


State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on June 14, 2014, and continuing thereafter, severe storm systems affected the state of Iowa; and

WHEREAS, these storm systems caused severe weather, including damaging winds, straight-line winds, heavy rains, thunderstorms, flash flooding and flooding resulting in personal injury, significant damage to public and private property, overtopping of levees, power outages resulting from downed power lines and poles and large debris piles; and

WHEREAS, the following two (2) Iowa counties suffered significant damage from this event: Plymouth and Sioux; and

WHEREAS, flooding in this disaster washed out the railbed and bridges owned by the State of South Dakota in Plymouth and Sioux counties and leased to the D & I Railroad and the railroad cannot transport loads on this railway until repairs to the railbed and bridges are completed; and

WHEREAS, the D & I Railroad provides valuable shipping service to multiple companies in this area including agriculture, aggregate and ethanol producers and all shipping has come to a standstill as a result of the damages the railroad sustained in this disaster; and

WHEREAS, it is necessary to transport aggregate to repair the railbed and bridges of the D & I Railroad operating in Plymouth and Sioux counties and current Iowa Department of Transportation weight restrictions impair the ability to quickly transport the necessary aggregate to effectuate these important repairs.

NOW, THEREFORE, I, TERRY E. BRANSTAD, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution Art. IV, §§ 1, 8 and Iowa Code § 29C.6 (6), and all other applicable laws, do hereby declare a **STATE OF DISASTER EMERGENCY** for the following two (2) Iowa counties: Plymouth and Sioux, in respect to the damage sustained by the railroad owned by the State of South Dakota and operated by D & I Railroad and do hereby **ORDER** and **DIRECT** the following:

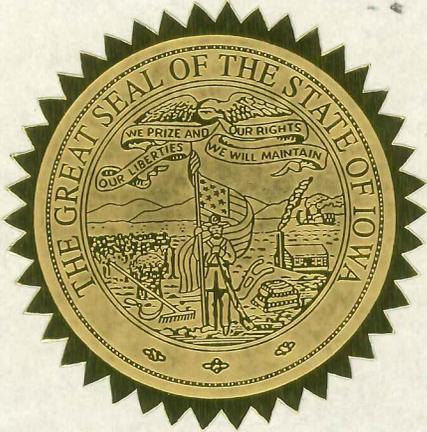
SECTION ONE. I temporarily suspend the regulatory provisions of Iowa Code §§ 321.463(5) (a), (5) (b) and 321E.29 and 761 Iowa Admin. Code Chapter 511, to the extent those provisions restrict the movement of loads related to the State of South Dakota railroad operated by D & I Railroad due to flood damage suffered in this disaster and transported on Iowa Highway 3, Iowa Highway 10 and Iowa Highway 12 in Sioux and Plymouth counties, excluding other Iowa roadways and interstate systems, when such loads are oversized and/or overweight and the loads:

- A. Do not exceed the legal maximum axle weight of 20,000 pounds, and
- B. Comply with posted limits on embargoed roads and bridges, and

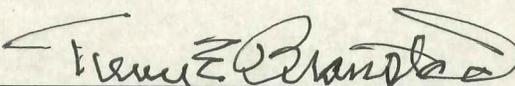
C. Do not exceed the maximum gross weight as calculated by 23 CFR § 658.5, Bridge Gross Weight Formula.

These loads may be transported during the duration of this proclamation without an Iowa Department of Transportation permit. Iowa Code § 29C.6 (6).

SECTION TWO. This state of disaster emergency shall be effective immediately, shall continue for thirty (30) days, and shall expire on August 8, 2014 at 11:59 p.m., unless sooner terminated or extended in writing by me. Iowa Code § 29C.6 (1).



IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed at Des Moines, Iowa this ninth day of July in the year of our Lord Two Thousand Fourteen.


TERRY E. BRANSTAD
GOVERNOR

ATTEST:



MATT SCHULTZ
SECRETARY OF STATE