

Watershed Agricultural Program Guideline

4.2.07

FUNDS TO BE USED IN MANURE EMERGENCY SITUATIONS

The purpose of this guideline is to determine what funds should be used in manure emergency situations. Landowner/Producers are responsible to take corrective action in manure emergency situations and the WAP will assist and support their efforts to protect water quality and any threats to human safety.

Emergency situations may include one of the following:

- 1)
 - a. Manure spills from storage.
 - b. Manure pile that begins to flow towards a watercourse due to thawing and/or heavy rains

Upon notification of an apparent manure emergency situation the Ag Program Manager or his/her designee will follow the Manure Emergency Action Plan (MEAP) and make a determination regarding the severity of the manure emergency situation.

- 2) If the manure emergency situation is determined to be a mechanical failure, design flaw or caused by natural disaster the WAP will take corrective action and fund the clean up and repair.
- 3) If the manure emergency situation is determined to be caused by management error the WAP will assist and support the corrective action by the Landowner/Producer. The Landowner/Producer shall be responsible for funding the repair directly.
 - a. Expenses in manure spill cleanup resulting from improper O&M of the storage would be NM Credit eligible.
 - b. Expenses that exceed current available NM Credit balance shall be paid for by the Landowner/Producer.
 - c. The additional expenses to alleviate the manure emergency situation that exceed Landowner/Producers current NM Credit balance may be eligible for reimbursement through future NM Credit funds.
 - d. The Landowner/Producer shall provide proof of payment in order to be eligible for reimbursement.
- 4) If the Landowner/Producer is unable or unwilling to take corrective action to alleviate the manure emergency situation, such as being incapacitated and/or unable to act in a timely manner, the WAP may act on the Landowner/Producer's behalf. Upon consultation with the Nutrient Management Sub-Committee the WAP may utilize the Landowner/Producer's NM Credit fund first to pay for any corrective actions.

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