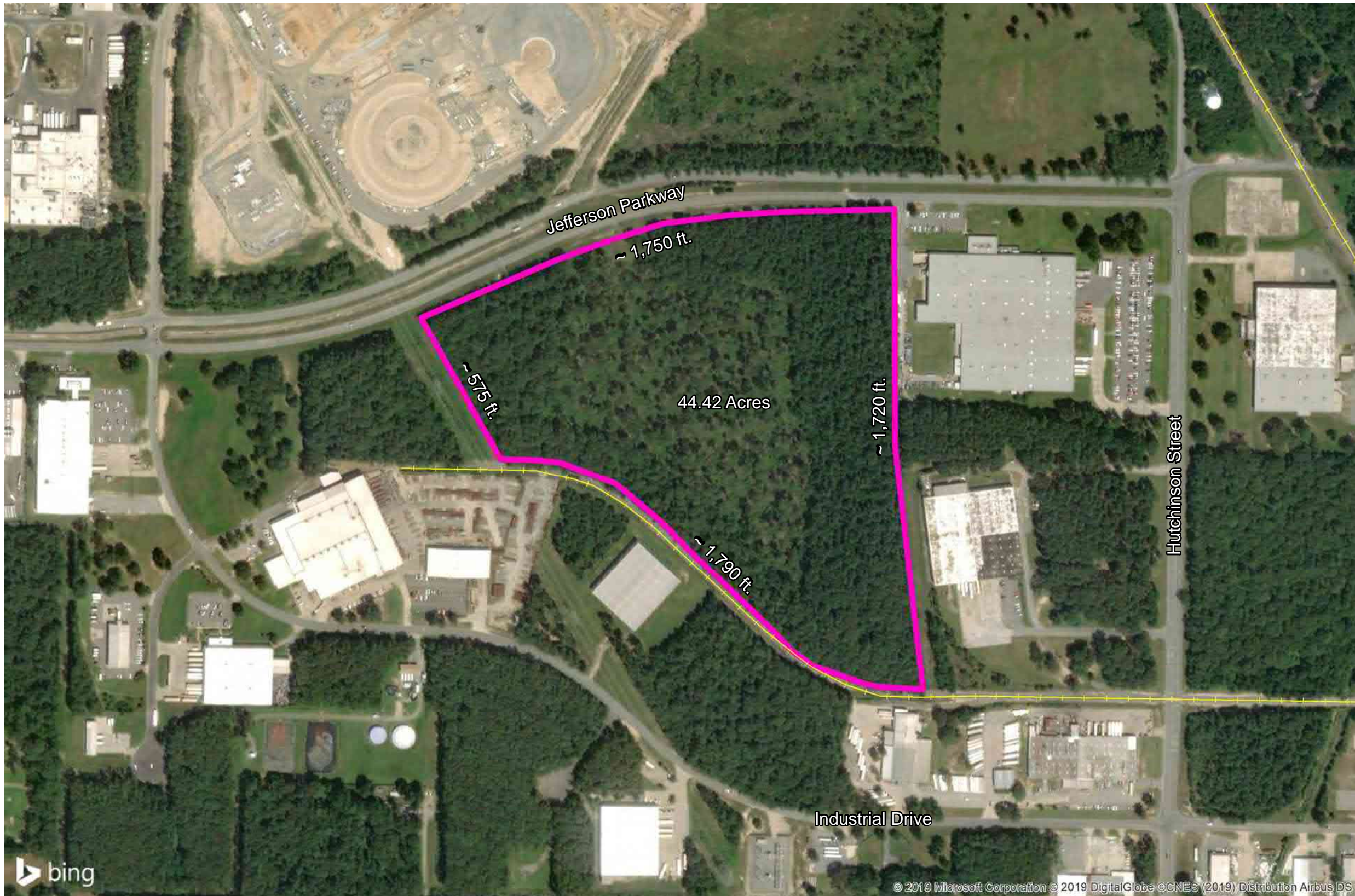
SOURCE

Roads: Census Tiger, 2018
Rail: Bureau of Labor Statistics, 2019
Property Boundary: BuildingsAndSites.com

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0 375 750
Feet

0 90 180
Meters



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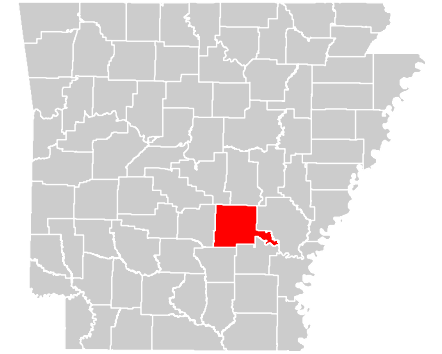
Topographic Map

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JEFFERSON COUNTY



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LEGEND

 Property Boundary

NOTE

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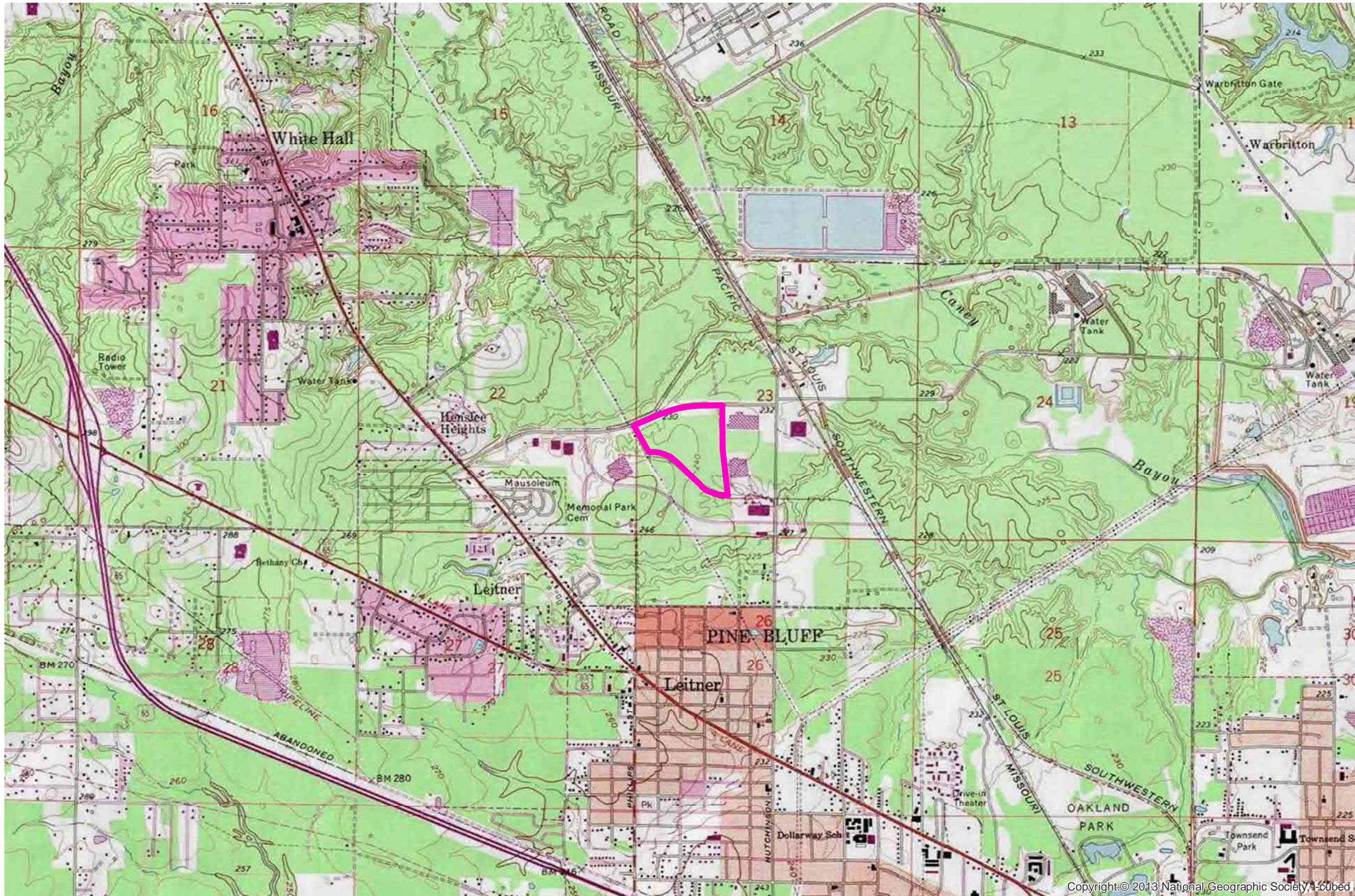
SOURCE

ESRI USA Topo Map Basemap
Property Boundary: BuildingsAndSites.com

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0 2,000 4,000
Feet

0 480 960
Meters



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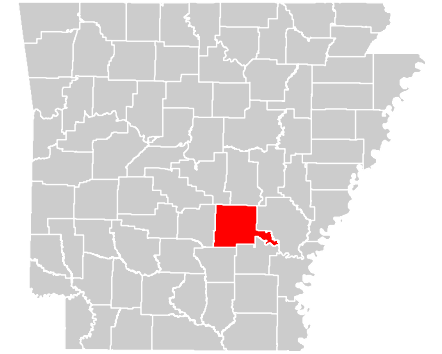
Elevation Contours

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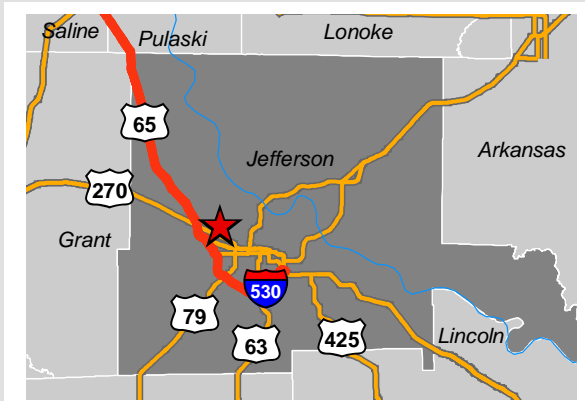
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JEFFERSON COUNTY



VICINITY



LEGEND

Property Boundary

Contours (ft)

- 210 - 215
- 220 - 225
- 230 - 235
- 240 - 245
- 250 - 255
- 260 - 265

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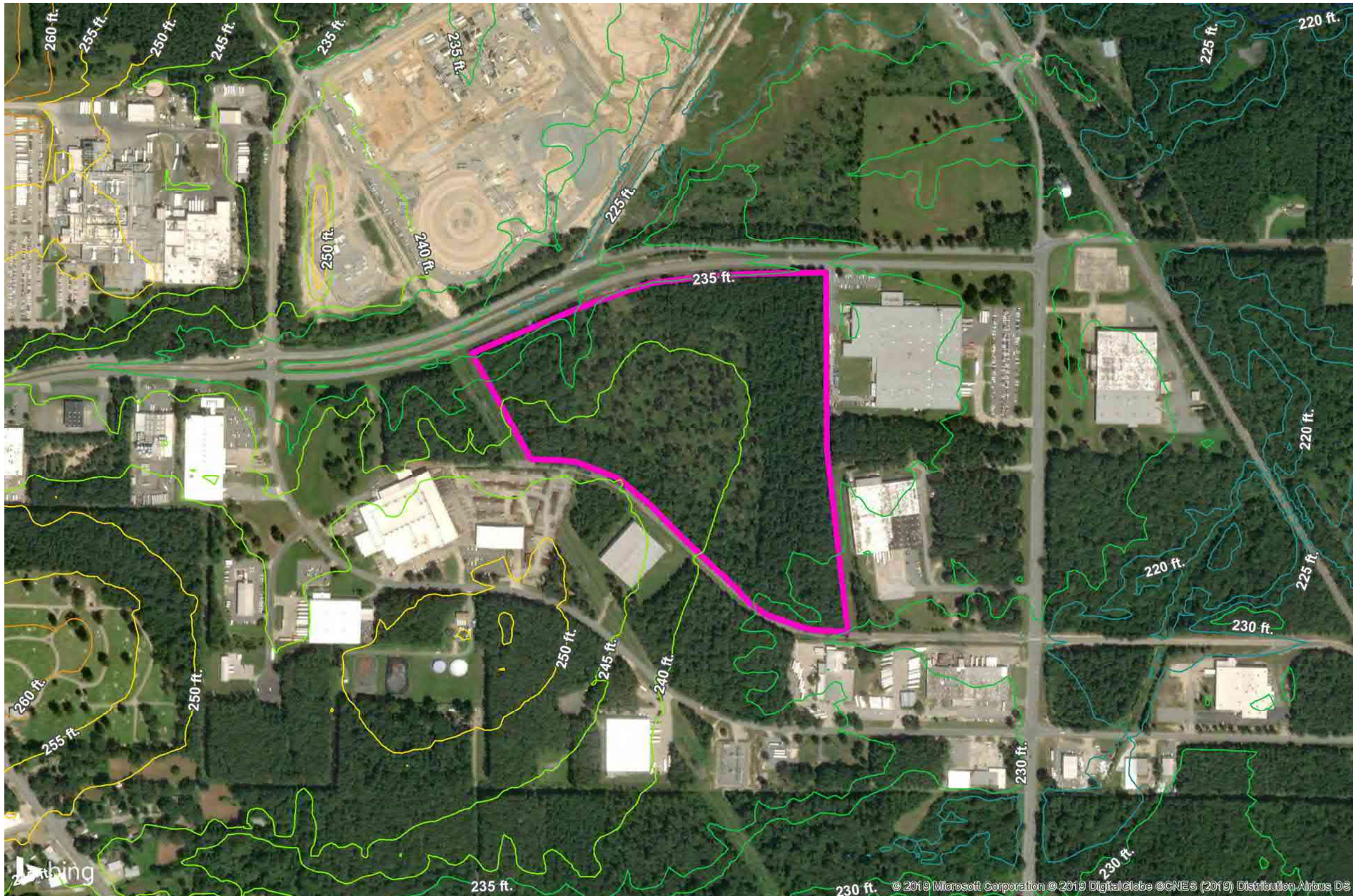
SOURCE

Derived from Terrain Dataset. Credits: Airbus, USGS, NGA, NASA, CGIAR, NLS, OS, NMA, Geodastystrelsen, GSA, GSI and the GIS User Community, Oct, 2019

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0 500 1,000
Feet

0 120 240
Meters



235 ft.

230 ft.

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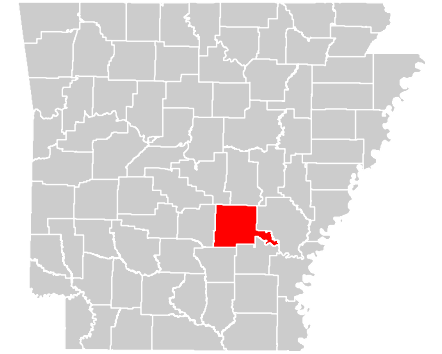
FEMA Flood Hazards

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JEFFERSON COUNTY



VICINITY



LEGEND

- Property Boundary
- Flood Zone
 - A,
 - AE,
 - AE, FLOODWAY
 - X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - X, AREA OF MINIMAL FLOOD HAZARD

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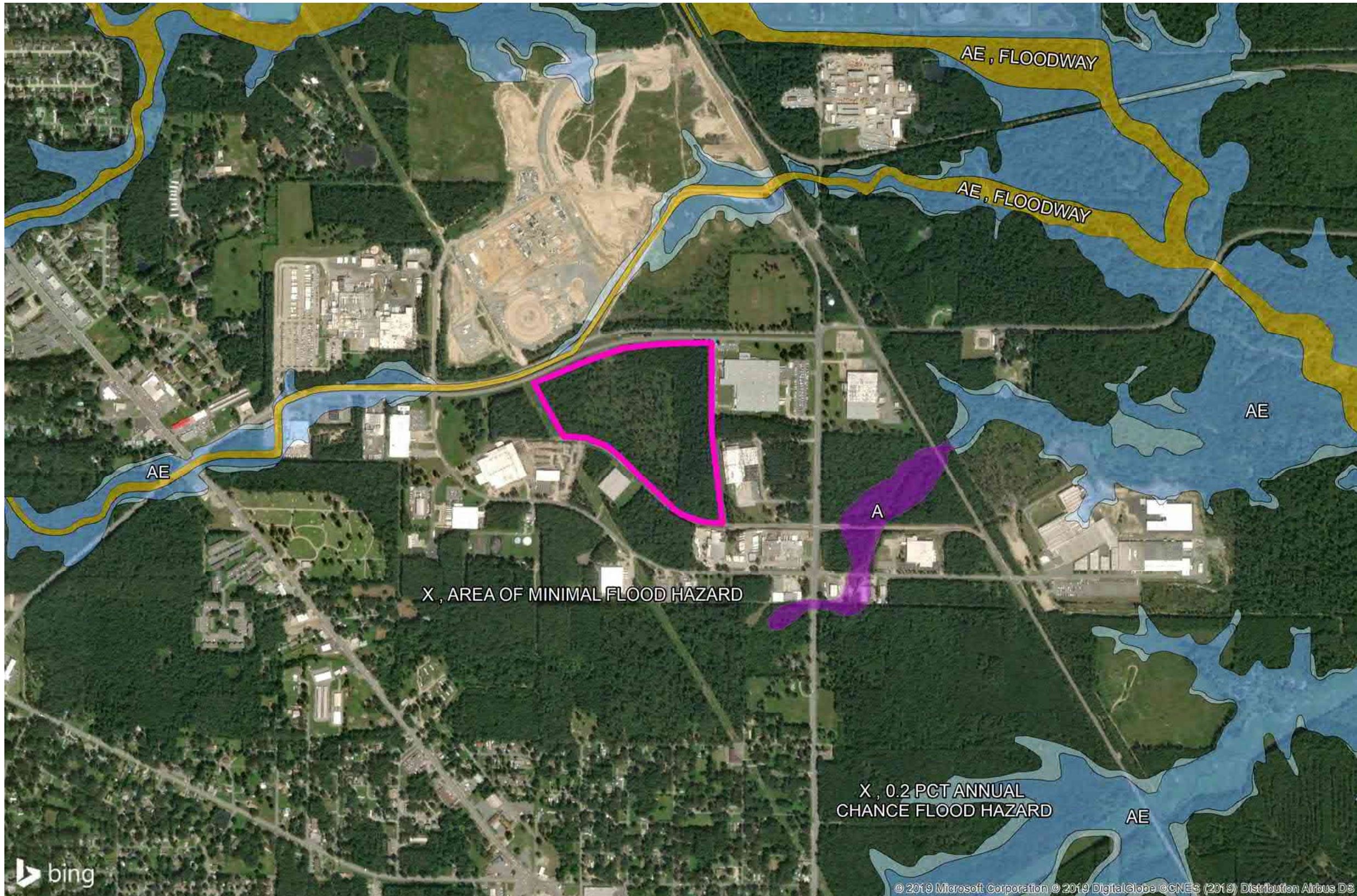
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FEMA Flood Hazards , Downloaded 10/2019
Property Boundary: BuildingsAndSites.com

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0 1,000 2,000
Feet

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Meters



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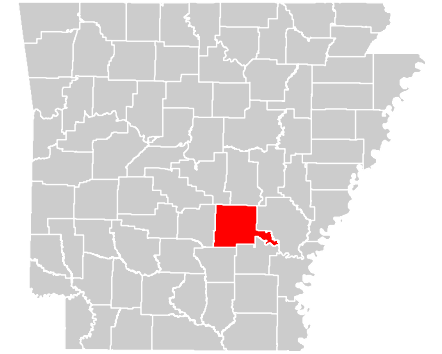
National Wetland Inventory

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LEGEND

- Property Boundary
- WETLANDS**
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Riverine

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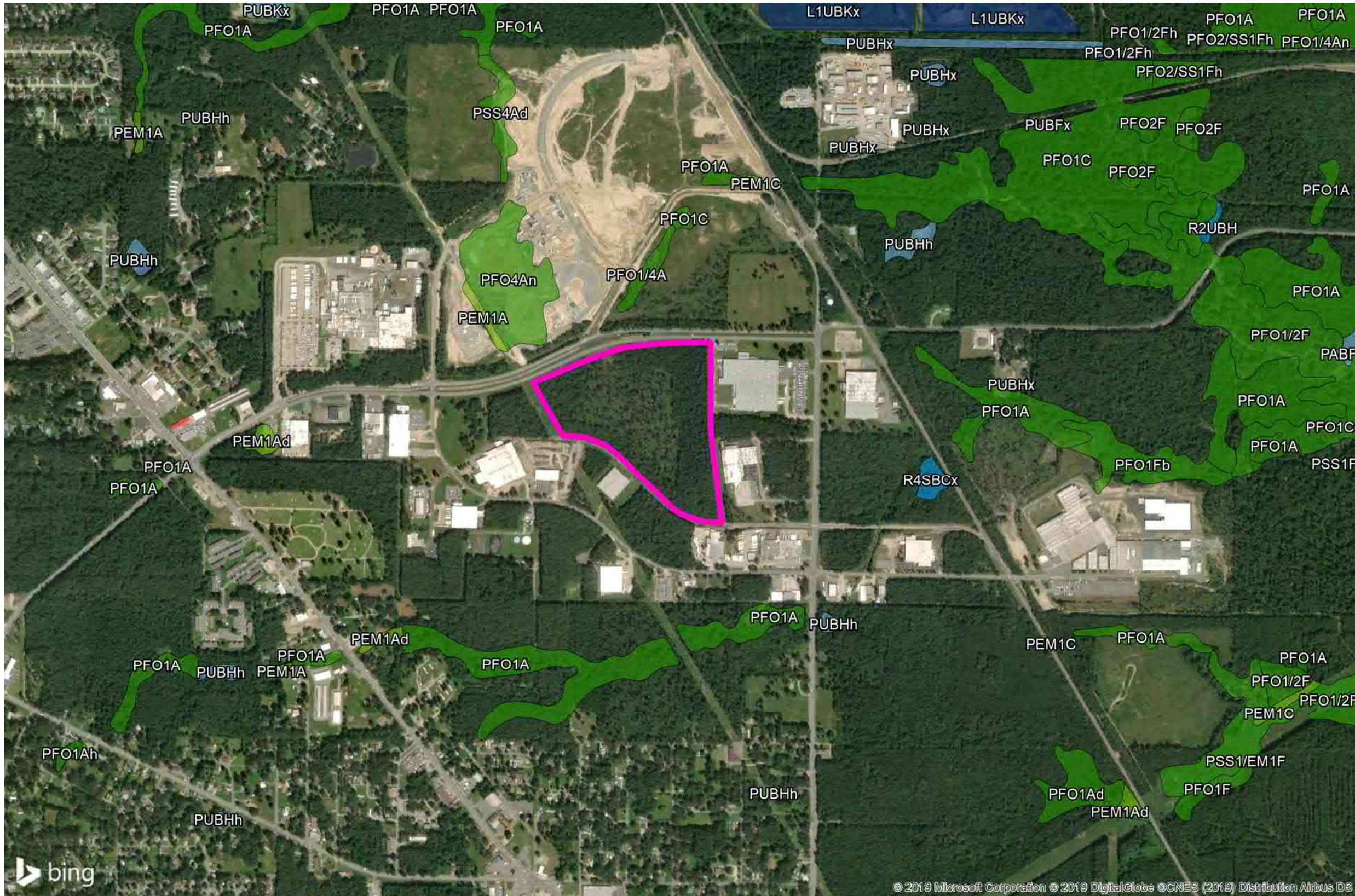
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National Wetland Inventory , Downloaded 10/2019
Property Boundary: BuildingsAndSites.com

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Date: 10/2019

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Feet

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Meters





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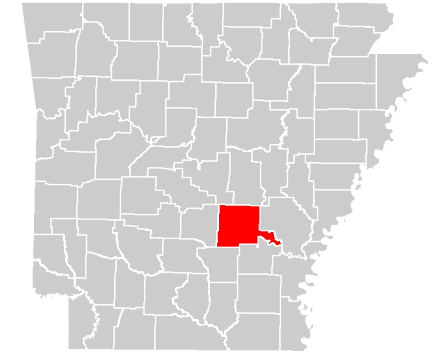
Pipeline Infrastructure

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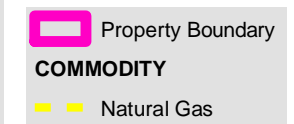
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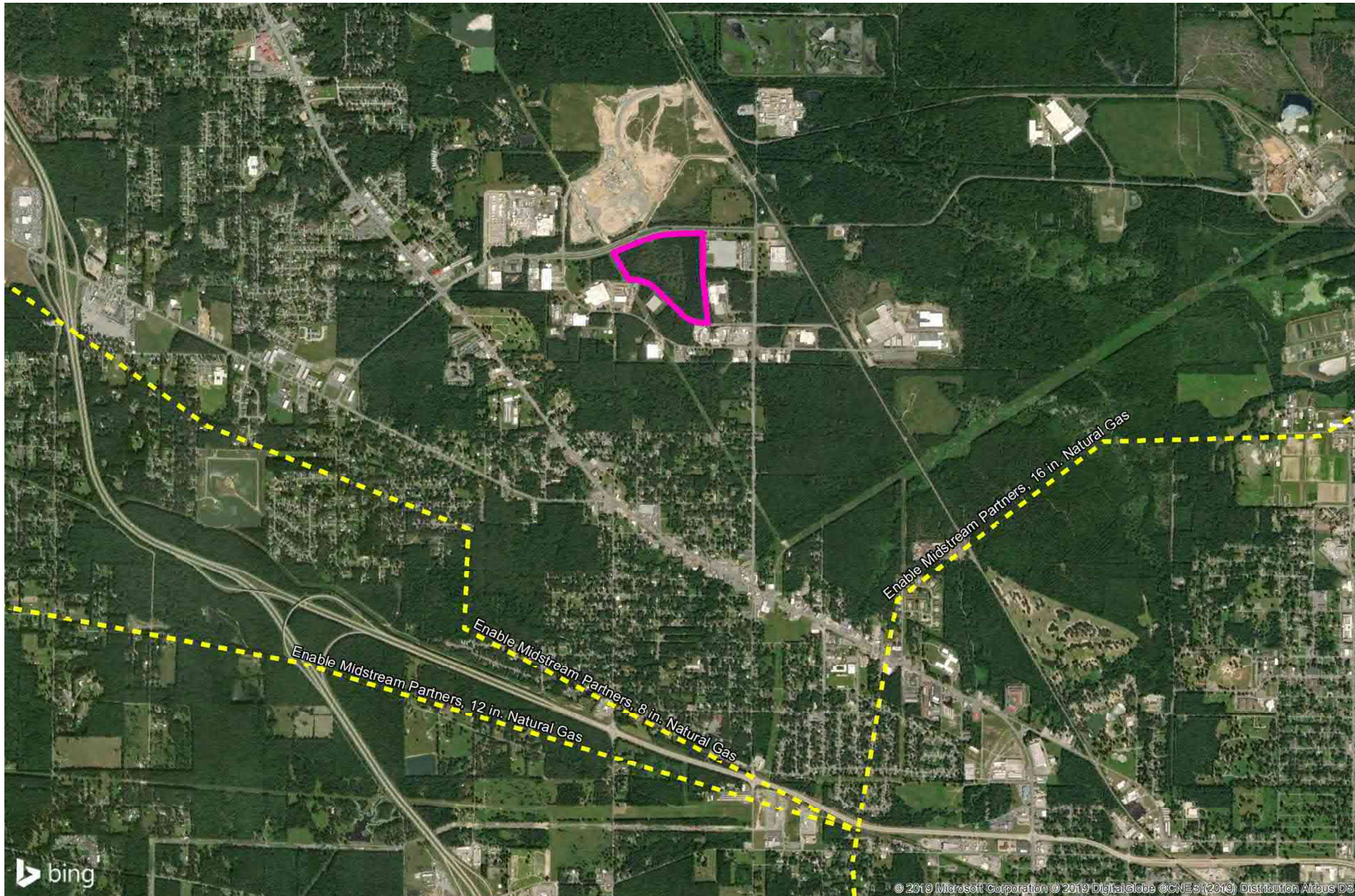
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2018 Penwell Pipeline Data
Property Boundary: BuildingsAndSites.com

Created by: RPG
Date: 10/2019

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Feet

0 480 960
Meters





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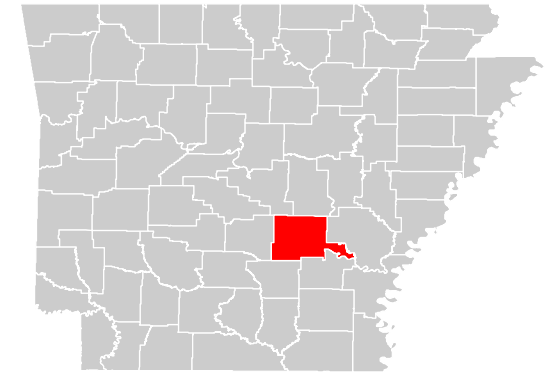
Entergy's Electrical Infrastructure

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Little Rock, AR 72201

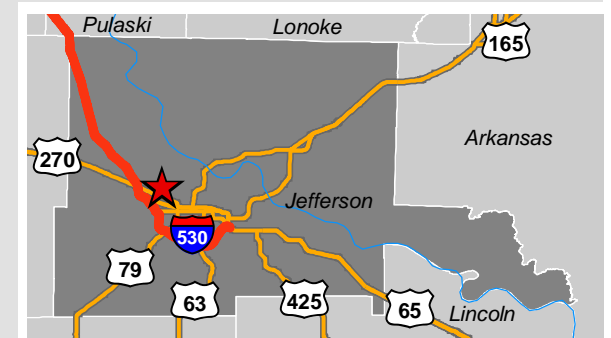
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LEGEND

Property Boundary

Transmission

Substations

Transmission Line

115 kV

Distribution

Voltage, Phase

13.8 kV, Single Phase

13.8 kV, Three Phase

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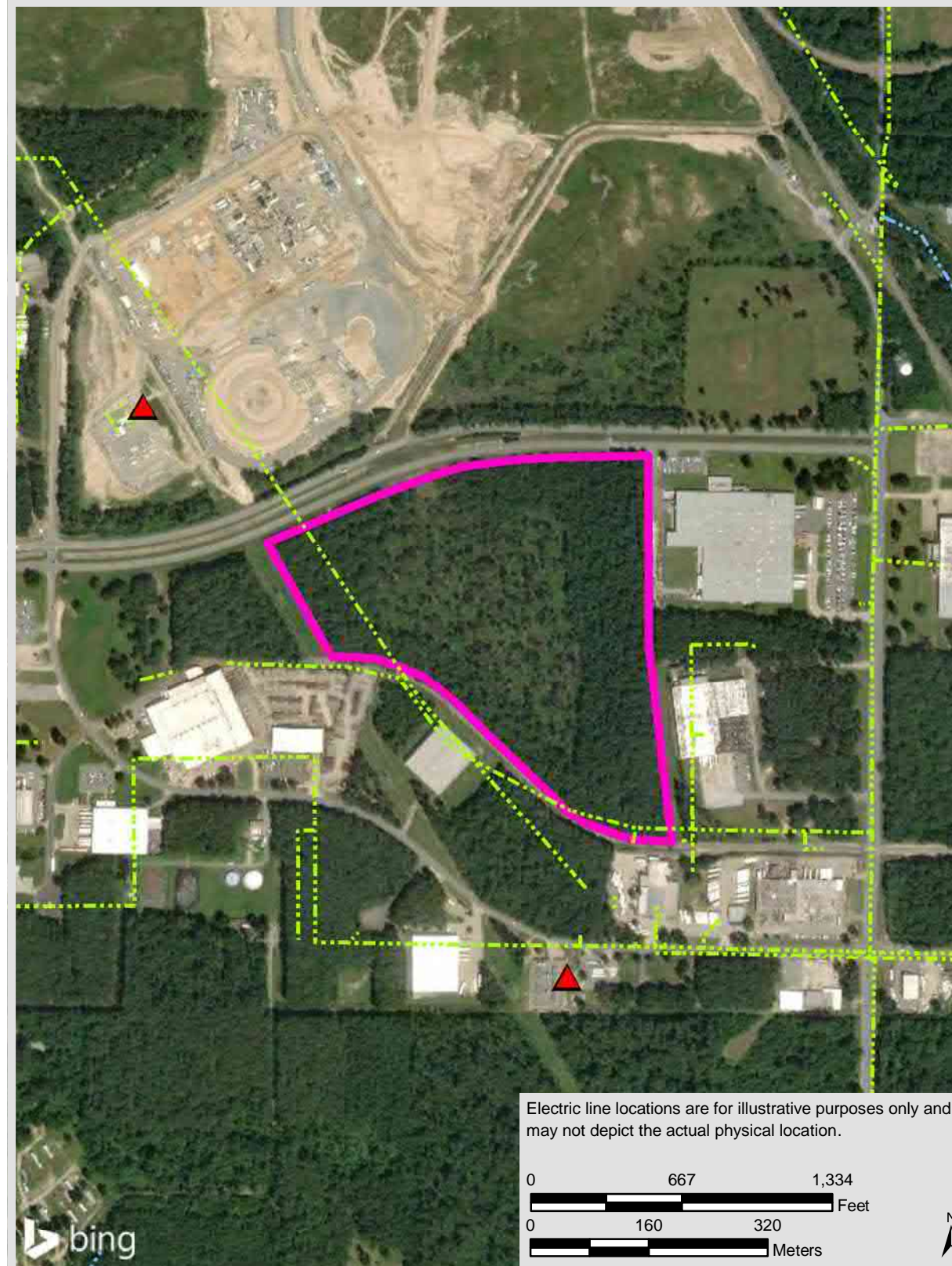
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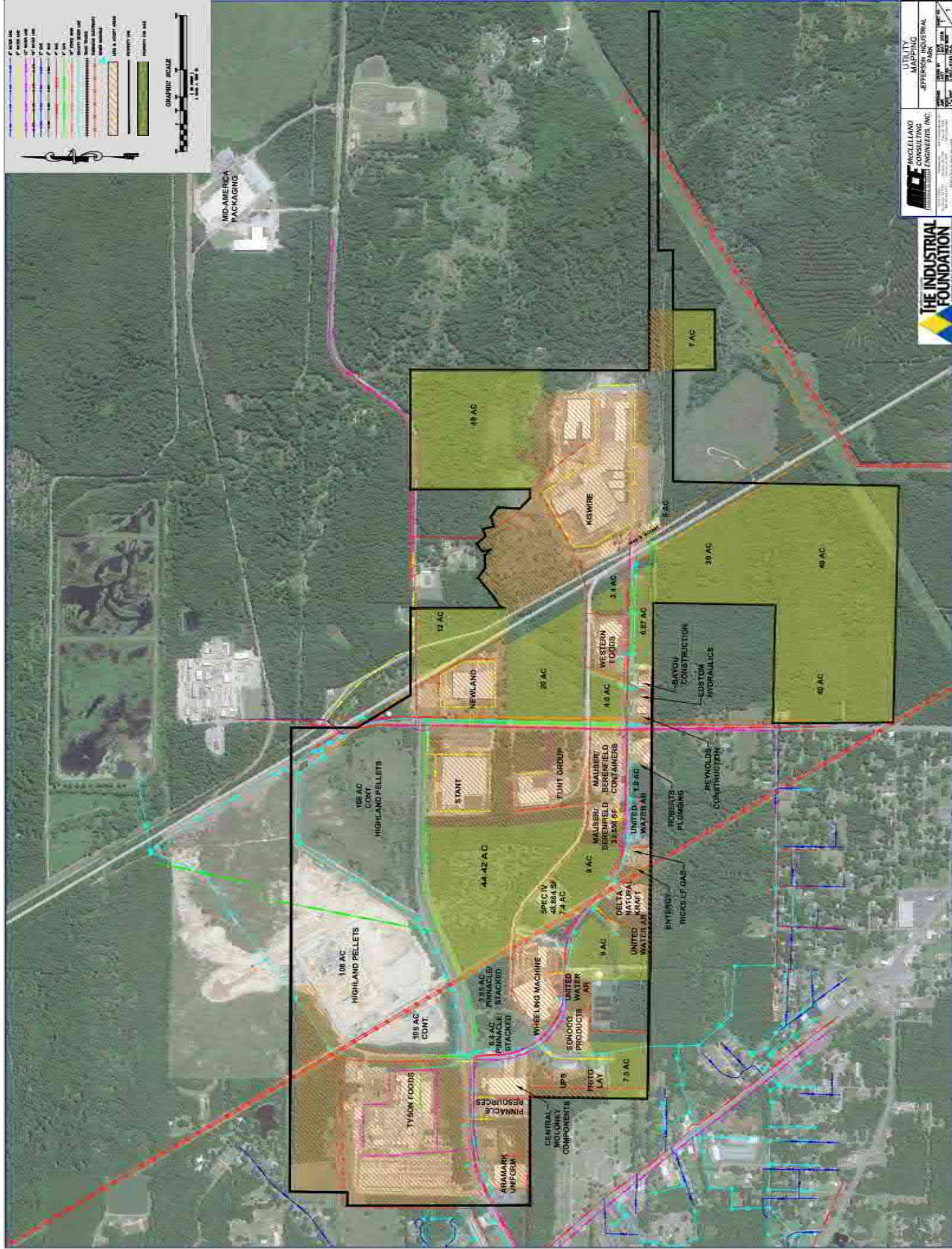
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Date: 10/2019

TRANSMISSION



DISTRIBUTION





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