State of New York

OCT 7 2011

Department of State
Secretary of State

State of New York

Executive Chamber

No. 28

EXECUTIVE ORDER

DECLARING A DISASTER IN THE COUNTIES OF CATTARAUGUS, CAYUGA, CHAUTAUQUA, CORTLAND, ERIE, LIVINGSTON, MONROE, ORLEANS, OSWEGO, OTSEGO, SARATOGA, SCHUYLER, ST. LAWRENCE, SULLIVAN, TOMPKINS, WASHINGTON, WAYNE AND WYOMING WITH RESPECT TO EXTENSIVE DAMAGE CAUSED TO FEDERAL-AID HIGHWAYS

WHEREAS, beginning April 26, 2011, and continuing thereafter, a series of severe storms occurred in the counties of Cattaraugus, Cayuga, Chautauqua, Cortland, Erie, Livingston, Monroe, Orleans, Oswego, Otsego, Saratoga, Schuyler, St. Lawrence, Sullivan, Tompkins, Washington, Wayne and Wyoming; and

WHEREAS, as a result of these storms, New York State has sustained severe damage to its road systems, including bridges, roadbeds and associated facilities; and

WHEREAS, the immediate repair and reconstruction of the damaged road systems, including Federal-aid highways throughout the affected jurisdictions, is vital to the security, well-being and health of the citizens of New York; and

WHEREAS, Section 28(4) of Article 2-B of the Executive Law authorizes the Governor, if he finds that a disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and affected jurisdictions, to make an appropriate request for federal assistance available under federal law; and

WHEREAS, Sections 120(e) and 125 of Title 23 of the United States Code and Section 668.101 of Title 23 of the Code of Federal Regulations authorize Emergency Relief funding and establish an Emergency Relief Program for the repair or reconstruction of Federal-aid highways that are found to have suffered severe damage as a result of a natural disaster over a wide area;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby find that a disaster has occurred for which the State and affected local governments are unable to respond adequately with respect to extensive damages caused to Federal-aid highways. Therefore, pursuant to Section 28(4) of Article 2-B of the Executive Law, I hereby declare a State Disaster Emergency effective April 26, 2011, within the territorial boundaries of the counties of Cattaraugus, Cayuga, Chautauqua, Cortland, Erie, Livingston, Monroe, Orleans, Oswego, Otsego, Saratoga, Schuyler, St. Lawrence, Sullivan, Tompkins, Washington, Wayne and Wyoming; and

FURTHER, this declaration satisfies the requirements of the terms of Sections 120(e) and 125 of Title 23 of the United States Code; and

FURTHER, I have designated, Joan McDonald, Commissioner of the Department of Transportation, as my coordinating officer for this event.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this seventh day of October in the year two thousand eleven.

BY THE GOVERNOR

Secretary to the Governor