State of New York

OCT 26 2012

Department of State
Secretary of State

State of New York

Executive Chamber

No. 47

EXECUTIVE ORDER

DECLARING A DISASTER IN THE COUNTIES OF ALBANY, ALLEGANY, BRONX, BROOME, CATTARAUGUS, CAYUGA, CHAUTAUQUA, CHEMUNG, CHENANGO, CLINTON, COLUMBIA, CORTLAND, DELAWARE, DUTCHESS, ERIE, ESSEX, FRANKLIN, FULTON, GENESEE, GREENE, HAMILTON, HERKIMER, JEFFERSON, KINGS, LEWIS, LIVINGSTON, MADISON, MONROE, MONTGOMERY, NASSAU, NEW YORK, NIAGARA, ONEIDA, ONONDAGA, ONTARIO, ORANGE, ORLEANS, OSWEGO, OTSEGO, PUTNAM, QUEENS, RENSSELAER, RICHMOND, ROCKLAND, SARATOGA, SCHENECTADY, SCHOHARIE, SCHUYLER, SENECA, STEUBEN, ST. LAWRENCE, SUFFOLK, SULLIVAN, TIOGA, TOMPKINS, ULSTER, WARREN, WASHINGTON, WAYNE, WESTCHESTER, WYOMING AND YATES

WHEREAS, on October 28, 2012 and continuing thereafter, Hurricane Sandy is forecast to impact New York State, resulting in evacuations of the threatened populations and posing an imminent danger to vital public transportation, utility service, and public health and public safety systems within the counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, St. Lawrence, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming and Yates; and

WHEREAS, this event may cause widespread power outages and flooding, damage to homes, apartments, businesses, and public and private property, damage and uproot trees, and continue to pose a threat to the 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 Executive Law § 28, I hereby declare a State Disaster Emergency effective October 26, 2012 within the territorial boundaries of the counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, St. Lawrence, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming and Yates, and

FURTHER, pursuant to Executive Law § 29, I direct the implementation of the State Disaster Preparedness Plan and authorize, effective October 26, 2012, the State Office of Emergency Management, the Department of Health, the Department of Transportation, the Division of State Police, the Division of

Military and Naval Affairs, the Department of Environmental Conservation, the 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 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, such relief being necessary to hasten the movement of utility power restoration crews into New York State.

IN ADDITION, this declaration satisfies the requirements of Executive Law § 29-g, which authorizes use of the Emergency Management Assistance Compact and satisfies the requirements of Executive Law § 29-g(3)(c).

FURTHER, I have designated Steven Kuhr, 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 twenty sixth day of October in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor