



## FOR IMMEDIATE RELEASE

### Media Contacts

Randy Ruppert, Nebraska Communities United  
p: (402) 936-4870 | e: [nebraskacommunitiesunited@gmail.com](mailto:nebraskacommunitiesunited@gmail.com)

Laura Krebsbach, Socially Responsible Agricultural Project  
p: 402-770-7731 | e: [laurak@sraproject.org](mailto:laurak@sraproject.org)

## Illegal Blighting Lawsuit Filed by Fremont Citizens in Costco Poultry Plant Fight

*Due process violations alleged; Temporary injunction requested to halt further city development of massive animal operation that would process more than 300-thousand chickens per day*

**FREMONT, NE—JULY 26, 2016**—Three members of the citizens group [Nebraska Communities United \(NCU\)](http://nebraskacommunitiesunited.org) filed a lawsuit yesterday in the Nebraska District Court of the 6<sup>th</sup> Judicial District against the city of Fremont on the illegal blighting of farmland to provide Tax Incentive Financing (TIF) for the proposed Costco/Lincoln Premium Poultry chicken processing plant. Nebraska statute NEB. REV. STAT. § 18-2103 does not provide for blighting large portions of agricultural land for the use of TIF money. The disputed area by law must be urban or suburban, and not rural in character. With limited citizen participation, the Fremont city council voted this month to annex and blight nearly 1,000 acres outside of the city to site the operation. Over 400 acres are prime farmland, currently cornfields.

“The city of Fremont is trying to sidestep state laws and declare perfectly good agricultural land as blighted and substandard, and it needs to be stopped,” said lifelong local farmer and NCU member John Schauer.

“We had hoped that it would not come to this,” said the plaintiff’s Lincoln-based attorney, Greg Barton of Barton Law P.C., L.L.O. “But Fremont officials left us with no other choice.”

For months the plan to site the proposed massive Costco-owned poultry operation, called Project Rawhide, has been the center of local community dispute. Lincoln Premium Poultry was created by Georgia-based Crider Foods to operate the sprawling industrial animal processing facility. The proposed complex will include a feed mill, hatchery and processing facility, turning out approximately 340,000 chickens per day.

“Industry giants and large-scale animal operations across the nation are evading the law at the expense of community health and citizen rights,” said Laura Krebsbach, regional representative for [Socially Responsible Agricultural Project \(SRAP\)](http://sociallyresponsible.org), a national nonprofit working with NCU to organize and educate Fremont community members on the impact of industrial poultry facilities. “These Fremont residents voiced their concerns to Costco and were not heard. Now they will.”

The lawsuit also alleges violations of citizen rights of due process under Federal and state laws, including under 42 U.S.C. § 1983, and NEB. REV. STAT. § 20-148 and NEB. REV. STAT. §§ 25-21,149.

NCU leader, Randy Ruppert says the slate of public hearings did more harm than good to community confidence in Costco, Lincoln Premium Poultry and their own city council.

“Every vote was 8 to 0. Our elected officials had their minds made up before there was even one public hearing,” said Ruppert. “With Costco driving the agenda, equal time was not even a possibility.”

A temporary Injunction request was also filed that would stop the city of Fremont from taking further action on Project Rawhide. Additionally, the submission includes a Notice of Intent to subpoena the city, the Greater Fremont Development Council and blighting study preparer JEO Consulting that will require preservation of all documents associated with the project.

“Above our State Capitol is inscribed ‘The Salvation of the State is Watchfulness in the Citizen,’ said Schauer. “With the changes the Costco operation threatens to bring to this community, there is no better time to remember and follow those words.”

For a reading of Nebraska statute NEB. REV. STAT. § 18-2103, please click [here](#).

###

#### **About Nebraska Communities United (NCU)**

The goal of Nebraska Communities United is to inform those living in the communities of Burt, Butler, Colfax, Cuming, Dodge, Madison, Platte, Polk, Saunders, Stanton, and Washington Counties in Nebraska about the plans to build a massive poultry processing plant operation called "Project Rawhide." For more information on NCU, please go to [www.ncunited.org](http://www.ncunited.org).