



D 2021 126

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to Interstate 70 Disruptions from Flooding, Mudslides, and Debris Flow

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et. seq.*, I, Jared Polis, Governor of the State of Colorado, issue this Executive Order declaring a state of disaster emergency due to the recent disruptions of Interstate 70 (I-70) caused by flooding, mudslides, and debris flow.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the State and people presented by disasters, C.R.S. § 24-33.5-704(1). The Colorado Disaster Emergency Act defines a disaster as “the occurrence or imminent threat of widespread or severe damage, 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).

On August 12, 2020, I declared a disaster emergency for the Grizzly Creek Fire that burned approximately 32,631 acres along I-70 in and near Glenwood Canyon. The fire resulted in vegetation loss and exposed the area to increased soil erosion, water runoff, flooding, and sediment flow. This summer, the burn area has experienced high intensity, short duration rainfall that has resulted in flooding, mudslides, and localized debris flows over portions of a 46-mile length of I-70 through Glenwood Canyon that has put human life and safety, transportation highway infrastructure, cultural resources, and native vegetation communities at risk.

Between June 26, 2021 and July 28, 2021, the Colorado Department of Transportation (CDOT) closed I-70 through Glenwood Canyon twelve times due to flash flood warnings. During this same period, at least five flood events caused mudslides and debris flows to cover the roadway, which prolonged I-70 closures while CDOT crews cleared the road. On July 29, 2021, two to four inches of rain fell in an hour in Glenwood Canyon, which led to even more intense debris flows that blocked the roadway, and a major overnight rainfall from July 31, 2021 to August 1, 2021 caused still more mud and debris to block the roadway. I-70 has been closed indefinitely ever since.

These July and early August storm events have caused considerable damage to at least four discrete structures in the canyon, and CDOT may discover more as debris is removed from

the affected areas. The recent interim closures and the current indefinite closure have strained local, State, and federal supply chains and economies.

The I-70 roadway through Glenwood Canyon runs adjacent to the Colorado River, U.S. Forest Service lands, and Union Pacific Railroad infrastructure. All repairs that occur in Glenwood Canyon are interconnected and need to be coordinated closely with these other stakeholders. CDOT has directed all of its efforts to reopening the highway and protecting the water resources and infrastructure affected by the floods and slides. It has assigned maintenance crews to monitor slide areas, establish traffic control points to keep the public safe, clear the mudslides and debris flows from the highway, inspect the highway for damage, and repair any infrastructure.

By this Executive Order, I declare a disaster emergency due to the recent flooding, mudslides, and debris flow in Glenwood Canyon and the surrounding area. I authorize CDOT to request that the U.S. Federal Highway Administration (FHWA) Division Administrator concur in the declaration of this disaster emergency to secure FHWA Emergency Relief Program Funds.

II. Declarations and Directives

In light of the disruption to I-70, I hereby declare the following:

- A. The numerous closures to I-70 as a result of flooding, multiple mudslides, debris flows, and damage constitutes a disaster emergency under C.R.S. § 24-33.5-701, *et seq.*
- B. I authorize CDOT to pursue federal transportation emergency relief funds under sections 120 and 125 of Title 23 of the United States Code. I request that the FHWA Division Administrator concur in the declaration of this disaster emergency for the purposes of securing FHWA Emergency Relief Program Funds to provide CDOT with personnel and resources to assist with slide area monitoring, mudslides and debris flows cleanup operations, and repair of any damaged or destroyed highway assets.
- C. No State Disaster Emergency Funds pursuant to C.R.S. § 24-33.5-706 are authorized or appropriated through this Executive Order.

III. Duration

This Executive Order shall expire thirty (30) days from August 6, 2021, unless extended further by Executive Order.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this sixth
day of August, 2021.

A handwritten signature in blue ink that reads "Jared Polis".

Jared Polis
Governor