State of New York

Executive Chamber

No. 92

EXECUTIVE ORDER

DECLARING A DISASTER IN THE COUNTIES OF BRONX, DUTCHESS, KINGS, NASSAU, NEW YORK, ORANGE, PUTNAM, QUEENS, RICHMOND, ROCKLAND, SUFFOLK, WESTCHESTER AND CONTIGUOUS AREAS

WHEREAS, on February 8, 2013 and continuing thereafter, a severe winter storm is forecast to impact New York State, which poses an imminent danger to vital public transportation, utility service, public health, and public safety systems within the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester and contiguous areas; and

WHEREAS, this blizzard is predicted to produce snowfall amounts in excess of one to two feet, winds in excess of 50 miles per hour, and coastal tidal surges greater than three feet. These conditions may cause widespread power outages and flooding, damage to homes, apartments, businesses, public and private property, damage and uproot trees, and result in moderate to severe coastal erosion, and will continue to pose a threat to public health and safety;

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 the Laws of the State of New York, do hereby find that a disaster has occurred for which the affected local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby declare a State Disaster Emergency effective February 8, 2013 within the territorial boundaries of the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester and contiguous areas; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize, effective February 8, 2013, the State Office of Emergency Management, the Department of Health, the Department of Transportation, the State Police, the Division of Military and Naval Affairs, the Department of Environmental Conservation, the State Department of Corrections and Community Supervision, the Public Service Commission, the Office of Fire Prevention and Control, the Department of Labor, the Office of Parks, Recreation and Historic Preservation, the Office of General Services, the State University of New York, the Thruway Authority, the Division of Homeland Security and Emergency Services, other State agencies, and the American Red Cross, as necessary, to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety.

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. §390.23(a)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary in order to ensure that snow removal crews can clear vital roadways, and hasten the movement of utility power restoration crews into New York State.

FURTHER, I have designated Gregory T. Brunelle, Director of the State Office of Emergency Management, as the State Coordinating Officer for this event.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this eighth day of February in the year two thousand thirteen.

BY THE GOVERNOR

Secretary to the Governor