



April 30, 2020

To whom it may concern:

During the COVID-19 Public Health Emergency, the Nebraska Department of Agriculture (NDA) will allow above ground burial of livestock carcasses as an exercise of its enforcement discretion of Neb. Rev. Stat. §54-744, so long as there is no evidence of disease, each carcass has been prepared to prevent the accumulation of gas, and the carcasses are buried as follows:

Site Selection:

- At least 5 feet separation from the bottom of the burial pit to ground water is required by the Nebraska Department of Environment and Energy (DEE) if this cannot be obtained DEE Groundwater Section must be contacted;
- 1 foot of cover soil with vegetative layer for above-ground burial;
- 1000 feet from public water supply wells, 500 feet from domestic wells and outside of any well-head protection areas is recommended by DEE;
- 300 feet from domestic water intakes, streams, creeks, ponds, springs and lakes and at least 100 feet from the edge of a major cut or embankment is recommended by DEE;
- 500 feet from residences is required by DEE, livestock facilities and adjacent pastures owned or leased by another person is recommended by DEE;
- 300 feet from a road is recommended by DEE;
- 500 feet from a secondary highway is recommended by DEE;
- 1000 feet from a primary highway is recommended by DEE; and
- Above and below ground utilities need to be avoided when selecting an appropriate site.

Construction:

1. Assess the equipment available to construct the trench and place the animals.
2. Dig a 24-inch deep trench of sufficient width and length to accommodate the number and size of the animals. Stockpile the excavated soil at the edge of the trench.
3. Place 12-inches of carbonaceous material in the bottom of the trench. The carbon material should have a high carbon to nitrogen ratio such as wood chips, bark mulch, sawdust, corn stalks, straw, silage, and animal bedding with minimal manure.

4. Place the carcasses on the carbonaceous base. Care should be taken to ensure the legs and heads can be adequately covered with soil. Animals should be placed as close together as possible.

5. Return the 2-feet of excavated soil to the trench to form a uniform cover over the carcasses. During the field trials that we conducted; returning the 2-feet of excavated soil achieved one foot of cover over the entire carcass (with a little more cover at the top of the mound).

6. Seed the mound with a regionally and seasonally appropriate seed mix. Where available, cover with a biodegradable erosion control netting. The netting should extend beyond the edge of the mound and be secured with soil. If not available, cover with a layer of straw or hay mulch.

Maintenance: Inspect the system weekly for the first month to identify and address cracks in the soil cover or evidence of animal burrowing. Additional soil should be added to fill cracks and areas where animals may have burrowed.

Site Restoration: After 12 months, the mound can be regraded and return to its original land use. Any bones remaining on the soil surface can be collected and disposed of.

This action is necessary to protect the interests of Nebraska citizens as a result of the COVID-19 pandemic and will remain in effect until rescinded.

NEBRASKA DEPARTMENT OF AGRICULTURE

A handwritten signature in cursive script that reads "Steve Wellman".

Steve Wellman, Director