

The Dow Jones industrial average closed at **18,313.77**, -90.74 points, -0.49% from the previous close and +5.10% from Dec. 31.

 **-90.74**

2 groups to fight poultry houses

Suit to allege risk to mussels, bats

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ARKANSAS DEMOCRAT-GAZETTE

Two activist groups are lining up to oppose the construction of poultry operations near Evening Shade in Izard County and within the Strawberry River watershed.

The Arkansas Rights Coalition and the Animal Legal Defense Fund filed a 60-day notice of intent to sue three federal agencies, claiming they had failed "to adequately identify and analyze" the effect a proposed poultry operation would have on seven species of endangered or threatened mussels, bats and plants.

The three agencies are the U.S. Fish and Wildlife Service, the Farm Service Agency and the Small Business Administration. Ross Noland, a Little Rock environmental lawyer, was listed as local counsel. The June 29 letter is a formality required by the government in many cases involving citizen-led lawsuits.

The groups said the Small Business Administration and Farm Service Agency, a division of the U.S. Department of Agriculture, plan to loan \$1 million to Jerry and Amy Tracy of Evening Shade for the construction of six broiler chicken houses, each 43 feet by 600 feet, at 1398 Imon Brown Road, about a mile northwest of Evening Shade.

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Poultry

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Evening Shade, president of Arkansas Rights Coalition, registered the group with the secretary of state's office in July 2015. His address on those forms was 475 Imon Brown Road. A telephone number for Middleton on Tuesday could not be found, but the Arkansas Rights Coalition website quoted him as saying, "Disregard for the fragile Strawberry River System, the protected species that rely up on it, and the right of rural citizens to a clean, healthy environment is the impetus of this notice."

Jerry Tracy, an instructor of diesel technology at Arkansas State University-Newport, confirmed on Tuesday that he owned the property but declined further comment.

According to Google maps, the property proposed for the broiler houses is about a half mile from Middleton's property.

The groups' notice of intent to sue identifies the threatened or endangered species as three types of mussels, three types of bats and one plant. The mussels are the pink mucket, snuffbox mussel, and rabbitsfoot mussel. The three bats are the gray bat, Indiana bat and the northern long-eared bat. The plant is the Missouri bladder pod.

The group said it disagrees

with findings earlier this year by the U.S. Fish and Wildlife Service that the project "is not likely to adversely affect" the plant and animal species as long as poultry producers follow all "Best Management Practices."

The Arkansas Rights Coalition and the Animal Legal Defense Fund said the Tracy poultry houses are among several hundred others that are being spurred by the expansion of Peco Foods Inc.

Based in Tuscaloosa, Ala., Peco Foods in March 2014 announced a \$165-million expansion of its operations in Randolph and Clay counties. It said it would create 1,000 jobs as part of supplying boneless chicken products to national restaurant chains, regional food service distributors and retail grocers. The new facilities include a hatchery, feed mill and processing plant in Pocahontas, which is about 50 miles slightly northeast of Evening Shade.

Peco gained a presence in Arkansas in 2011 when it acquired the Townsends Poultry Complex in Batesville. It also operates a feed mill in Newark in Independence County. Peco said in March 2014 that it had grown to become the eighth-largest poultry producer in the United States, processing about 24 million pounds of poultry each week at plants in Arkansas, Mississippi and Alabama.