



**\*\*\*UPDATED 3/16/2022\*\*\***

## **ANSWERS TO FREQUENTLY ASKED QUESTIONS JDA/RIVIAN**

### **GENERAL JDA QUESTIONS:**

#### **Who is the Joint Development Authority of Jasper County, Morgan County, Newton County and Walton County “JDA”?**

- The JDA was formed in 1999 by joint resolution of the four counties for the purpose of creating jobs and tax revenues in the four counties. The board consists of one member of the board of commissioners and one citizen representative from each county. The members serve 4-year terms and are appointed by their respective board of commissioners.

#### **Do JDA members receive payment?**

- No. The JDA members do not receive any compensation for their service on the board or from companies that locate within the JDA area. JDA members volunteer their time and are not legally allowed to receive any payment under O.C.G.A. § 36-62-5. They are entitled to reimbursement for expenses.

#### **How can citizens be more informed about economic development?**

- Attend meetings: All local government meetings are open to the public, including the JDA meetings. The JDA is a public body and welcomes input from local residents. In fact, we need local input to be successful in our mission of creating economic opportunity and jobs for the citizens we serve. The JDA meets the 4th Tuesday of each month. Meeting notices are posted on the JDA website and provided to the newspapers.
- Participate in City/County planning efforts. The JDA does not set local land use and zoning policies. Land use planning is handled by city and county governments in the four counties we serve. Citizens who are interested in long term planning and zoning have many opportunities to be engaged in this process via their locally elected governments.
- Review existing zoning and land use maps online and in person at each County/City.
- Read legal notices in the local newspapers regarding meetings, zonings, etc.

#### **Does the JDA operate with disregard for community support?**

- No. The JDA members regularly coordinate with the leadership of their counties and the citizens in their communities. The support expressed for the project directly to JDA members has been significant.

#### **What is the background of the JDA?**

- The JDA’s purpose is to recruit jobs and investment to the region. Recruiting Rivian is squarely in line with this purpose given that it will generate up to 7,500 jobs and bring \$5 billion in investment.

- In 2000, the JDA purchased over 1,500 acres which was ultimately developed as Stanton Springs which is home to Takeda and two Morning Hornet data centers. Stanton Springs is immediately to the South of the Rivian site. These projects have resulted in thousands of good paying jobs, growth for our existing small businesses, a more stable local tax base and the improvement of community institutions and infrastructure such as roads, communication networks, schools and hospitals.

**When did Takeda become a tenant of Stanton Springs?**

- In 2012, Baxter (now Takeda) became the first tenant in Stanton Springs, giving viability to the planned industrial development in the area.

**What is the Revenue Sharing Agreement and what are the share percentages?**

- The Revenue Sharing Agreement is an Intergovernmental Agreement last updated in November 2021 between nineteen parties including the JDA, its four member counties, Social Circle, the school districts for each County and the City, the Boards of Tax Assessors for each County, and the Tax Commissioner for each County. The Agreement outlines the amounts of tax and PILOT revenues received by each County/City in Stanton Springs and Stanton Springs North and details the process by which monies are distributed.
  - **Revenue Split for Stanton Springs:** Walton and Newton County each receive 37.5%, Morgan County receives 15% and Jasper County receives 10%.
  - **Revenue Split for Stanton Springs North:** Walton and Newton County each receive 35.625%, Morgan County receives 14.25%, Jasper County receives 9.5% and Social Circle receives 5%. Each County/City distributes the share they receive based on their individual millage rates such that the school systems in each jurisdiction receive their portion based on their millage rate. In most jurisdictions, the School Districts receive the majority share.

**Can the JDA be dissolved immediately?**

- No. Pursuant to O.C.G.A. 36-62-14, a development authority cannot be dissolved if it has outstanding bonds. The JDA last issued bonds in April 2021 in connection with the second Morning Hornet data center which will be outstanding for 20 years. After all bonds are paid, the JDA could be dissolved if all four County Boards of Commissioners pass concurrent resolutions. One county alone cannot dissolve the JDA.

**RIVIAN RECRUITMENT:**

**Why was the JDA recruiting a tenant for Stanton Springs North, formerly known as the East Atlanta Megasite?**

- Advanced manufacturing has long been a public recruiting priority for the JDA. Multiple other auto-manufacturing plants have considered the East Atlanta Megasite when marketed by Walton County and the Economic Development teams publicly stated so after the projects opted not to select the site and they were allowed to discuss the projects.

**What recent actions, acquisitions and changes did the JDA make in advance of the Rivian announcement?**

- In 2018, Morning Hornet purchased approximately 416 acres for a \$42 billion datacenter project in Stanton Springs.
- In April 2021, the JDA announced a second data center which located primarily in the Morgan County portion of Stanton Springs.
- In May 2021, the JDA purchased 665 acres of Stanton Springs North which later became the Rivian site. This purchase was approved at a public meeting and reported in the local newspapers.
- In April 2021, Social Circle rezoned 500 of the 665 acres to Stanton Springs Business Park. This process included two public hearings which were advertised in the newspaper.
- On June 22, 2021, the JDA created “Stanton Springs North” by Resolution discussed in and adopted at a public meeting in open session. The Resolution contemplates expansion.
- In November 2021, the JDA coordinated an amendment to its Revenue Sharing Agreement to include Stanton Springs North. This amendment was signed by 19 parties, 15 of which are local government bodies that approved it at public meetings in open session.
- In the Fall of 2021, the Newton County Industrial Development Authority purchased approx. 300 acres on the west side of Hwy 278 for potential industrial development. The site is called “Stanton Grove” and it was approved in a public meeting and discussed in multiple news articles.
- The overall site fronts on a major interstate and a State highway and is adjacent to land already zoned Stanton Springs Business Park.

**When was the Rivian site marketed as a Megasite?**

- In 2018, the State and Walton County began marketing the “East Atlanta Megasite” which is a large portion of the footprint of the Rivian project. Information regarding the mega site was publicly available on the Development Authority of Walton County’s website and the State of Georgia’s website.

**Did the JDA rezone and purchase the 665-acres in the Spring of 2021 for Rivian specifically?**

- No. The JDA purchased the 665 acres for the creation of Stanton Springs North, to construct a frontage road in connection with its commitments to on the Baymare project, and to market the property for a new industrial development. As of the rezoning in April 2021 and closing in May 2021, the JDA knew it was still a contender among multiple States for the Rivian project, but Rivian did not officially select Stanton Springs North until December 2021. Over the JDA’s 20-year history, it has been a contender for many industries.

**Is the Rivian project consistent with local comprehensive plans?**

- In 2017, the Comprehensive Plans for Social Circle and Walton County were approved showing the property within the jurisdiction, which comprises the Rivian site, as potential industrial. The Morgan County Comprehensive Plan does not show the area as industrial. These plans are available online.

**Was eminent domain used to acquire any properties related to the Rivian Project?**

- No. Eminent domain has not been used on any properties associated with the Rivian project or any JDA project in history. The Authority does not have the power of eminent domain by law per O.C.G.A. § 36-62-6(b)

### **Why did Rivian choose this site?**

- The site was marketed by the State of Georgia to Rivian as a mega site. To be deemed a mega site, the property must be over 1,000 acres, have access to an interstate, rail and adequate utilities to meet the demands of a large industry. Additionally, Stanton Springs North has an expansive labor pool with proximity to major universities, college and technical college institutions. It is less than one hour from an international airport and an easy drive to the port of Savannah. Simply put, Stanton Springs North can meet all of Rivian's needs.
- It's worth pointing out that several other States were under consideration for this project. Ultimately, Stanton Springs North, the local community, and the State of Georgia provided the best site and climate for Rivian's needs.

### **Why is Rivian the best option for development of Stanton Springs North?**

- Stanton Springs North is only 36 miles from Atlanta. It is located on a major Interstate and State Highway. It is already designated for industrial development in the Walton County and Social Circle Comprehensive Plans and is directly adjacent to existing industrial development (Stanton Springs). One large industrial tenant that generates thousands of jobs and millions in tax dollars for the schools and our communities is substantially better than a residential development that puts greater demands on local resources and a huge burden to the schools. If Rivian does not locate in Stanton Springs North, another industry or other development likely will. This project is an opportunity for our community to obtain a much higher quality of economic development that benefits all of us in a broad way.
- Rivian stands out among other potential industrial tenants as it is a company focused on longevity and the preservation of the environment for generations to come. It will mitigate carbon pollution with the creation of electric adventure vehicles and charging powered by renewable energy. The jobs it will bring will facilitate families staying together and create opportunities for generations to come. The tax investment will substantially benefit our local schools, hospitals, small businesses and civic institutions.

### **Why do we need 7,500 jobs when unemployment is already low?**

- Tens of thousands of citizens from our four counties commute to jobs outside our communities because there are not enough opportunities locally. Students graduate high school and college and leave for the same reason. Jobs support and grow families and enhance the quality of life for our citizens.
- The State of Georgia estimates that approximately 55,000 jobs in the state are tied to the internal combustion engine. Establishing Georgia and our region as a hub for the transition to electric vehicles will offer opportunities for these workers and workers new to the industry.

### **What incentives were given to Rivian to locate a facility here?**

- The State of Georgia is still working with Rivian and the local community to negotiate and finalize the economic development agreement. Until that agreement is signed, the project remains an "active economic development project" and is exempt from production under Georgia Open Records Act requests pursuant to O.C.G.A. § 50-18-72(a)(46). Once the economic development agreement is finalized and signed by all parties, it will be posted on the Georgia Department of Economic Development's website within five (5) business days in compliance with state law.

**Are you concerned about the recent business performance of Rivian and is that risk to the community?**

- No. Rivian is a new business and has strong growth opportunity as the auto industry transitions away from the internal combustion engine to becoming entirely electric. While Rivian is a new company, it has support from respected investors and companies such as Amazon, T. Rowe Price, and the Ford Motor Company. We are confident Rivian is positioned to be a leader in the electric vehicle manufacturing market for decades to come.
- It's important to note that Tesla, today's electric vehicle market leader, was not profitable until recently (2020). In addition, the JDA and State have included certain claw back provisions if Rivian is unable to meet its commitments, which provide a layer of protection against this unlikely scenario.

**TRANSPARENCY:**

**Has Rivian paid for any JDA members to travel to the Normal, IL plant or provided any other personal gift, etc?**

- No. The JDA members have received no perks, dinners, gifts, travel allowance or any other personal benefits from Rivian or any company considering or locating in Stanton Springs or Stanton Springs North.

**Was there impropriety by the JDA or its retired chairman Alan Verner as it relates to the Rivian project and land owned by Alan Verner?**

- No. Mr. Verner was not present during any portion of the JDA meetings at which the Rivian project or any project relating to property he owns was discussed. He was not involved in any decisions regarding the project. Georgia law allows development authorities to engage in transactions with directors pursuant to O.C.G.A. § 36-62A-1(2). The JDA followed the requirements of this law. Mr. Verner hired his own legal counsel and the JDA hired outside legal counsel to handle land acquisition matters between the two. Mr. Verner retired from the JDA in August 2021, which was months before Rivian selected Georgia. As of the date of this document, the JDA has not purchased property from Mr. Verner.

**Why are land acquisition matters only discussed in executive session?**

- The Georgia Open Meetings laws specifically allow local governments to discuss land acquisition matters in executive session and this is a routine practice for virtually every local government entity in our state. Prior to closing on property, land acquisition matters are approved in open session. The purpose of the law is to allow for fair negotiations between governments and private parties and to be a good steward of public funds. If active negotiations for real estate were discussed in public session, the end result would be taxpayers footing the bill for significantly higher purchase prices.

**Why were project specifics kept confidential prior to the announcement?**

- Land acquisition matters and active economic development matters are permitted to be discussed in executive session and documents pertaining to the same and held as confidential until such time as a final agreement is reached and transactions are closed. As stated above, the purpose of confidential discussions is to allow for fair negotiations between governments and private parties and to be a good steward of public funds. Simply put, Georgia would be much less successful in recruiting jobs and growth to our

state if private employers were required to disclose their interest in coming here at the beginning of a competitive selection process.

- Companies that are scouting locations also require non-disclosure agreements. These agreements are common and serve to protect companies from disclosure of their private information while they make decisions and negotiate new locations. Authority members are not permitted to discuss executive session matters with anyone outside the Authority regardless of whether they signed an NDA.
- Once a decision is reached and an economic development agreement is signed, all government roles, responsibilities and incentives are promptly disclosed to the public under the Georgia Open Records Act.

### **Why doesn't the JDA respond to questions posed during the Public Comment portion of its Agenda?**

- The purpose of the JDA's monthly meetings is to conduct its normal business. These meetings are open to the public, but they are not specifically for public engagement. The JDA listens to what is said, takes notes during the meetings, and responds to the concerns/statements that can be addressed with information and facts through documents such as this, studies including the groundwater assessment, ensuring that specific information is conveyed by others at public meetings, and in some cases, by direct discussions with the citizens.

### **What studies have been complete and where can I find a copy?**

- As of the date hereof, the following studies and supplemental documents are posted on the JDA's websites: [www.i20jda.com](http://www.i20jda.com) and [www.StantonSprings.com/Rivian](http://www.StantonSprings.com/Rivian).
- **Studies:**
  - Preliminary Geotechnical Report
  - Cultural Resource Literature Review
  - Threatened and Endangered Species Report
  - Technical assessment of potential impacts to groundwater availability by Nutter & Associates
- **Supplemental Documents:**
  - Community Letters of Support
  - Ground Water Recharge Plan
  - Site Plan provided with zoning applications
  - Development of Regional Impact Application
  - Development of Regional Impact Report

### **STATE MANAGING ZONING/COMPLIANCE:**

#### **What does it mean for the JDA to transfer the land and the process to the State?**

- The local zoning process involves 3 different jurisdictions, which in total required the filing of 17 applications and 34 public hearings.
- This timeline was already impacting all parties creating delays for the public, JDA and Rivian. In fact, lawyers representing the groups opposing the project had asked for zoning hearings to be tabled prior to the last two public meetings on the matter (Walton County, Morgan County). Additionally, the local process created a tremendous burden on all local planning staffs, engineers, attorneys, etc.

- To better accommodate all parties, the State has created a process that brings these matters before the public in a more streamlined fashion. This will still be a very public process that will actually allow for more deliberative discussions (longer presentations, more technical expertise) and testimony.
- By putting this into one process, the State can now unify the zoning, regulatory and code compliance and make it easier for everyone to both follow the process and participate. Basically, we can all work from one process as opposed to juggling meetings within multiple jurisdictions occurring oftentimes on the same day.

### **How will the public be able to participate in this new process?**

- The state has created four advisory committees that will host this important dialogue. These committees will be comprised of citizens within the JDA's member counties, and they will be staffed by relevant State departments with appropriate subject matter and technical expertise involved in all phases. There will be public meetings with appropriate public notice given prior.

#### **State Committees:**

##### **1. Local Business Engagement**

This committee will focus on both new opportunities available at Rivian itself, but also how existing businesses can be involved in all phases of this project. This committee will also look at how the region can benefit from the arrival of such a historic project. This committee will be professionally staffed by the Georgia Department of Economic Development.

##### **2. Site Design and Environmental**

This committee will be comprised of stakeholders and technical experts from across the JDA's member counties and will be critical to ensure compliance of the vast local, state and federal environmental standards this project must, and should, meet. This committee will be professionally staffed by the State of Georgia's Environmental Protection Division.

##### **3. Workforce Development**

This committee will make sure our wonderful local school systems, technical schools, four-year colleges and universities, and others all have a clear understanding of what skill sets, curriculum and training will be needed to meet the needs of this historic opportunity. This committee will be professional staffed by the Technical College System of Georgia and will be comprised of education and business leaders across the JDA's four county region.

##### **4. Civic Engagement, Public Benefits and Land Conservation**

This committee will serve as a liaison for Rivian and the communities it serves. This committee will bring together important civic and faith-based leaders, healthcare providers, leaders in conservation, the philanthropic community and others in an effort to exchange ideas on how this project can best serve the citizens of the entire region. This committee will be professionally staffed by Georgia's Department of Community Affairs.

## **GENERAL ZONING QUESTIONS:**

### **Why did the JDA withdraw the zoning applications pending in Morgan County, Walton County and the City of Social Circle?**

- After filing applications in each jurisdiction and reviewing the staff reports and recommended conditions, it became apparent that the different regulations between jurisdictions would result in the inconsistent development of the site. Additionally, the zoning process is not conducive to meaningful public engagement given the innately adversarial structure. The JDA was able to work with the State to require that Rivian meet the Stanton Springs Business Park Zoning ordinance requirements in addition to incorporating many of the conditions recommended by the Planning Staffs who reviewed the zoning applications.

### **What local development regulations will apply to Rivian?**

- Rivian will have to follow the requirements in the Stanton Springs Business Park zoning ordinance which was adopted in the same form in Morgan County and Walton County in 2019 and Social Circle in 2021. It will also have to comply with the following:
- All stormwater detention for the Project shall be designed to handle a 100-year storm event;
- Impervious surface on the Project Site shall not exceed 50%;
- Preparation of additional hydrology studies
- Secure all other necessary local, state or U.S. Army Corps of Engineers permits regarding protection of water resources prior to commencement of construction in the protected areas;
- Compliance with Walton County's tree protection ordinance;
- Consult with Hard Labor Creek Observatory to discuss how to avoid, to the fullest extent possible, operation of its observatory.
- No buildings will set back less than 500' from Old Mill Road.
- No independent commercial uses shall be allowed on the Project Site. No billboards or other signage unrelated to the Company's use of the Project shall be allowed, except for temporary directional signage should any amenity on the Project Site be made available for public use.
- At some point in the future, provide a civic amenity for use by the community for private or public functions, subject to local regulations governing public assembly.

## **ENVIRONMENTAL IMPACT:**

### **What considerations are being made to address the groundwater recharge area, local wells and other environmental concerns?**

- Groundwater will be protected through the strategic management of storm water runoff, the use of water & sewer service through the Newton County Water & Sewerage Authority, and strict adherence to state and federal guidelines regarding soil erosion and sedimentation as well as appropriately addressing streams and wetlands on the site. Studies are currently being conducted on the site which will inform the final design and site layout including delineation of streams and wetland, geotechnical evaluations, cultural resource evaluations, and surveys. All state and federal permitting requirements will be met and impacts to streams and wetlands will be mitigated as required by the U.S. Army Corps of Engineers.
- Rivian and the JDA both want to be responsive to recommendations from local residents that would help protect water and the other natural resources we all share. If residents have recommendations that can further protect our natural environment, we welcome them.

### **Will groundwater be the primary source of water for Rivian ?**

- No. The water serving the Rivian project will be provided by the Newton County Water & Sewer Authority who will source the water from Lake Varner in Newton County in addition to reused water from Stanton Springs and Stanton Springs North tenants.

### **Will the Rivian project impact the quantity of groundwater in the area?**

- No. According to the Technical Memorandum from Nutter & Associates (on the JDA's website), any impacts to water quantity would be limited to the immediate watershed which is small. Additionally, existing stormwater management requirements and the State and JDA's requirement that Rivian design its site for a 100-year flood will mitigation for any impacts to water quantity in the immediate area.

### **Will the Rivian project have a measurable impact on the water quantity at Lake Oconee or Lake Sinclair?**

- No. The water needed for the project is being sourced from and returned to Newton County, Georgia. No water will be withdrawn from Lake Oconee or Lake Sinclair for the project and both lakes are well outside the immediate watershed of the project.

### **Will the Rivian project impact the quality of groundwater in the area or water at Lake Oconee or Lake Sinclair?**

- Rivian is committed to following Federal and State regulations that prohibit discharge of any harmful or hazardous waste and of stormwater runoff. Additionally, Rivian is deeply committed to being an environmentally responsible company given their products are zero emission vehicles.

**What measures are in place to stop and monitor harmful stormwater runoff?**

- Rivian will be required to obtain a permit under the National Pollutant Discharge Elimination System (“NPDES”) program through Georgia EPD and meet all requirements under the Georgia Erosion and Sedimentation Act (OCGA § 12-7-1).

**What measures are in place to stop and monitor any potential spills of hazardous waste?**

- The U.S. Environmental Protection Agency and the Georgia Environmental Protection Division regulate management of hazardous waste.
- Government and businesses that generate or store hazardous waste are regulated by the federal Resource Conservation Recovery Act and the Hazardous Waste Management Programs of the Georgia Environmental Protection Division- Land Protection Branch. These Programs also investigate spills and releases involving hazardous waste and determine the impact to soil and water.
- The Resource Conservation and Recovery Act (RCRA) requires anyone who owns or operates a facility where hazardous waste is treated, stored, or disposed of to have a permit. Applications for permits are submitted to the State of Georgia. The application requires information on the processes to be used for treatment, storage, and disposal of hazardous wastes; the design capacity of such processes and the specific hazardous wastes to be handled at a facility.
- Financial assurances to address accidental injuries to persons or property are required including third-party liability coverage.
- Regular reporting is required in addition to immediate reporting if there is an accident or spill.

**Who pays for remediation of hazardous waste spills?**

- Rivian would be responsible for paying and for any remediation measures required. EPD/EPA will require financial assurances be in place to ensure funds are available to cover injuries to persons or property.

**BENEFITS OF RIVIAN/COMMUNITY IMPACT:**

**In what County is the greatest portion of the project located?**

- Walton County. Approximately 980 acres are in Walton County and 931 acres are in Morgan County. Of the 980 acres in Walton County, 786 acres are in the Social Circle City limits.

**How is water and sewer infrastructure funded?**

- It is funded by a combination of usage rates and connection fees. The Newton County Water & Sewer Authority does not receive any tax funds.

**What does a \$5 billion investment mean for our communities?**

- Rivian will initially make payments in lieu of taxes and then it will be taxed on the value of its real and personal property. These payments will be exponentially higher than the taxes currently generated on the 2,000 acres which is approximately \$80,000 annually. These payments are distributed pursuant to the Revenue Sharing Agreement. The school districts receive the bulk of the funds.

**Does Rivian pay its employees well?**

- Rivian employees enjoy industry-leading compensation, generous benefits, and equity in the company for every team member to drive a real sense of ownership. Rivian is committing to providing average annual wages of \$56,000. Individuals interested in career opportunities with Rivian are encouraged to search opportunities at [rivian.com/careers](https://rivian.com/careers). Inquiries about project RFIs, RFPs listings, and supply chain outreach can be directed to [georgia@rivian.com](mailto:georgia@rivian.com).

**How will Rivian engage the community?**

- Rivian has been clear that they will engage with the community much in the same way they have in their Normal, IL facility. They have a strong commitment to supporting the environment and conservation initiatives, partnering with local schools, training programs and other local community priorities/events.

**Will Rivian create more housing growth in our area?**

- That issue is, and always will be, a local policy issue. While we are confident the opportunities from this project will have a tremendous impact on the community's tax base – which will positively affect schools, roads, and other infrastructure – the important decisions of what that growth will ultimately look like will always be the responsibility of local leaders.

**How will traffic be addressed?**

- The Georgia Department of Transportation is working on plans to construct a frontage road that runs parallel to I-20, make improvements to the interchange at Exit 101, add a new interchange at Old Mill Road and I-20, and to make improvements to portions of Hwy 278 and Old Mill Road. These improvements are designed to maximize internal employee traffic within the site and minimize the impact outside of the site. Impacts to county roads outside of the project area are also being evaluated.

**How are adjacent property owners being protected?**

- The buildout site plan shows the buildings concentrated toward the center of the property and away from adjoining residential properties. Per the requested zoning, 100-foot transitional buffers are required, but the site plans show substantially more natural areas between building construction and adjoining properties. The site is estimated to have 50% pervious surfaces, which is significantly more than the 25% allowed under the zoning. This will help ensure that all parties are going far beyond the minimum standards required by law to be good neighbors.