



D 2024 006

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the U.S. 50 Blue Mesa Middle Bridge Closure in Gunnison, Hinsdale, and Montrose Counties, and Authorizing Employment of the Colorado National Guard

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 U.S. 50 Blue Mesa Middle Bridge closure in Gunnison, Hinsdale, and Montrose Counties, enabling State and federal agencies to coordinate response, consequence management, mitigation, and recovery efforts.

Further, pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. § 28-3-104, I authorize employing unarmed members of the Colorado National Guard for the purpose of responding to the U.S. 50 Blue Mesa Middle Bridge closure and providing support, assisting law enforcement agencies with traffic control, and supporting incident management.

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 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).

On April 17, 2024, Colorado Department of Transportation (CDOT) engineers, while performing federally required bridge inspections specific to bridges comprised of T-1 steel (a material used in the 1950s and 1960s), identified a crack in the U.S. 50 Blue Mesa Middle Bridge (Blue Mesa Bridge). CDOT engineers reduced the use of the Blue Mesa Bridge to one lane of traffic and continued inspections.

On April 18, 2024, upon further inspection and non-destructive testing of the Blue Mesa Bridge, Federal Highway Administration (FHWA) and CDOT engineers determined that the visual surface crack and internal defects within the butt weld of the Blue Mesa Bridge were critical findings that required closure of the Blue Mesa Bridge in order to protect the safety of the traveling public. The engineers immediately closed the Blue Mesa Bridge to traffic.

The Blue Mesa Bridge provides a necessary connection to utilize U.S. 50, the main transportation route in the region. The closure of the Blue Mesa Bridge creates significant strains on the local economy, health and medical services including emergency care, education, agricultural activities, and daily travel to and from work for community members. While two alternate state routes have been identified to bypass the Blue Mesa Bridge closure, both routes create five to six-hour commutes for community members and businesses. In addition, the use of these alternate routes is likely to have an adverse impact on the roadway systems in surrounding towns, cities, and counties which are not accustomed to a high volume of traffic. As part of the disaster emergency, the State is investing in maintaining county routes to help them absorb more traffic.

On April 23, 2024, at approximately 3:13 PM, the Lieutenant Governor, acting as Governor, verbally declared a state of disaster emergency due to the Blue Mesa Bridge closure in Gunnison, Hinsdale, and Montrose Counties, and activated the State of Colorado Emergency Operations Plan. The Lieutenant Governor also verbally authorized employment and use of the Colorado National Guard in an unarmed capacity for the purpose of responding to the Blue Mesa Bridge closure and providing support, assisting law enforcement agencies with traffic control, and supporting incident management.

II. Declarations and Directives

- A. The U.S. 50 Blue Mesa Middle Bridge closure and associated impacts in Gunnison, Hinsdale, and Montrose Counties constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* The Lieutenant Governor's verbal order of April 23, 2024, 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 in this Executive Order.
- B. Further, pursuant to C.R.S. § 28-3-104, the Lieutenant Governor's verbal order of April 23, 2024, authorizing employment and use of the Colorado National Guard in an unarmed capacity for the purpose of responding to the Blue Mesa Bridge closure and providing support, assisting law enforcement agencies with traffic control, and supporting incident management, is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained in this Executive Order.
- C. The Lieutenant Governor's verbal order of April 23, 2024, activated the State Emergency Operations Plan. All State departments and agencies were authorized to take whatever actions may be required and requested by the Director or their delegate of the Office of Emergency Management, pursuant to the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.

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- D. Pursuant to C.R.S. § 24-33.5-706(4)(b), funds in the Disaster Emergency Fund (DEF) are insufficient to pay for response, consequence management, mitigation, and recovery efforts related to the Blue Mesa Bridge closure. Therefore, I order that five million dollars (\$5,000,000) be transferred from the State Emergency Reserve Cash Fund (SERCF) to the DEF. I encumber five million dollars (\$5,000,000) in the DEF to pay for response, consequence management, mitigation, and recovery efforts related to the Blue Mesa Bridge closure.
- E. I direct State agencies to pursue all available federal funding for response and recovery operations, including but not limited to the Federal Highway Administration, U.S. Department of Transportation, and U.S. Department of Agriculture.
- F. Pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding described in Section II.D to the appropriate government agencies and non-profit organizations and execute awards, purchase orders, or other mechanisms to effect the allocation of funds. The funds described in Section II.D shall remain available for this purpose for seventy-two (72) months from the date of this Executive Order, and any unexpended funds shall remain in the DEF.

III. Duration

This Executive Order shall expire thirty (30) days from April 23, 2024, unless extended further by Executive Order, except that the funds described in Section II.D of this Executive Order shall remain available for the described purposes for seventy-two (72) months from the date of this Executive Order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this twenty-second
day of May, 2024.

A handwritten signature in blue ink that reads "Jared Polis". The signature is fluid and cursive, written over a white rectangular background.

Jared Polis
Governor