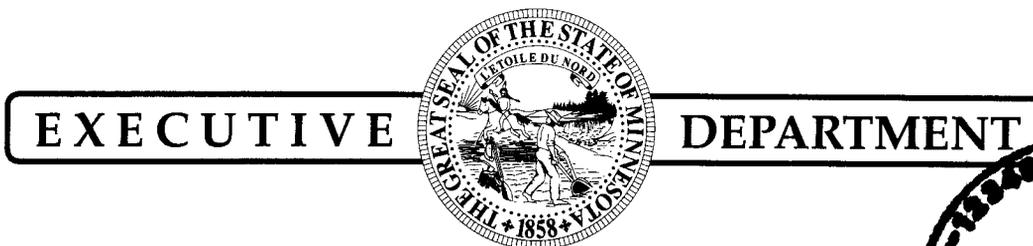
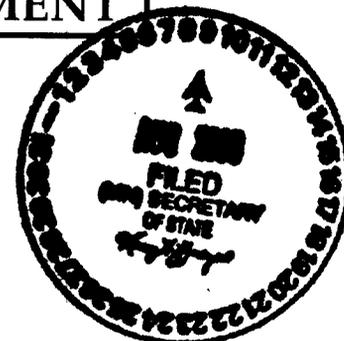


STATE of MINNESOTA



**TIM PAWLENTY
GOVERNOR**



EMERGENCY EXECUTIVE ORDER 06-11

**DECLARING A STATE OF EMERGENCY
IN THE STATE OF MINNESOTA**

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, drought conditions have affected significant portions of Minnesota since early May and last month was the hottest July in 70 years; and

WHEREAS, the Governor and other state officials have toured portions of the affected areas and discussed emergency preparation and coordination of relief efforts for the affected areas; and

WHEREAS, on August 7, 2006 the Farm Service Agency's State Emergency Board met to review information about the effects of the drought conditions in Minnesota; and

WHEREAS, on August 8, 2006, the Governor requested that the United States Department of Agriculture declare 36 Minnesota counties as agriculture disaster areas due to persistent drought conditions; and

WHEREAS, in areas of the State drought conditions have caused a significant reduction or loss of traditional surface watering sources for livestock; and

WHEREAS, the loss of these traditional surface watering sources creates an immediate need to provide alternative sources of water to livestock producers in order to avoid potential catastrophic harm to livestock; and

WHEREAS, grants related to livestock watering systems have been available under a federally funded program but the funds from this program have already been obligated; and

WHEREAS, on August 9, 2006 the Board of Soil and Water Resources ("Board") adopted a resolution recommending that the Governor and Executive Council approve an

amendment to the administrative rules for the Minnesota Cost Share Program allowing the Board and the local Soil and Water Conservation Districts (“Districts”) to provide grants to livestock producers to allow for alternative watering systems and implement prescribed grazing or nutrient management plans for livestock.

NOW, THEREFORE, I hereby order that:

The serious drought conditions in the northern and central portions of the State present an imminent threat to livestock producers’ ability to provide adequate water to livestock and a peacetime emergency under Minnesota Statutes, Section 12.31 exists. In addition to other measures already implemented, the following immediate actions should occur to provide aid and assistance to livestock producers who face imminent harm to their livestock as a result of the drought:

1. Livestock producers in proposed federally declared disaster counties, or livestock producers in any District declared as drought impacted by resolution of the District will be allowed to apply to the Board and the Districts for grants under the Minnesota Cost Share Program, Minnesota Statutes, Section 103C.501, for the purpose of providing alternative watering systems and implementing prescribed grazing or nutrient management plans for livestock producers.
2. As recommended by the Board, the Board’s administrative rule, Minnesota Rules 8400.0300 and the Board’s Administrative Guidelines are, for the duration of the peacetime emergency, amended to include as eligible practices those practices determined by the Board to be related to the provision of alternative watering systems for livestock producers including but not limited to: well drilling, pipelines, watering facilities, portable pumps, fencing, watering pond restorations, and fabricated shelterbelts. As a condition of receiving Cost Share Program funds, livestock producers must agree to have a prescribed grazing or nutrient management plan approved by September 1, 2007.
3. As recommended by the Board, USDA NRCS practice standards and specifications, or “generally recognized industry standards and specifications” will apply and Districts will be eligible to receive 10% of Program funds spent on practices for their technical and administrative costs.
4. Pursuant to this Order, the Board is permitted to process applications received by the Board or a District during the effective period of the peacetime emergency.
5. Any other administrative rules of the Board that would preclude processing of applications and the awarding of grants pursuant to this Order are also suspended.
6. The Board has identified \$500,000 as currently available for purposes of providing Cost Share grants to livestock producers pursuant to this Order. If additional funds become available to the Cost Share Program, the Board may also use those additional funds to provide grants pursuant to this Order.

7. The Board will distribute this Order to all Districts and work with the Districts the Commissioner of Agriculture and other state, federal and local governments and organizations to inform livestock producers of the availability of assistance and the terms of this Order.

Pursuant to Minnesota Statutes 4.035, Subdivision 2, this Emergency Executive Order is effective immediately and will remain in effect pursuant to Minnesota Statutes, Section 12.31 Subdivision 2. Pursuant to Minnesota Statutes, Section 12.32, the amendment of rules and terms of this Order are effective upon their adoption by the Executive Council and filing with the Secretary of State. The peacetime emergency and terms of this Order can be extended 30 days by the Executive Council or the Legislature in accordance with Minnesota Statutes 2005, Section 12.31, Subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 9th day of August, 2006.



TIM PAWLENTY
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State