

JUL 23 2012
JUL 23 2012EXECUTIVE ORDER
12-08SECRETARY OF STATE
COMMISSIONS DIVISION
SECRETARY OF STATE

WHEREAS, Executive Order 12-07 was issued earlier this date declaring a State of Emergency for the State of Missouri due to the prolonged period of excessive heat and low precipitation; and

WHEREAS, the United States Department of Agriculture, at my request, has declared an agricultural disaster in all 114 Missouri counties; and

WHEREAS, this weather pattern has caused extreme drought conditions in many parts of the State of Missouri and is having a devastating impact on Missouri agriculture; and

WHEREAS, access to adequate water supplies for livestock and crop production has become extremely difficult for Missouri agricultural producers; and

WHEREAS, the State of Missouri will be proactive in addressing these and other challenges caused by these severe weather conditions.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Chapter 44, RSMo, do hereby authorize the State Soil and Water Districts Commission to implement an emergency cost-share program for water source development and/or water distribution practices to assist landowners engaged in livestock or crop production adversely impacted by the current drought. This emergency cost-share program shall be specifically directed to address water challenges caused by the current drought where implementation of a water source development or water distribution practice would produce an immediate material benefit.

This emergency cost-share program shall be narrowly targeted to provide resources to alleviate immediate water shortages confronting Missouri agriculture. Due to the emergency nature of this program and the need for these water source and distribution practices to be implemented expeditiously, any rules, procedures and certifications generally applicable to soil and water cost-share programs are hereby waived for this emergency cost-share program.

In order to be eligible under this emergency cost-share program, the following criteria must be satisfied:

- 1) The landowner applicant must be engaged in livestock or crop production and experiencing a water shortage caused directly by the current drought conditions;
- 2) The water shortage being experienced by the landowner applicant is severely impacting the well-being of livestock or crop production;
- 3) The proposed water source development or water distribution practice will produce an immediate material benefit to the well-being of the livestock or crop production; and
- 4) The proposed water source development or water distribution practice will not adversely affect a public water supply.

All applications under this emergency cost-share program by eligible landowners engaged in livestock or crop production must be submitted within fourteen days of issuance of this Order. Applications may be submitted either to the local soil and water district or to the State. Applications received by the State shall be immediately forwarded to the appropriate local soil and water district. The local soil and water district shall promptly notify the State when a completed application is received and upon taking final action on the application. The local soil and water district shall have seventy-two hours, including weekends, to approve or deny a completed application.

I further order the establishment of the Agriculture Water Resource Technical Review Team. The Directors of the Department of Agriculture and the Department of Natural Resources are directed to immediately assign adequate staff with agricultural and water resource experience to the Agriculture Water Resource Technical Review Team. The Agriculture Water Resource

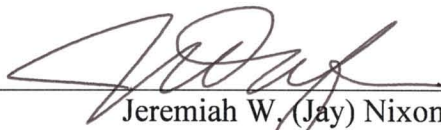
Technical Review Team shall assist in the expedited processing of applications and implementation of this emergency cost-share program. In addition, any completed application not acted upon by a local soil and water district within seventy-two hours of receipt shall be immediately forwarded to the Agriculture Water Resource Technical Review Team which shall approve or deny the application within seventy-two hours.

All projects approved under this emergency cost-share program shall be completed within sixty days of issuance of this Order. The cost-share rate shall be ninety percent (90%) of the costs of eligible practices under this emergency cost-share program. The maximum cost-share award under this program is \$20,000.

This Order shall terminate on October 1, 2012, unless extended in whole or in part.




IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of July, 2012.



Jeremiah W. (Jay) Nixon
Governor

ATTEST:



Robin Carnahan
Secretary of State