

EXECUTIVE ORDER NO. 106

WHEREAS, New Jersey has suffered substantial damage from Hurricane Sandy including significant disruption of the power generation necessary to maintain our State's water supply; and

WHEREAS, in the aftermath of Hurricane Sandy, the use of water throughout the State must be managed and reduced in order to preserve a dependable supply of water; and

WHEREAS, the Commissioner of the Department of Environmental Protection has found that emergency measures are necessary to prevent a water shortage; and

WHEREAS, cooperative efforts to ensure sound water use, both inside and outside the home, will reduce consumption and thereby minimize the need for treatment and production that places additional strains on our State's energy supply; and

WHEREAS, the damage caused from Hurricane Sandy, including fallen trees, downed power lines, damage to roadways, and disruptions in electrical service has produced dangerous conditions throughout the State that continue to jeopardize the public safety; and

WHEREAS, the Commissioner of the Department of Environmental Protection has the authority pursuant to N.J.S.A. 58:1A-1, et seq. and N.J.A.C. 7:19-1, et seq., to adopt such

rules, regulations, orders, and directives as deemed necessary to help alleviate a water emergency; and

WHEREAS, it is necessary to take action to minimize additional risks to lives and the public safety as the State begins rebuilding and recovering from Hurricane Sandy; and

WHEREAS, on October 27, 2012, in light of the dangers posed by Hurricane Sandy, and pursuant to the authority provided under the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4, and all amendments and supplements thereto, I declared a State of Emergency; and

WHEREAS, in accordance with the N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of the State government to protect against the emergency created by Hurricane Sandy;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. A state of water emergency exists throughout the State of New Jersey by reasons of the facts and circumstances set forth above.

2. The Commissioner of the Department of Environmental Protection is directed pursuant to N.J.S.A. 58:1A-1, et seq. and N.J.A.C. 7:19-1 et seq., and all other applicable authority, to take whatever steps are necessary and proper to alleviate the water emergency and effectuate this Order, including:

a. Identifying and imposing such water use restrictions and conservation measures deemed necessary for the entire State, or for a specific region, taking into consideration region-specific hydrogeologic conditions and infrastructure;

b. Identifying and implementing statewide strategies for the use of alternate water supplies;

c. Identifying and implementing measures to establish priorities for the distribution of the State's water supply to mitigate the present water emergency; and

d. Working with all Departments and Agencies of State government to reduce water consumption.

3. It shall be the duty of every person and entity in the State to fully cooperate in all matters concerning this water emergency and to comply with the mandatory restrictions on uses of water as defined in Administrative Orders issued by the Commissioner of the Department of Environmental Protection pursuant to this Order.

4. Any person who shall violate any provision of this Order, or impede or interfere with any action ordered or taken pursuant to this Order, shall be subject to the penalties provided under N.J.S.A. 58:1A-1 et seq., N.J.S.A. App. A:9-49 et seq., and N.J.A.C. 7:19-1 et seq..

5. No municipality, county, or any other agency or political subdivision of the State shall enact or enforce any order, rule, regulation, ordinance, or resolution which conflicts with any provision of this Order, or any Administrative Orders issued by the Commissioner of the Department of Environmental Protection pursuant to this Order.

6. This Order shall take effect immediately.

GIVEN, under my hand and seal this
day of
Two Thousand and Twelve,
and of the Independence of
the United States, the Two
Hundred and Thirty-Seventh.

Chris Christie
Governor

Attest:

Charles B. McKenna
Chief Counsel to the Governor