State of New York

Executive Chamber

No. 128

EXECUTIVE ORDER

DECLARING A DISASTER IN THE COUNTIES OF ALBANY, CLINTON, CORTLAND, ESSEX, FRANKLIN, FULTON, JEFFERSON, LEWIS, MADISON, MONTGOMERY, ONEIDA, ONONDAGA, OSWEGO, RENSSELAER, SARATOGA, SCHENECTADY, SCHOHARIE, ST. LAWRENCE, WARREN, WASHINGTON AND CONTIGUOUS AREAS

WHEREAS, beginning on February 13, 2014 and continuing thereafter, a strong winter storm began to impact New York State, and poses an imminent danger to vital public transportation, utility service, and public health and public safety systems within the counties of Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Westchester and contiguous areas; and

WHEREAS, this winter storm is predicted to produce wet, heavy snowfall amounts in excess of one foot, sleet, wind gusts in excess of 50 MPH, and hazardous driving conditions, and these conditions may cause widespread power outages, roadway closures, damage to homes and businesses and public and private property, may result in moderate to severe coastal erosion, and will continue to pose a threat to the public health and safety; and

WHEREAS, beginning in December 2013, a series of strong winter storms have affected the State and depleted local resources, such as road salt, which are crucial to adequately managing this storm; and

WHEREAS, on February 13, 2014 I issued Executive Order Number 127 declaring a disaster emergency in the counties of Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Westchester and contiguous areas; and

WHEREAS, beginning on February 13, 2014 and continuing thereafter, the same winter storm poses an imminent danger to vital public transportation, utility service, and public health and public safety systems within the additional counties of Albany, Clinton, Cortland, Essex, Franklin, Fulton, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Rensselaer, Saratoga, Schenectady, Schoharie, St. Lawrence, Warren, Washington and contiguous areas;

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 is imminent 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 do hereby amend Executive Order Number 127 declare a State Disaster Emergency effective February 13, 2014 within the territorial boundaries of the additional counties of Albany,

Clinton, Cortland, Essex, Franklin, Fulton, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Rensselaer, Saratoga, Schenectady, Schoharie, St. Lawrence, Warren, Washington 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 13, 2014, 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 Correctional Services, 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 as necessary, and the American Red Cross 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 Jerome M. Hauer, Commissioner of the Division of Homeland Security and Emergency Services, 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 thirteenth day of February in the year two thousand fourteen.

BY THE GOVERNOR

Secretary to the Governor