# STATE OF COLORADO

**OFFICE OF THE GOVERNOR**

136 State Capitol Building
Denver, Colorado 80203
Phone (303) 866 - 2471
Fax (303) 866 - 2003

**John W. Hickenlooper**
**Governor**

## D 2012-035

## EXECUTIVE ORDER

### Declaring a Disaster Emergency Due to Bridge Damage in Fremont County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Colorado Constitution, article IV, section 13 and relevant portions of the Colorado Disaster Emergency Act of 1992, C.R.S. § 24-33.5-700, *et seq.*, I, Joseph A. Garcia, Lieutenant Governor of the State of Colorado, hereby issue this Executive Order affirming the verbal declaration of a state of disaster emergency due to damage to a bridge on State Highway 67 in Fremont County, Colorado caused by a large rainstorm.

I. <u>Background and Purpose</u>

During the evening of July 31, 2012, rain from a large storm eroded and scoured support for a bridge (structure K-16-W) on State Highway 67 at milepost 5.0. This channel erosion and scour caused significant damage to this structure's foundation causing the bridge to settle. After further review of the bridge, Colorado Department of Transportation (CDOT) officials determined that bridge replacement is necessary. Prior to the rainstorm, the bridge held the low sufficiency rating of 50.6. This rating is barely above the sufficiency rating of 50 that marks whether a bridge is deemed to be in "poor condition." Although the Region was in the process of setting up a project to replace the bridge due to the extensive scour history, the project is currently not budgeted. Traffic is currently detouring around the bridge closure using either Fremont County roads or alternative State Highways 96 and 69 as well as U.S. Highway 50 through Pueblo or Westcliffe. State Highway 67 is an important route to link the areas around Wetmore to Florence and Canon City. It is the only paved road connecting these communities. State Highway 67 handles approximately 1400 vehicles per day and is the only paved highway within this area. The local Fremont County and Custer County roadways in the area do offer some detour capability but are not paved and are not designed to handle the high volume and level of traffic, especially delivery trucks and semi loads.

The Governor is responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act defines a disaster as "the occurrence or imminent threat of widespread or severe damages, injury or loss of life or property resulting from any natural cause or cause of human origin." C.R.S. § 24-33.5-703(3). The damaged bridge lies in a crucial transportation link for the area and poses an imminent danger to life and property and, therefore, constitutes a disaster for the purposes of the Act. A disaster emergency was declared on August 7, 2012.

II. Declaration and Directives

A. The bridge damage in Fremont County constitutes a disaster emergency under C.R.S. § 24-33.5-703(3). The verbal order declaring a disaster emergency is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this Executive Order.

B. The State Emergency Operations Plan is hereby activated. All State departments and agencies shall take whatever actions may be required and requested by the Executive Director of the Colorado Department of Transportation or the Director of the Office of Emergency Management, including provision of appropriate staff and equipment as necessary.

C. For the purposes of sections 125 and 120(e) of Title 23, U.S.C., I hereby find that the damage to the bridge on State Highway 67 constitutes an emergency. The immediate replacement of the damaged bridge is vital to the security, well-being, and health of the citizens of the State of Colorado; and the Federal Highways Administration Division Administrator is hereby requested to concur in the declaration of this emergency.

D. The Executive Director of the Colorado Department of Transportation and the Director of the Office of Emergency Management are authorized and directed to coordinate application to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to this disaster emergency.

III. Duration

This Executive Order shall expire thirty days from August 7, 2012 unless extended further by Executive Order.

IV. Lieutenant Governor

I am executing this Executive Order pursuant to the Colorado Constitution, article IV, section 13(5) as Governor John W. Hickenlooper is currently traveling outside the State of Colorado.

GIVEN under my hand and the Executive Seal of the State of Colorado this seventh day of August, 2012.

Joseph A. Garcia
Lieutenant Governor