

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

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John W. Hickenlooper  
Governor

## D 2012-033

### EXECUTIVE ORDER

#### Declaring a Disaster Emergency Due to a Sinkhole in Lake County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Colorado Constitution and relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-700, *et seq.*, I, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order affirming the verbal declaration of a state of disaster emergency due to a large sinkhole on Highway 24 in Lake County, Colorado.

#### I. Background and Purpose

On Monday July 9, 2012, a large sinkhole developed on Highway 24 between Leadville and Minturn. The cause of the sinkhole has been determined to be a collapsed railroad tunnel combined with heavy rains in the preceding days. As of July 17, the sinkhole was approximately 30 feet wide and 100 feet deep, and continuing to grow. The sinkhole has forced the closure of Highway 24, severing an important piece of the state's transportation infrastructure. The indefinite closure of Highway 24 has resulted in a heavy burden on local travelers who must use a 60-mile detour taking approximately one hour; a significant increase in both time spent driving and fuel consumed. This creates an imminent threat to local communities by isolating them and constitutes a potentially life-threatening situation for individuals. In addition, the sinkhole has resulted in extreme inconvenience to local residents and travelers. The damage to Highway 24 has been of such an extent that immediate repairs are necessary. Such conditions constitute an emergency as is contemplated by the terms of sections 125 and 120(e) of Title 23, U.S.C.

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 proximity of

the sinkhole in Lake County to the communities of Minturn and Leadville, as well as its location along a crucial transportation link, 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 July 13, 2012.

II. Declaration and Directives

- A. The sinkhole in Lake 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 Highway 24 constitutes an emergency. The immediate repair and reconstruction of the damaged highway is vital to the security, well-being, and health of the citizens of the State of Colorado; and the Federal Highway 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 July 13, 2012 unless extended further by Executive Order.



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

A handwritten signature in blue ink, reading "John W. Hickenlooper".

John W. Hickenlooper  
Governor