

135 N. Animas Street  
Planning Department  
P O Box 880  
Trinidad, CO 81082



719-846-9843  
www.trinidad.co.gov

## EPA Brownfield Cleanup Grant - Narrative Information Sheet

### 1. Applicant Identification:

City of Trinidad, Colorado  
135 N. Animas Street  
Trinidad, Colorado 81082

### 2. Funding Requested:

(a) Grant Type: Single Site Cleanup

(b) Federal Funds Requested:

- (i) Requested Amount: \$500,000
- (ii) Not requesting a cost share waiver

(c) Location

(a) City: City of Trinidad

(b) County: Las Animas County

(c) State: Colorado



Photo credit: Caiti Beckwith

**4. Property Information:**

Fox West Theatre, 423 W. Main Street, Trinidad, Colorado 81082

**5. Contacts:****(a) Project Director:**

Georgi Ann Clark, City of Trinidad Planning Administrator  
(719) 846-9843 ext. 120 Georgi.clark@trinidad.co.gov  
135 N. Animas Street, Trinidad, Colorado 81082

**(b) Chief Executive/Highest Ranking Elected Official:**

Phil Rico, Mayor  
(719) 846-6381 Phil.rico@trinidad.co.gov  
135 N. Animas Street, Trinidad, Colorado 81082

**6. Population:** Trinidad – 8,043**7. Other Factors Checklist:**

<b>Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	5
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The priority brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	Pages 2 and 4 & Attachment A
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The priority brownfield site(s) is in a federally designated flood plain.	
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.	

**8. Letter from the State or Tribal Environmental Authority:** A letter of acknowledgement from the Colorado Department of Public Health and Environment is attached.

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NARRATIVE INFORMATION SHEET ATTACHMENT  
Letter from State Environmental Authority

October 26, 2020

Ms. Melisa Devicenzi  
Environmental Protection Agency  
Region 8 Brownfields Program  
1595 Wynkoop Street (EPR-B)  
Denver, Colorado 80202-1129

RE: Trinidad, Colorado - Fox West Theatre Cleanup Grant Proposal State Support

Dear Ms. Devicenzi:

I am writing to express our support of the Brownfields Assessment Grant application for the Fox West Theatre in Trinidad, Colorado. The Colorado Department of Public Health and Environment (CDPHE), the state regulatory authority for hazardous and solid waste, has previously supported Trinidad in their efforts to address local contaminated sites and identify redevelopment opportunities within the City by providing Phase 2 TBA's, numerous Voluntary Cleanup oversights, and most recently awarding the coalition with a 1306 Asbestos and lead based paint abatement grant for the theatre. We support this proposal as part of the regions continuing transition from an economy based on coal, oil and gas extraction to an economy based on tourism, architecture and the arts. Furthermore, funding provided by this grant is critical in the revitalization efforts in the downtown "El Corazon de Trinidad".

The proposed project will support EPA's current efforts in economic development and environmental cleanup by addressing known sources of contamination and helping Trinidad bring this dilapidated property back into reuse, prepare a number of catalyst sites for reuse and redevelopment. If additional resources are necessary to complete or supplement activities outlined in this proposal, CDPHE has the ability to provide additional funding for Brownfields cleanup through the Colorado Brownfields Revolving Loan Fund and the State of Colorado Brownfields (H.B. 1306) program. The State of Colorado also offers a State Income Tax Credit for Remediation of Contaminated Land that can provide additional resources for cleanup activities. CDPHE has discussed with the Coalition the availability of these resources and how we can assist with our brownfields resources if requested.

In summary, we feel the proposed project is a vital component of the Region's efforts to reposition its economy for the next century. As such, and due to our past collaboration with the Las Animas County and the City of Trinidad, we fully support their continuing efforts to redevelop this blighted historic structure and have full confidence of the Coalition and their partners that the redevelopment of this theatre will bring the much needed revitalization to this once bustling community.

Sincerely,



Mark Rudolph  
CDPHE Brownfields Coordinator  
Hazardous Materials and Waste Management Division

cc: Georgi Ann Clark, City of Trinidad  
Danny Heffernan, EPA

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GRANT NARRATIVE

## **1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION**

**1.a Target Area and Brownfields. 1.a.i. Background and Description of Target Area:** Trinidad, Colorado is in the Purgatoire River Valley in the shadow of southern Colorado's Spanish Peaks mountains. Trinidad was established in 1862 when coal was discovered in the area. With a population just over 8,000 Trinidad is the most populous city in Las Animas County, the largest county (geographically) in Colorado. Trinidad is the county seat and the cultural and commercial heart of the region. The Target Area is *El Corazon de Trinidad* ("the Heart of Trinidad")—the City's Historic District listed on the National Register of Historic Places, and a Colorado-designated Creative District. The approximately 0.25-square-mile District encompasses much of southern and central downtown Trinidad.

Trinidad boomed from incorporation in 1876 into the mid-20<sup>th</sup> century with growth fueled by coal mining, supported by railroad access and ranching. As mining flourished, miners, settlers, and commerce arrived on the legendary Santa Fe Trail (now Main Street) and Trinidad's population grew from 2,226 in 1880 to more than 13,000 by 1940. The City's past prosperity is evident in the ornate architecture throughout *El Corazon de Trinidad* where brick-paved streets are still lined with buildings nationally renowned as some of the best examples of western Victorian architecture in the US, giving downtown Trinidad a European feel in a distinctly western setting.

Despite its rich history, Trinidad's reliance on unstable coal, oil, and gas industry cycles and the closure of most of Colorado's coal mines by the 1960s launched an era of economic depression and population decline and caused a ripple effect of job losses, business closures, resulting in vacant dilapidated brownfields throughout the City. Trinidad has lost 40% of its population since 1940. The region's past reliance on natural resource extraction is still impacting the area--Colorado coal production saw a 39% decline from 2005 to 2015.<sup>1</sup> Trinidad lost 1,200 oil and gas industry jobs in 2012<sup>2</sup> and in December 2012 the County's unemployment rate spiked to over 13%.<sup>3</sup> The last Las Animas County coal mine closed in 2013, leaving 200 more local coal miners without jobs. These economic struggles are exacerbated by recent recessions including the downturn caused by the COVID-19 pandemic.

Large brownfields left in *El Corazon de Trinidad* by the wake of the economic decline include two schools, a hotel, a former brewery, and the historic Fox West Theatre. These and the many smaller blighted and deteriorating brownfields throughout the City including vacant auto repair and manufacturing sites, and crumbling historic buildings containing asbestos and lead paint, compound the challenges already confronting Trinidad's residents. Trinidad's population loss, economic decline, and resulting excess of brownfields disproportionately impact elderly, minority, and low-income communities. Over 18% of the City's elderly population are experiencing poverty. Over 57% of the City's population are members of minority, predominantly Hispanic, communities. Employment opportunities are limited, and poverty rates are high.

To tackle this economic need and blight, Trinidad partnered with the nearby Town of Aguilar and Las Animas County and received an FY15 US Environmental Protection Agency (EPA) Brownfield Community-wide Assessment Grant. Led by Trinidad, the coalition built a brownfield program that has been instrumental in multiple revitalization projects (Section 4b). The program has also bolstered Trinidad's commitment to diversifying its economy from resource extraction to the arts, historic preservation, and tourism. Revitalizing the vacant and neglected **Fox West Theatre** (the Theatre) in *El Corazon de Trinidad* is a lynchpin in the City's economic redevelopment plan. In 2018 the City purchased the Theater and began working on its rehabilitation. An EPA Brownfield Cleanup Grant will abate hazardous materials in the building, paving the way to this historic community asset's reuse.

**1.a.ii. Description of the Brownfield Site:** The 22,000-square-foot (ft<sup>2</sup>) Theatre is located at 423 W. Main Street in *El Corazon de Trinidad*. Built in 1908 with bricks made in Trinidad, the Theatre was designed in a French Renaissance style with multiple levels and spaces that include a basement ballroom and meeting rooms, a 650-seat auditorium, two balconies (the only two-balcony theatre in

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<sup>1</sup> Denver Post, Mark Jaffe, February 10, 2015 - *Colorado Coal Production Slips to 20-Year Low*

<sup>2</sup> <https://www.postindependent.com/news/business/trinidad-seizes-artist-pursuits-as-economic-development-strategy/>

<sup>3</sup> <https://fred.stlouisfed.org/series/COLASA1URN>

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Colorado), and retail spaces along Main Street. Theatre Consultants Collaborative calls the Theatre “a stunning example of the best historic American theatre design.” The Theatre is a contributing historic building in *El Corazon de Trinidad* Historic District.

The Theatre was once a center of community activity and engagement. During the Great Depression, the theatre held Family Night with free entries and Prosperity Night with cash giveaways. In 1933, a wedding was performed on the stage, filling the auditorium to capacity. However, as the local economy declined, the Theatre struggled and was forced to close in 2013. Vacancy and neglect have resulted in water damage, peeling paint, deteriorated building components, and bird infestations.

A 2016 inspection found that the Theatre is structurally stable. In 2018, the City used FY15 EPA Brownfield Grant funds for an asbestos and lead-based paint (LBP) survey of the Theatre. Both asbestos and lead paint were identified in building components that will be disturbed or exposed during the phased renovation plan. The condition of these components has degraded due to lack of maintenance and water intrusion following closure of the Theatre, increasing the chance of their release to the building interior and exposure of future users to these materials. The survey identified approximately 3,175 ft<sup>2</sup> of asbestos-containing materials (ACMs) and approximately 24,535 ft<sup>2</sup> of LBP throughout the building. These materials must be abated to protect renovation workers, future shoppers in the Theatre’s retail spaces, future theatre audiences, and community members. Hazardous materials from bird infestation (carcasses, feces, etc.) also must be addressed using EPA Brownfield Cleanup Grant funds to provide safe conditions and clear access to building materials for abatement workers.

The City has already secured a Brownfield Cleanup Grant from the Colorado Department of Public Health and Environment (CDPHE) to abate approximately 2,375 ft<sup>2</sup> of the ACMs and 575 ft<sup>2</sup> of the LBP to allow for near-term reopening of the Theatre’s retail spaces along Main Street so that they can be leased, providing income that will be used for building rehabilitation. This abatement will occur in the winter of 2020-2021. The remaining ACMs and LBP and the bird waste (which is located within the auditorium but not in the retail spaces or lobby) will be abated using EPA Brownfield Grant funds. The locations, quantities, and building components containing asbestos and lead to be abated using the EPA Brownfield Cleanup Grant are summarized in the table below.

Material	Est. Quantity (ft <sup>2</sup> )	Building Materials and Locations
Asbestos	800	Basement: Insulation; caulk; mortar patch
Lead Paint	23,960	1 <sup>st</sup> floor and basement: Paint on walls, ceiling, window trim

**1.b. Revitalization of the Target Area. 1.b.i. Reuse Strategy and Alignment with Revitalization**

**Plans:** The reuse strategy is to restore and reopen the Fox Theatre as a regional destination for the arts and a local asset for Trinidad’s residents. The Theatre will be a 650-seat live music and theatre performance venue with retail storefronts along Main Street and a ballroom and meeting rooms for community events. To start implementing this strategy, the City purchased the Theatre in 2018 and partnered with the Fox West Theatre Alliance (Alliance), a 501(c)3 organization formed to raise funds and develop a plan for the Theatre’s long term operational sustainability. Legendary historic preservationist, Dana Crawford of Urban Neighborhoods, Inc., is leading the Alliance, bringing decades of experience in fundraising and completion of historic preservation projects to ensure that this reuse strategy will be realized.

The strategy for preparing the Theatre for reuse will be implemented in four phases: Phase 1: exterior rehabilitation/stabilization, ACM and LBP abatement, and reopening the two retail storefronts; Phase 2: mechanical, electrical, plumbing, audio-visual, and Americans with Disabilities Act updates; Phase 3: rehabilitation of auditorium, stage, and lobby; Phase 4: Ballroom and meeting room rehabilitation. Even before these phases begin, the City and partners are building reopening momentum with an upcoming season of filmed performances in the Theatre (incorporating appropriate safety measures) including the Colorado Symphony, and filmed tours of the historic building. Videos of the performances and tours will premiere online starting October 31, 2020 ([www.foxwesttheatre.com](http://www.foxwesttheatre.com)).

Restoration of the Theatre as a regional arts destination aligns with the City’s land use plans for *El Corazon de Trinidad* and plans to diversify and strengthen the local economy. Trinidad’s 2017 Comprehensive Plan’s guiding principles include the following: 1) growing a self-sustaining and diversified economy, 2) celebrating cultural, historic and natural resources, and 3) capitalizing on the

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City's broad and exciting creative momentum. Goal #1 in the Comprehensive Plan is to "Promote growth from the City's core that supports downtown as the historic, cultural, creative, and civic heart of Trinidad." Strategies identified in the plan to meet this goal are creation of a destination that encourages residents and visitors to live, work, play, and learn in the City's core, and foster opportunities to reuse underutilized downtown land and buildings. *El Corazon de Trinidad's* Mixed-Use zoning supports historically sensitive redevelopment and contextual, mixed-use new development. This area is designated as the City's center of vibrant, pedestrian-friendly uses exemplary of Trinidad's historic and creative culture, including arts venues and galleries, first-floor retail and engaging commercial uses, artist housing and workspace, and community spaces. The reuse plan aligns with the pillars of the City's land use and revitalization plans, historic preservation, the arts, and tourism, as demonstrated in multiple land use and economic development plans, actions, and investments:

- Trinidad planned for and secured designation of *El Corazon de Trinidad* as Colorado's first Certified Creative District --a state initiative that provides access to financial and technical support to help rural communities attract creative entrepreneurs and generate economic activity.
- The City planned for and submitted a successful application to be the site of Colorado's first "Space to Create" program that supports arts-based economic development in rural communities. Through "Space to Create" Trinidad has invested \$2 million transforming District brownfields into more than 40 affordable artist live/work spaces.
- The City planned for and achieved *Certified Local Government* status from the US Department of the Interior, allowing the City to access grants and offer State Historic Preservation Tax Credits.
- The City planned and established Trinidad's Historic Preservation Commission in 2015, revised codes to make reusing historic buildings pencil out for developers and received a History Colorado grant to survey the City's historic assets and plan for their rehabilitation and reuse.

The City has been sharing plans for the Theatre at City Council meetings and through outreach for several years. In 2016, project partner Urban Neighborhoods conducted a survey of the local community about plans for the Theatre's reuse. Over 200 responses were received, and 89% of respondents stated that the Fox Theatre is "very important" to Trinidad's future. Community use and enjoyment is a primary purpose of the plan to reopen the Theatre. In addition to events hosting the Colorado Symphony and the Southern Colorado Repertory Theater, the community plans to use the Theatre for local school dance and music recitals and as a venue for educational speakers. The City will continue soliciting and incorporating community input into the Theatre's reuse plans.

**1.b.ii Outcomes and Benefits of Reuse Strategy:** Cleanup up and reopening of the Fox Theatre will build the burgeoning local arts economy, celebrate Trinidad's historic character, draw tourists from throughout Colorado and beyond, promote sustainable reuse of an existing building, and attract investment—all outcomes that will stimulate economic development in Trinidad. The retail spaces within the Theatre will be leased out in early 2021, creating jobs, generating tax revenue, and drawing visitors and shoppers to the area. Lease revenue will be reinvested in Theatre restoration.

**Sustainable Reuse of Existing Building/Historic Preservation:** Historic preservation in Colorado improves property values, leverages investment, increases local tax revenues, attracts tourists, creates new jobs, and increases economic activity in the surrounding businesses. The Fox West Theatre Alliance plans to use Historic Tax Credits for the Fox Theatre revitalization. From 2002 to 2015, Colorado preservation projects completed using Historic Tax Credits provided 3,719 jobs, generated income of \$280 million, and provided \$58 million in federal, state, and local taxes.<sup>4</sup>

**Theatre and Arts:** Studies show that historic theatres catalyze new businesses and jobs in the surrounding area.<sup>5</sup> In 2019, arts and cultural production accounted for \$14.5 billion (4.4%) of Colorado's economy (more than mining and transportation) and supported 103,274 jobs.<sup>6</sup>

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<sup>4</sup> historic preservation theater economic jobs Colorado

<sup>5</sup> <https://savingplaces.org/stories/10-tuesday-10-steps-restoring-historic-theaters>

<sup>6</sup> <https://coloradocreativeindustries.org/colorado-arts-organizations-receive-more-than-2-7-million-in-arts-grants-national-endowment-for-the-arts-announces-second-round-of-fiscal-2019-awards/#:~:text=The%20U.S.%20Bureau%20of%20Economic,personally%20perform%20or%20create%20artworks.>



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Heritage Tourism: History Colorado found that in a single recent year heritage tourism in Colorado created \$2.4 billion in direct and indirect economic impacts and nearly 61,000 jobs. Since *El Corazon de Trinidad's* Creative District designation in 2015, income from Trinidad's lodging tax has nearly doubled and commercial construction permit fees increased from \$1 million in 2013 to \$7.6 million in 2017<sup>7</sup>--due in large part to interest in repurposing vacant and blighted downtown buildings in line with the Theatre's revitalization.

Investors have already begun to acquire vacant downtown historic buildings in *El Corazon de Trinidad* and align their plans with the district. The transformational impact of the Theatre's renewal will drive investors to take advantage of the City's Opportunity Zone (OZ) located just blocks away from the Fox Theatre and encompassing most of Las Animas County. In turn, investments in the OZ will further establish the area surrounding the Theatre as a regional hub of the arts, historic preservation, tourism, commerce, and services.

**1.c. Strategy for Leveraging Resources. 1.c.i Resources Needed for Site Reuse:** The City and the Alliance (a 501(c)3) are eligible for funding from many sources to support environmental assessment and remediation, if needed, as well as funds to support reuse efforts. Assessment and cleanup funding sources beyond the EPA Assessment Grant include: 1) CDPHE Brownfield Cleanup Grants, Revolving Loan Funds, and Remediation Tax Credits; 2) EPA Targeted Brownfield Assessments; and 3) Community Development Block Grant funds. The City and partners are considering federal funding resources to further reuse plans including the US Department of Agriculture Community Facilities Program and the US Economic Development Agency which offer grants to support the arts and historic preservation. The National Parks Service's Save America's Treasures Program and Paul Bruhn Historic Revitalization Program offer historic preservation grants. The Colorado Office of Economic Development has funds set aside for Certified Creative Districts like *El Corazon de Trinidad*. Historic preservation funds are available from History Colorado and the Colorado Department of Local Affairs.

The Alliance is seeking sponsors for Theatre events, accepting donations through the Theatre's website (foxwesttheatre.com), and generating revenue by selling historic movie posters that were formerly displayed in the Theatre. The project partners are also pursuing grants through private philanthropic foundations, individual donors, and planning community fundraising activities. The City has signed a long-term lease with the Alliance and the Alliance will sell Historic Tax Credits to support the project. The retail spaces in the Theatre will be rehabilitated in early 2021 and leased to provide income to be reinvested in the Theatre.

The City has already received two grants from History Colorado for the Theatre: \$200,000 to assist with purchasing the Theatre and \$102,000 for exterior rehabilitation work. The City has received a \$108,000 Cleanup Grant from CDPHE, part of which will be used to abate some of the ACMs and LBP in the winter of 2020/2021 to allow for near-term reopening of the Theatre's retail spaces along Main Street so that they can be leased, providing income toward the rehabilitation (the remainder of the grant will be used as part of the cost share for the EPA Cleanup Grant). Historic tax credits will be leveraged for the project.

**1.c.ii. Use of Existing Infrastructure:** The Target Area is fully served by sewer, storm, drinking water, electrical, telecommunications, natural gas, and transportation infrastructure. The Fox West Theatre reuse strategy will require no infrastructure improvements beyond the boundaries of the property. The area surrounding the Theatre has ample on and off-street parking. The City's work to enhance streetscapes and develop trail infrastructure for the Purgatoire Riverwalk has also enhanced walkability within *El Corazon de Trinidad* and to the Theatre.

## **2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

**2.a Community Need. 2.a.i. Community's Need for Funding:** Trinidad has long experienced population loss, low incomes, and high poverty and unemployment (Table 1). To address this, the City is working to transition from past reliance on natural resource extraction, but its repercussions are still felt today--in March 2020 Trinidad-based oil and gas company Evergreen Natural Resources cut its local workforce by 10%. COVID-19 has exacerbated these economic hardships. Las Animas County's unemployment rate (already higher than state and US rates pre-COVID) increased from 4.1% in 2019

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<sup>7</sup> <https://www.postindependent.com/news/business/trinidad-seizes-artist-pursuits-as-economic-development-strategy/>

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to 11.3% in 2020<sup>8</sup>. Even Pre-COVID, Trinidad’s unemployment rate was higher and incomes lower than at the county, state, and US levels, and Trinidad’s poverty rate is nearly twice the statewide rate.

<b>TABLE 1<sup>9</sup></b>	Trinidad	Las Animas County	Colorado	US
Population	8,043	14,179	5.5M	323M
Population Change Since 2010	<b>-12%</b>	-9%	+10%	+6%
Median Income	<b>\$37,870</b>	\$41,945	\$68,811	\$60,293
Below Poverty Level	<b>20.7%</b>	18.2%	10.9%	14.1%
5-year Unemployment (2013-2018)	<b>4.9%</b>	4.2%	3.2%	3.7%

These factors impact consumer spending, lowering business and sales tax revenues for revitalization projects and leaving the City without sufficient resources for cleanup of the Fox Theatre. Trinidad has directed resources to the Theatre as much as possible, including \$75,000 for its purchase in 2018 and is paying all utilities, maintenance, and insurance costs during the rehabilitation. The City provided a match for a 2020 History Colorado grant for exterior rehabilitation and is supporting the 2020 virtual performance season. However, funding sources for this comprehensive environmental cleanup are limited and the City must rely on EPA Brownfield Grant funding to complete the abatement.

**2.a.ii Threats to Sensitive Populations: (1) Health or Welfare of Sensitive Populations:**

<b>TABLE 2<sup>10</sup></b>	Trinidad	Las Animas County	Colorado	US
Minority population	<b>58%</b>	<b>47%</b>	32%	39%
Hispanic pop. below poverty	<b>23%</b>	<b>22%</b>	18%	21%
Age over 65	<b>22%</b>	<b>23%</b>	13%	15%
Age over 65 below poverty	<b>19%</b>	<b>13%</b>	8%	9%
Age under 18, below poverty	<b>21%</b>	<b>22%</b>	14%	20%

Trinidad’s largely minority residents are struggling with low incomes and high poverty rates (Tables 1 and 2). The population is also aging, and Trinidad’s elderly residents are acutely impacted by poverty. The Colorado Health Institute’s Aging Vulnerability Index score for Las Animas County is 7.2, compared to the state average of 4.7, indicating that the County’s elderly residents are more likely to be experiencing poverty, have lower education levels, and are more likely to live alone.

Trinidad’s mothers and children are also especially vulnerable. Trinidad’s child poverty rate is nearly 50% higher than statewide. In 2018, 8.4% of Las Animas County births (compared to 2.9% statewide) were to women who were single, under 25, and without a high school diploma or GED—the three primary factors that represent risks to the health and welfare of mothers and children.<sup>11</sup>

Over 73% of Trinidad’s housing stock was built before 1980<sup>9</sup>, and therefore has a higher likelihood of containing lead paint and asbestos. Due to the proliferation of blighted brownfields in Trinidad and the City’s older building stock, these sensitive residents are at a higher risk for exposure to hazardous substances. The EPA Grant will permanently remove lead paint and asbestos from a large building in these sensitive residents’ community, eliminating the risk of exposure when the building is back in use and reducing their cumulative exposure to hazardous materials.

**(2) Greater Than Normal Incidence of Disease & Adverse Health Conditions:** In 2020 Las Animas County ranked lowest in Colorado for health outcomes.<sup>12</sup> A greater proportion of County residents suffer from respiratory diseases like asthma as well as cancer and poor mental health compared to statewide rates. The rate of low birth weights, commonly associated with exposure to air pollution and lead, is also much higher in the County than statewide.

<sup>8</sup> Bureau of Labor Statistics

<sup>9</sup> US Census 2018 American Community Survey 5-Year Data (2013-2018) unless otherwise specified

<sup>10</sup> US Census American Community Survey 2018 5-year estimates

<sup>11</sup> <https://www.coloradokids.org/wp-content/uploads/2020/04/2020-Kids-Count-final-low-res-4.15.20.pdf>

<sup>12</sup> <https://www.countyhealthrankings.org/app/colorado/2020/rankings/las-animas/county/outcomes/overall/snapshot>

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<b>TABLE 3<sup>13</sup></b>	<b>Las Animas County</b>	<b>Colorado</b>	<b>Indicator</b>	<b>Las Animas County</b>	<b>Colorado</b>
Asthma	<b>16%</b>	14%	Poor mental health	<b>17%</b>	11%
Low Weight Births	<b>15%</b>	9%	Cancer	<b>7%</b>	6%

The EPA Grant funds will permanently remove lead and asbestos from the Fox Theatre, mitigating the cumulative potential exposure of Trinidad residents to contamination associated with brownfields and other contamination sources that are contributing to high rates of disease.

The combined rate of diseases associated with poverty and social isolation (drug overdoses, suicide, and alcoholic liver disease) is nearly twice as high in Las Animas County as statewide.<sup>14</sup> The drug overdose death rate in the County is 4 times the statewide rate. Substance abuse, increased morbidity, and early mortality are all linked to social isolation. EPA Grant-funded cleanup of the Fox Theatre will enhance local economic health and livability, factors directly linked with positive mental health outcomes. The grant will help return this blighted building to its intended use as a community asset and place where the community can gather and share experiences.

**(3) Disproportionately Impacted Populations:** The EPA EJSCREEN Environmental Justice Indexes in Table 4 show that minority and low-income residents living near the Theatre are disproportionately exposed to contaminants and are experiencing more health impacts than most residents of EPA Region 8. For example, these sensitive populations are more at risk of exposure to lead paint than 93% of residents of EPA Region 8. 73% of Trinidad's housing units were built prior to 1980 and are therefore more likely to contain lead paint and asbestos. CDPHE has identified Las Animas County as High Risk for lead exposure based on housing age and poverty, the two most common risk factors for lead poisoning.<sup>15</sup> Table 4 shows that sensitive minority and low-income residents are also disproportionately exposed to lead and other pollutants from traffic emissions, putting them at high risk for cancer and respiratory impacts.

Using the EPA Grant to completely remove lead paint and asbestos from the Fox Theatre removes one of the contributing sources of lead exposure to these residents. The abatement will remove this large potential exposure source located in the center of the City, lessening the cumulative exposure of Trinidad residents to contamination associated with brownfields, older housing, traffic and industrial emissions, and other contamination sources contributing to high rates of disease.

<b>Table 4</b>	<b>Demographic Index</b>	<b>Lead Paint</b>	<b>NATA Cancer Risk</b>	<b>NATA Respiratory Hazard</b>	<b>Traffic Proximity</b>
Within ½ mile of Fox Theatre	92	93	82	82	86

*Source: EPA EJSCREEN – EPA Region 8 Percentiles; NATA = National Air Toxics Assessment*

**2b Community Engagement: 2.b.i. and 2.b.ii Project Involvement & Roles:**

**Trinidad Historic Main Street Program** – Penny Saeedi, 719-859-2584

Role: This community-led downtown revitalization organization will provide input on the local community's desires and preferences for the Fox Theatre cleanup and reuse plans.

**Colorado Department of Human Services** - Debora Barry, Debora.barry@state.co.us, (719) 846-2276 ext. 7103. Role: Debbie will assist with outreach to isolated communities such as households with limited English language and elderly residents.

**Huerfano-Las Animas County Health Department** – Kim Gonzalez, 719-846-2213 Ext. 37, kgonzales@la-h-health.org. Role: The County Health Department will assist with outreach to sensitive populations and establishing metrics to track project outcomes.

**Urban Neighborhoods Inc.** - Stephanie Bakken, stephanie@danacrawford.net, 303-892-1888

<sup>13</sup> 2018 Community Health Assessment Las Animas County except Low Weight Births, source: 2020 Kids Count Colorado

<sup>14</sup> <https://www.usnews.com/news/healthiest-communities/colorado/las-animas-county>

<sup>15</sup> <https://www.colorado.gov/pacific/cdphe/lead-outreach-tool>

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Role: City partner Urban Neighborhoods brings expertise in brownfield reuse, maximizing funding and incentives, and historic preservation.

**Trinidad-Las Animas Chamber of Commerce** - Jon Neil Barclay, info@tlacchamber.org, 719-846-9285. Role: The Chamber will publicize availability of grant funds at regular meetings and invite the City to speak about the Theatre's redevelopment at its events.

**Downtown Trinidad Development Group** - Karl Gabrielson, kgabrielson@trinidaddevelopment.com 719-845-4892. Role: Experienced brownfield redeveloper will work with project partners to pool experience with successful historic preservation and fundraising approaches.

**Trinidad State Junior College** - Rhonda Epper, President, Rhonda.epper@trinidadstate.edu, 719-846-5541. Role: TSJC is beginning a technical theatre arts curriculum so trained stage crews are locally available. TSJC will provide input on the project from the educational and student perspectives.

**2.b.iii Incorporating Community Input:** To communicate project progress the City will: 1) host at least 3 public meetings at project milestones such as at grant award, when active cleanup work begins, and when active cleanup work ends. Meetings will be posted on the City's Facebook page and in the local newspaper; 2) present project information and provide opportunities for input at ongoing local meetings such as the Trinidad City Council, Chamber of Commerce, Elks Lodge, and Rotary; 3) prepare fact sheets, press releases, and updates on the City's and Fox Theatre's websites; and, 4) work with the Las Animas-Huerfano County Health Department to provide translations and outreach support to communities with limited English language, elderly residents, and those with limited mobility. The City can hold public meetings virtually or in person, depending on COVID-19 restrictions in place at the time. The City can also record presentations for posting on the City and Fox Theatre websites. The City will prepare signage for display during the abatement work explaining the activity and noting that it was funded by an EPA Brownfield Grant.

The City will solicit community input using tools such as electronic polling/surveys and question and answer sessions during public meetings (in-person or virtual, depending on COVID restrictions). The City will publicize the cleanup plan and project contact information to invite community input. The input will be considered by the City and project contractors and plan adjustments and/or responses will be made as appropriate. Community input and project team responses will be summarized in the quarterly project progress reports.

### **3.0 TASK DESCRIPTIONS, COST ESTIMATES, and MEASURING PROGRESS**

**3.a Proposed Cleanup Plan:** Contaminated media to be addressed: approximately 800 ft<sup>2</sup> of asbestos-containing caulk, mortar patch, and insulation; and approximately 23,960 ft<sup>2</sup> of LBP on walls, ceilings, and window trim. To make the building safe for abatement workers and allow access for the ACM and LBP abatement, the hazardous materials associated with bird infestation (droppings, dead birds) will also be cleaned up using EPA grant funds before abatement begins.

Cleanup method: abatement by removal of bird waste, ACM, and LBP. To maintain historic building features and control cleanup costs, the City, Qualified Environmental Professional (QEP), and abatement contractor will evaluate whether the condition of discrete areas of LBP may be suitable for encapsulation. The City has already selected a QEP and a CDPHE-certified abatement contractor through competitive procurements and, in the case of the abatement contractor, compliance with the Davis Bacon Act. The City has also identified a contractor with appropriate training from the US Occupational Safety and Health Administration (OSHA) to clean up the bird-related hazardous materials.

Bird waste cleanup will consist of: OSHA-trained Forensic Restoration Supervisor services to include job setup (hazard assessment); establishing work zones; removing biohazardous bird waste; cleaning and disinfecting surfaces; and final inspection.

ACM abatement will consist of site setup; permitting; constructing containment areas; removing, packaging, and labeling ACMs for disposal; waste disposal at a certified landfill; post-abatement cleanup; and third-party asbestos clearance monitoring and sampling.

LBP abatement will consist of: site setup, removing LBP using soy-based remover and hand tools (or encapsulation of discrete areas if feasible); waste sample toxicity characteristic leaching potential (TCLP) analysis; and post-abatement cleanup and lead wipe sampling to ensure no residual lead-

**Fox West Theatre, Trinidad, Colorado  
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containing dust remains on surfaces.

**Disposal Requirements:** ACM waste will be disposed at a landfill authorized by CDPHE to accept non-hazardous, class 9, friable ACM waste. Samples of LBP waste will be submitted for laboratory analysis of leachable lead by the TCLP method. The scope and budget in this application assumes that LBP waste will be handled and disposed at a certified Colorado landfill as a US Resource Conservation and Recovery Act (RCRA) characteristic hazardous waste.

**3.b Description of Tasks/Activities and Outputs:** Task descriptions including implementation methods, schedule, leads, and outputs are provided in the table below.

<b>Task 1 – Grant Management</b>	<b>Lead:</b> The City with support from the QEP
<b>Implementation:</b> 1) Cooperative Agreement compliance oversight; 2) quarterly progress reporting; 3) annual disadvantaged business enterprise (DBE) and federal financial report (FFR) reporting; 4) entries in the EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES) database; 5) Grant Closeout Report summarizing accomplishments, expenditures, outcomes, outputs, lessons learned and resources leveraged; and 6) City participation in brownfield conferences/workshops. <i>Non-EPA grant resources will include 133.3 hours (\$10,000) of in-kind City personnel/fringe and costs and costs for travel to one local and one national conference (\$1,978).</i>	
<b>Schedule:</b> Quarterly and annual reporting; ACRES entries when cleanup is complete; Closeout reporting at completion of cleanup; Conferences workshops will be attended during the grant term.	
<b>Outputs:</b> Attend 1 conference and 1 workshop; Quarterly progress reports with budget and schedule status; annual reports; ACRES reporting; and Grant Closeout Report.	
<b>Task 2 – Community Outreach</b>	<b>Lead:</b> The City with support from the QEP.
<b>Implementation:</b> 1) Three milestone community meetings (virtual or in-person, as COVID policies allow) during the grant term; 2) outreach materials including fact sheets, press releases, and City website/Facebook page updates; and 3) solicitation and responses to community input. <i>Non-EPA grant resources will include 114 hours (\$8,550) of in-kind City personnel/fringe.</i>	
<b>Schedule:</b> Public meetings will be held after grant award, when cleanup plan is final, and after cleanup is complete; outreach materials will be made available before cleanup; input will be gathered at community events and when provided directly to City via email, Facebook post, or other method.	
<b>Outputs:</b> At least 3 community meetings held and notes/presentation materials developed; 2-3 project fact sheets and signs; project updates on City's and Theatre's websites.	
<b>Task 3 – Cleanup</b>	<b>Lead:</b> QEP will oversee abatement contractor under the direction of the City
<b>Implementation:</b> 1) Finalize Analysis of Brownfield Cleanup Alternatives (ABCA); 2) prepare and obtain EPA approval of an integrated sampling and analysis plan (SAP)/quality assurance project plan (QAPP) that details all project cleanup-related sampling protocols and quality assurance/quality controls; 3) implement the cleanup plan described in Section 3.a including all permitting and pre-work submittals, health and safety plan, site setup, and remove and dispose of ACM and LBP wastes; and 4) preparation by the cleanup contractor (reviewed and approved by QEP) of a Closure Report documenting all aspects of the cleanup project. <i>Non-EPA grant resources will include 66.7 hours (\$5,000) of in-kind City personnel/fringe.</i>	
<b>Schedule:</b> Final ABCA and SAP/QAPP completed by 1/15/22, approved by 5/15/22; Site setup and abatement 6/15/22-12/15/22; Cleanup report draft submitted by 4/15/23, final by 9/15/23.	
<b>Outputs:</b> Final ABCA; SAP/QAPP; HASP; Final cleanup/clearance data; Cleanup/Closure Report.	

**3.c Cost Estimates:** City personnel costs are based on a rate of \$75/hour (\$50 salary and \$25 fringe) representing a combined representative rate for Georgi Clark, Mike Valentine, and Cheryl Navarette. QEP costs are based on a rate provided by the QEP of \$175/hour. Cleanup costs are based on an estimate provided by the abatement and bird waste cleanup contractors as detailed below. The cost share (\$75,253.00) will be made up of: \$25,528 in City in-kind personnel, fringe, and travel; \$29,472 in CDPHE grant funding, and \$45,000 in City monetary funding.

**Task 1: Grant Management and Reporting: \$28,478:** [**Personnel/Fringe: \$10,000:** Quarterly and Annual reporting, 60 hrs=\$4,500; Budget/Schedule Mgmt, 53.3 hrs=\$4,000; Closeout Reporting, 20

**Fox West Theatre, Trinidad, Colorado**  
**FY2021 US EPA Brownfield Cleanup Grant Application**

hrs=\$1,500]; [**City Travel \$1,978<sup>16</sup>**: National conference 1 person = \$912.33: flight \$450 + conference fees \$200 + lodging \$199/night/2 nights \$398 + per diem \$63.33/day/3 days \$189.99; Denver workshop 2 people \$256.57: Mileage 400 miles at \$0.57/mile \$228 + lodging one night/2 people: \$398 + per diem one day/2 people \$114]; [**Contractual (OEP): \$16,450**: Quarterly/Annual reporting, 40 hrs=\$7,000; Budget/Schedule Tracking, 24 hrs=\$4,200; Final Reporting, 30 hrs=\$5,250].

**Task 2: Community Outreach: \$18,542.50: [Personnel/Fringe: \$8,550**: Plan and host 3 public meetings, 80 hrs=\$6,000; Develop outreach materials, 34 hrs=\$2,550]; [**Contractual (OEP): \$9,992.50**: 3 public meetings, 40 hrs=\$7,000; assist develop outreach materials, 17.1 hrs=\$2,992.50].

**Task 3: Cleanup -- Total: \$553,029.50: [Personnel/Fringe \$5,000**: Cleanup oversight, coordination, report review, 66.7 hrs=\$5,000]; [**Contractual (OEP): \$33,250**: Finalize ABCA, 24 hrs=\$4,200; SAP/QAPP, 30 hrs=\$5,250; Cleanup oversight/report review, 96 hrs=\$16,800; Coordinate with City, abatement contractor, EPA, CDPHE, 40 hrs=\$7,000]; [**Contractual (Abatement): \$408,504**: permit for ACM abatement, \$3,200; Setup (safety, access, utilities), \$3,554; ACM abatement, 800 ft<sup>2</sup> at \$10/ft<sup>2</sup>=\$8,000; LBP abatement, 23,460 ft<sup>2</sup> at \$14.50/ft<sup>2</sup>=\$340,170; Clearance/ wipe sampling, \$10,000; Waste disposal, 100 tons at \$250/ton=\$25,000; Expenses<sup>16</sup> (\$18,580): 6 staff, 20 days: lodging \$96/da771y=\$11,520, per diem \$55/day=\$6,600, round trip mileage Denver to Trinidad 400 miles, 2 vehicles at \$0.575/mile = \$460]; [**Contractual (Bird Waste Cleanup): \$14,937.50**]; [**Abatement/Bird Waste Cleanup Contingency {20%}: \$91,338**].

Budget Categories		Task 1	Task 2	Task 3	Totals
		Grant Mgmt.	Outreach	Cleanup	
Direct Costs	Personnel/Fringe	\$10,000.00	\$8,550.00	\$5,000.00	\$23,550.00
	Travel/Supplies/Other	\$1,978.00	\$0.00	\$0.00	\$1,978.00
	Contractual	\$16,450.00	\$9,992.50	\$548,029.50	\$574,472.00
Total Direct Costs		\$28,428.00	\$18,542.50	\$553,029.50	\$600,000.00
Indirect Costs		\$0.00	\$0.00	\$0.00	\$0.00
Total Federal Funding		\$16,450.00	\$9,992.50	\$473,557.50	\$500,000.00
Cost Share		\$11,978.00	\$8,550.00	\$79,472.00	\$100,000.00
Total Budget		\$28,478.00	\$18,542.50	\$553,029.50	\$600,000.00

**3.d Measuring Environmental Results:** When preparing the project work plan, the City will develop a detailed schedule of key project milestones such as SAP/QAPP completion, scheduling and holding outreach events, and beginning abatement work. At least monthly, the City will track and evaluate progress in achieving outputs and milestones against the work plan schedule, in addition to communicating with the QEP and project contractor. The City will increase monitoring and communication during the active cleanup phase to act quickly to address any unanticipated changes during this critical period. The City will monitor the project budget concurrent with tracking the schedule, on at least a monthly basis. The City will document project outputs, outcomes, and results in the quarterly progress reports to EPA and in EPA's ACRES database. Outcomes beyond the end of the grant term will also be tracked in the ACRES database. Anticipated outputs are described in Section 3b. Anticipated outcomes and results that the City will track include:

- Square feet of building prepared for reuse
- Number of jobs created
- Funding leveraged
- Historic resources protected
- Increase in property values
- Reduction in volume of hazardous materials
- Increase in tourism revenues
- Amenities created

#### **4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

**4.a Programmatic Capability: 4.a.i and ii: Organizational Structure & Key Staff:** The City will use the internal team structure used for the FY15 Brownfield Grant to complete all Cleanup Grant tasks within the 3-year grant term. Georgi Clark, City Planning Administrator, has 15 years of experience

**Fox West Theatre, Trinidad, Colorado**  
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(4.5 at the City) as a project/office administrator. Georgi will continue in her role as Project Manager for the grant project, managing contractors, communicating with the EPA and stakeholders, and ensuring that the work plan is executed. To ensure that the cleanup project stays on schedule, Georgi has procured a QEP experienced with EPA brownfield grants and abatement contractors in compliance with EPA requirements. Having these contractors on board early will ensure an efficient start to the project, avoiding procurement delays during the grant term. Georgi will be the primary point of contact for the QEP and will communicate at least monthly on project status, and more frequently during the active cleanup phase. The QEP will supervise the abatement contractor while keeping Georgi informed of progress. Michael Valentine has been with the City for 30 years, first as an engineer and Public Works Director and now as City Manager. He will support Georgi Clark with the FY15 grant and will continue in this role for the Cleanup Grant. Michael will either attend or be provided with notes from Georgi's monthly QEP meetings and will review each quarterly progress report to stay informed. He will provide necessary approvals of contracts and deliverables. Cheryl Navarette, City Finance Director, has 20 years of experience in government finance, and managed all financial aspects of the FY15 grant including budget tracking, documentation, reporting, and drawdowns. Cheryl will report to Georgi and review all quarterly budget summaries for accuracy and consistency. Victor Gutierrez has been with the City as Development Services Administrator for 6 years. Victor has been supporting Georgi with the FY15 grant and will continue in this role for the FY21 grant.

**4.a.iii: Acquiring Additional Resources:** Trinidad has efficient and EPA-compliant procurement processes in place in the event that additional resources are required. Trinidad advertises for contractor services as needed in the Colorado Springs Gazette, Pueblo Chieftain, Trinidad Chronicle News and through the US Department of Commerce Minority Business Development Agency.

**4.b Past Performance and Accomplishments. 4.b.i Currently Has or Previously Received an EPA Brownfields Grant:** (1) **Accomplishments:** Trinidad and Coalition partners the Town of Aguilar and Las Animas County received an FY15 \$500K EPA Brownfield Community-Wide Assessment Grant. The Coalition used the grant to establish a regional brownfields program resulting in the following outputs: 1) brownfield inventories for Trinidad and Aguilar; 2) six Phase I ESAs, eight Phase II ESAs; 3) Cleanup planning for the Fox Theater; 4) Area-Wide Plan focused on brownfield reuse options for Aguilar; 5) attended 2 EPA Region 8 Brownfield Workshops and 7 Region 8 grantee training calls; 6) prepared fact sheets and press releases, held public meetings, and conducted one-on-one outreach to high-priority brownfield owners; 7) developed a brownfield waiting list; and 8) completed all quarterly reporting and ACRES updates. The Coalition's assistance at the ***La Puerta Redevelopment Site*** has helped unlock this former brownfield's redevelopment potential. Prior to the grant-funded assessment work, the site was a vacant industrial brownfield on a rail corridor. Today, development of the site as a central gathering point for residents and tourists is underway, with over \$22 million leveraged for its redevelopment. A restaurant with more than 20 employees has already opened, and groundbreaking has been completed for an 84-room Hilton Garden Inn Hotel that will employ more than 60 people. The former train depot will be repurposed as the Trinidad Welcome Center. The Coalition also funded Phase I and II ESAs of the ***Fox Theatre***. The Coalition is now using the last of the FY15 grant hazardous substances funding and is eager to continue this revitalization momentum with continued funding. Approximately \$80K of funding remains, and is earmarked for a Phase II ESA of a brownfield at the northern gateway to El Corazon de Trinidad, and lead and asbestos sampling at the ***East Street School***, a vacant building at the eastern edge of downtown Trinidad that is now being redeveloped with artist cooperative housing and studio spaces.

**(2) Compliance with Grant Requirements:** Trinidad is completing the FY15 EPA Brownfield Grant project in compliance with the Work Plan and Cooperative Agreement terms and conditions. The City has made and is reporting on progress in achieving the goals of the FY15 grant and Work Plan. Early in the FY15 grant period, Trinidad experienced staffing challenges as the two previous EPA Brownfield Grant project managers left the City. Georgi Clark was assisting with grant management under the previous project managers, and she has now taken on the role of City's EPA Grant project manager. Georgi established a strong working relationship with the EPA Project Officer who has granted two grant term extensions, and together they have created significant project momentum. Since Georgi has taken over management of the grant, she has reached out to community stakeholders, developers, and local agency staff to encourage use of the grant funds to achieve the goals of both the grant program and individual brownfield property owners.

## Narrative Attachment A

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### Documentation of Leveraged Resources





## COLORADO

### Hazardous Materials & Waste Management Division

Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

October 27, 2020

Georgi Ann Clark  
City of Trinidad  
Planning Administrator  
135 N. Animas Street  
Trinidad, CO 81082

RE: Colorado State Brownfields 1306 Program  
Fox Theatre Asbestos and Lead Based Paint Abatement

Dear Georgi Ann Clark,

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division is pleased to inform you that your application for Colorado State Brownfields 1306 Program funds has been accepted. The funds will be available on a cost reimbursement basis upon completion of a contract. I will be contacting you in the near future regarding the contracting process.

Please note that this is an Acceptance and **NOT** an AWARD. You are **NOT** authorized to proceed with any work. Further, any work undertaken prior to an executed contract will **NOT** be reimbursed.

Your application was accepted in the amount of \$108,000.00 pursuant to the conditions below.

1. Continued availability of funds;
2. Completion of the Scope of Work.

Please contact me with any questions or concerns. My contact information is below.

Sincerely,

Kyle Sandor  
Environmental Protection Specialist II  
Superfund and Brownfields Unit  
Remediation Program  
Hazardous Materials and Waste Management Division  
Denver, CO 80246-1530  
303-692-6394  
Kyle.sandor@state.co.us



## Narrative Attachment B

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### Threshold Criteria Responses

**THRESHOLD CRITERIA RESPONSE**  
**FY2021 US EPA Brownfield Cleanup Grant Application**  
**Fox West Theatre – Trinidad, Colorado**

**1. Applicant Eligibility**

The City of Trinidad, Colorado (the City) is the grant applicant and owner of the Fox West Theatre (the Property). The City meets the definition of a General Purpose Unit of Local Government as defined in 2 CFR 200.64 and is therefore eligible for funding.

**2. Previously Awarded Cleanup Grants**

The Fox West Theatre property has not received funding from a previously awarded US Environmental Protection Agency (EPA) Brownfield Cleanup Grant.

**3. Site Ownership**

The City of Trinidad is the sole owner of the Property. The title is fee simple. The single tax parcel forming the Property was acquired by the City on December 5, 2018.

**4. Basic Site Information**

- (a) *Name of Site:* Fox West Theatre
- (b) *Property Address:* 423 W. Main Street, Trinidad, Colorado 81082
- (c) *Current Owner:* City of Trinidad, Colorado

**5. Status and History of Contamination at the Property**

- (a) Contaminants of concern at the Property are hazardous substances. Contaminants of concern (COCs) at the Property are asbestos and lead in building materials, and contamination associated with bird infestations.
- (b) Historical records show that the Property was developed with a small shed or barn by the 1890s. The 22,000-square-foot Fox West Theatre building was constructed in 1908. It was used as a theatre until the 1990s when it permanently closed. The property and building have been vacant since that time.
- (c) In 2018, the City of Trinidad completed a building materials survey of the Theatre. Both asbestos and lead paint were identified in building components that will be disturbed or exposed during the phased renovation plan. The condition of these components has degraded due to lack of maintenance and water intrusion following closure of the Theatre, increasing the chance of their release to the building interior and exposure of future users to these materials. The survey identified approximately 3,175 ft<sup>2</sup> of asbestos-containing materials and approximately 24,535 ft<sup>2</sup> of lead-based paint throughout the building. These materials must be abated to protect renovation workers, future shoppers in the Theatre's retail spaces, future theatre audiences, and community members. Hazardous materials from bird infestation (carcasses, feces, etc.) also must be addressed using EPA Brownfield Cleanup Grant funds to provide safe conditions and clear access to building materials for abatement workers.
- (d) Asbestos and lead paint were commonly used in construction prior to the regulation of these materials, and the Fox West Theatre has been documented to contain multiple building materials that contain asbestos and lead paint. Since the building was vacated, building maintenance has been deferred, asbestos and lead-containing building materials

have degraded, and the potential for exposure has increased. Since the City purchased the Property, it has taken steps to ensure that the building is secure and regularly inspected, with no means for release of building materials to the environment.

The locations, quantities, and building components containing asbestos and lead to be abated using the EPA Brownfield Cleanup Grant are summarized in the table below. The City has already secured a Brownfield Cleanup Grant from the Colorado Department of Public Health and Environment (CDPHE) to abate approximately 2,375 ft<sup>2</sup> of the asbestos containing materials (ACM) and 575 ft<sup>2</sup> of the lead based paint (LBP) to allow for near-term reopening of the Theatre's retail spaces along Main Street so that they can be leased, providing income toward the Theatre's rehabilitation. This abatement will occur in the winter of 2020-2021. The remaining ACMs and LBP and the bird waste (which is located within the auditorium but not in the retail spaces or lobby) will be abated using EPA Brownfield Grant funds.

Material	Est. Quantity (ft <sup>2</sup> )	Building Materials and Locations
Asbestos	800	Basement: Insulation; caulk; mortar patch
Lead Paint	23,960	1 <sup>st</sup> floor and basement: Paint on walls, ceiling, window trim

**6. Brownfields Site Definition**

The Property meets the EPA definition of a brownfield. It is real property where redevelopment and reuse are complicated by the presence of contaminants (bird waste, asbestos, and lead paint).

- (a) The Property is not currently, nor has it ever been listed or proposed for listing on the National Priorities List.
- (b) The Property is not currently, nor has it ever been subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decrees issued to or entered into by parties under CERCLA.
- (c) The Property is not subject to the jurisdiction, custody, or control of the US government.

**7. Environmental Assessment Required for Cleanup Grant Proposals**

A report entitled *Limited Regulated Building Materials Survey, Former Fox Theater, 423 West Main Street, Trinidad, Colorado 81082* was completed on October 15, 2018. This report assessed the nature, extent, and concentration of asbestos and lead paint in building materials within the Fox West Theatre. This report constitutes a Phase II Environmental Site Assessment equivalent to the ASTM International E1903-11 standard.

**8. Enforcement or Other Actions**

No enforcement actions are known or anticipated for the Property. There have been no inquiries, or orders from federal, state or local government entities that the applicant is aware of regarding the responsibility of any party (including the applicant) for the hazardous substances at the Property. There are no environmental liens on the Property.

## **9. Sites Requiring a Property-Specific Determination**

None of the special classes of property that require a property-specific determination in order to be eligible for funding apply to the Property.

## **10. Threshold Criteria Related to CERCLA Liability**

### **a. Property Ownership Eligibility – Hazardous Substances Sites**

#### **i. Exemptions to CERCLA Liability**

- (1) Indian Tribes – NOT APPLICABLE
- (2) Alaska Native Village Corporations and Alaska Native Regional Corporations – NOT APPLICABLE
- (3) Property Acquired Under Certain Circumstances by Units of State and Local Government – NOT APPLICABLE

#### **ii. Exceptions to Meeting the Requirement for Asserting an Affirmative Defense to CERCLA Liability**

- (1) Publicly Owned Brownfield Sites Acquired Prior to January 11, 2002 – NOT APPLICABLE

#### **iii. Landowner Protections from CERCLA Liability**

CERCLA has not been triggered related to bird waste or asbestos and lead paint in the Fox West Theatre building components because: a) the materials are not the result of past industrial operations or improper storage or waste disposal; b) no release of these materials to the environment has occurred. All asbestos and lead paint in the Fox Theatre are integral to various building components and are contained within the building envelope which has been secured to prevent any releases.

The City acquired title to the Theatre on December 5, 2019. At the time of the City's purchase, the building was vacant with no active operations. Its most recent use had been as a theatre. There has been no change in the use or condition of the Property since the City's purchase. There have been no active operations at the Theatre property since the City's purchase.

The City affirms it is not liable in any way for contamination regulated under CERCLA at the Property or affiliated with a responsible party. No disposal of hazardous substances at the Property has been documented, and the City affirms that it has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site. There are no past or continuing releases at the Property.

The City has taken steps to address asbestos and lead paint contained in building materials. In 2018, the City completed asbestos and lead sampling in the theatre building to begin planning for its safe abatement. Upon acquiring the Property, the City ensured that the building envelope was intact to prevent any chance of lead

and asbestos impacting the environment and secured the building to prevent unauthorized entry.

The City affirms its commitment to: 1) assist and cooperate with those performing the cleanup and to provide access to the Property; 2) comply with all information requests and administrative subpoenas that have or may be issued in connection with the Property; and 3) provide all legally required notices. There are no land use restrictions or institutional controls imposed on the Property.

## **11. Cleanup Authority and Oversight Structure**

### *(a) Describe how you will oversee the cleanup at the site*

In Colorado, the Colorado Department of Public Health and Environment (CDPHE) oversees all asbestos and lead paint abatement projects, and the City and its oversight contractor will work closely with CDPHE to ensure the cleanup is protective of human health and the environment. The City has procured an independent third-party oversight contractor and asbestos and lead abatement contractor to implement Property cleanup in accordance with the competitive procurement provisions of 2 CFR §§ 200.317 through 200.326.

### *(b) Impact of cleanup response activities on neighboring properties*

Access to neighboring properties will not be required because remedial actions will be performed wholly within Property boundaries. All friable asbestos abatement activities will be conducted in containment to prevent the release of asbestos.

## **12. Community Notification**

The City provided the community with notice of its intent to apply for an EPA Brownfield Cleanup Grant and allowed the community an opportunity to comment on the draft grant application package, including the draft Analysis of Brownfield Cleanup Alternatives (ABCA) prepared for the Property. Community notification details are provided below.

### *(a) Draft Analysis of Brownfield Cleanup Alternatives*

A draft ABCA summarizing information about 1) the Property and contamination issues, cleanup standards, and applicable laws, 2) the cleanup alternatives considered (for each alternative and the alternative chosen include information on the effectiveness, the ability of the applicant to implement, the resilience to address potential adverse impacts caused by extreme weather events, the cost, and an analysis of the reasonableness), and 3) the proposed cleanup was prepared. A copy of the draft ABCA is provided as **Threshold Criteria Response Attachment A**.

### *(b) Community Notification Ad*

A community notification advertisement was published in The Chronicle-News newspaper which serves Trinidad, southeast Colorado, and northeast New Mexico, on September 30, 2020 and on the City's Facebook page. The ad indicated the following:

- that a draft copy of the EPA Brownfield Cleanup Grant application, including the draft ABCA(s), was available for public review and comment;
- how to comment on the draft proposal;
- where the draft proposal could be accessed; and

- the date and time of the public meeting.

A copy of the ad is provided in Threshold Criteria Attachments.

(c) *Public Meeting*

The City discussed the draft proposal and considered public comments during a public meeting held on October 15, 2020. Required meeting materials are provided in Threshold Criteria Attachments.

(d) *Submission of Community Notification Documents*

Community notification documents are provided as indicated below.

- Draft ABCA – **Threshold Criteria Response Attachment A**
- Community Notification Ad – **Threshold Criteria Response Attachment B**
- Summary of Meeting and Comments and Responses – **Threshold Criteria Response Attachment C**
- Community Meeting Presentation – **Threshold Criteria Response Attachment D**
- Community Notification Meeting Participant List – **Threshold Criteria Response Attachment E**

### **13. Statutory Cost Share**

(a) *Demonstrate how you will meet the required cost share, including the sources of the funding or services, as required for this cleanup grant.*

As the City is seeking \$500,000 in EPA cleanup funding, a \$100,000 cost share (20%) is required. This cost share will be met with funds from the City of Trinidad's general fund, in-kind City personnel, fringe, and travel, and a portion of a Brownfield Cleanup Grant provided by CDPHE for abatement of asbestos and lead paint in the Fox West Theatre.

(b) *If you are requesting a hardship waiver of the cost share, provide an explanation for the basis of your request as part of your proposal*

The City is not requesting a hardship cost share waiver.

## Threshold Criteria Response – Attachment A

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### Draft Analysis of Brownfield Cleanup Alternatives





## **DRAFT Analysis of Brownfield Cleanup Alternatives**

Former Fox Theatre  
423 West Main Street  
Trinidad, Colorado 81082

October 5, 2020

Prepared for:

The City of Trinidad  
135 N. Animas Street  
Trinidad, CO 81082

Prepared by:

Stantec Consulting Services Inc.  
601 SW 2nd Avenue Suite 1400  
Portland, OR 97204



**DRAFT ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE,  
TRINIDAD, COLORADO**

This document entitled DRAFT Analysis of Brownfield Cleanup Alternatives – Former Fox Theatre, Trinidad, Colorado was prepared by Stantec Consulting Services Inc. (“Stantec”) for the account of the City of Trinidad (the “Client”). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec’s professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.

Prepared by **DRAFT** \_\_\_\_\_  
(signature)  
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# ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE, TRINIDAD, COLORADO

## Introduction and Background

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# DRAFT ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE, TRINIDAD, COLORADO

## Introduction and Background

### 1.0 INTRODUCTION AND BACKGROUND

This Analysis of Brownfield Cleanup Alternatives (ABCA) was prepared by Stantec Consulting Services Inc. (Stantec) for the City of Trinidad (the City). The purpose of the ABCA is to present options and costs for the abatement of regulated building materials (RBMs) (e.g. asbestos-containing materials [ACM] and lead-based paint [LBP]) identified during an RBM Survey completed in the Fox West Theatre building (the “Theatre” or the “Property”) in October 2018. The results of the RBM Survey were documented in a report entitled *Limited Regulated Building Materials Survey, Former Fox Theater, 423 West Main Street, Trinidad Colorado 81082*, dated October 15, 2018 (Stantec, 2018).

#### 1.1 PROPERTY LOCATION AND DESCRIPTION

The prominent multi-story 20,330-square-foot Fox West Theatre is located on Main Street in downtown Trinidad’s *El Corazon de Trinidad* Historic District. It is surrounded by commercial and office uses including a grocery store, skating rink, and City Hall. The 0.47-acre Property is identified by the Las Animas County Assessor with parcel number 13896500. The Fox West Theatre building occupies most of the parcel. A narrow, unpaved strip of land is present on the Property between the Theatre building to the east and an alley to the west. An irregularly shaped paved parking area extends north from the Theatre building within the Property boundary. The Property location and layout are shown on **Figures 1 and 2**.

The Theatre was constructed in 1908 with multiple basement levels, a main theatre auditorium on the ground level, retail spaces along Main Street, two balconies, and an attic space. The interior finishes generally consist of plastered and textured gypsum board walls with joint compound, vinyl floor tiles, vinyl floor sheeting, carpeted floors, and ceiling tiles. The exterior is finished with brick and grout, and stucco.

The Theatre has been vacant since 2013. This long period of vacancy and neglect has resulted in water damage and bird infestations. In 2018, the City of Trinidad purchased the Theatre to promote its rehabilitation. The City is working with project stakeholders to restore and re-open the theatre to help revitalize downtown Trinidad and enhance the growing local arts scene centered on the *El Corazon de Trinidad*.

#### 1.2 PROPERTY HISTORY

Earliest records dating back to 1890 indicate the Property was mostly undeveloped at that time. Records indicate construction of the building was completed in 1908 and it opened as the West Theater that same year. In addition to the main performance space comprised of the auditorium and two balconies, the Theatre contains commercial spaces along Main Street that from approximately 1908 through 1990 housed a saloon, offices, a drug store, and a clothing store. The basement of the Theatre formerly was used as a ballroom. The Property changed ownership numerous times over the years but remained in use as a theater under the Fox Theater name through approximately 2013, when the Theatre was closed.



# DRAFT ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE, TRINIDAD, COLORADO

## Introduction and Background

### 1.3 2018 SITE ASSESSMENT FINDINGS

Stantec completed an RBM survey of the Theatre in October 2018. The survey consisted of evaluating ACMs, LBP, polychlorinated biphenyls (PCBs) in caulk, and other hazardous materials and universal wastes such as fluorescent lighting tubes, mercury containing units, and refrigerants. The findings of the survey are summarized below.

#### 1.3.1 Asbestos Containing Materials

The following building materials were determined to contain asbestos in a quantity greater than 1%:

**Table 1: Asbestos Containing Materials Locations**

Sample No.	Homogeneous Material	Location of Material	Asbestos Content	Quantity	EPA Category
03A 03B 03C	Joint Compound, White, Associated with HA #02	Floor 1: Dress Shop, Dress Shop Stairwell	2% Chrysotile*	600 SF	RACM
08A/09A 08B/09B 08C/09C	Gypsum Board/Joint Compound Composite, White	Floor 1: Room 1	<1% Chrysotile**	300 SF	RACM
09A 09B 09C	Joint Compound, White, Associated with HA #08	Floor 1: Room 1	2% Chrysotile	300 SF	RACM
11A 11B 11C	Joint Compound, White, Associated with HA #10 and #12	Floor 1: Manager's Office	3% Chrysotile*	425 SF	RACM
12A 12B 12C	Wall Texture, White, Rough Orange Peel, Associated with HA #10 and #11	Floor 1: Manager's Office	4% Chrysotile*	425 SF	RACM
20A 20B 20C	VFS, Tan, Patterned, Associated with HA #63	Floor 1: Ladies' Room	15% Chrysotile*	20 SF	CAT I ACM
21A 21B 21C	VFS, Red, Brick Pattern, Associated with HA #65	Floor 1: Men's Room	12% Chrysotile*	65 SF	CAT I ACM
32A	Pipe Insulation, White, With White Wrap	Basement 2: Ballroom	35% Chrysotile	300 LF	RACM
34	Pipe Insulation, White, With Black Wrap, Not Safely Accessible During Survey	Basement 1: South Basement Room 2	Assumed	270 SF	RACM
35A 35B 35C	Caulk, Brown, Associated with Window Exterior	Basement 1: South Basement Room 4	5% Chrysotile*	32 LF	CAT II ACM



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38A 38B	Pipe Insulation, White with White Wrap	Basement 2: NW Ballroom Utility	35% Chrysotile*	10 LF	RACM
42A 42B 42C	Caulk, White, Associated with Exit Door	Floor 1: Theater Exit Door; Floor 2: 2nd Balcony	6% Chrysotile*	120 LF	CAT II ACM
49A 49B 49C	Mag Block Insulation, White, 3 Blocks Stacked on Bucket	Basement 2: West Basement 2 Room 3	40% Amosite* 4% Chrysotile*	3 SF	RACM
53A	Pipe Insulation, White with White Wrap	Basement 2: North Basement 2	30% Chrysotile	50 LF	RACM
54	Mortar Patch, Gray Surrounding Air Duct Penetration	Basement 2: North Basement 2	0.25%-0.75% Chrysotile	40 SF	NA

### Notes and Abbreviations:

HA = Homogeneous Area; SF = Square Feet; LF = Linear Feet; CAT I = Category I Non-friable, ACM; CAT II = Category II Non-friable, ACM; RACM = Regulated Asbestos-Containing Material

## 1.3.2 Lead Based Paint

**Table 2: Lead Based Paint Locations**

Sample No.	Sample Location	Paint Color	Substrate Material	Paint Condition	Estimated Quantity	Lead Content (by weight)
P-14	Ladies' Room, Wall	Mint	Plaster	Fair to Poor	1,025 SF	1.6% (16,000 ppm)
P-15	Ladies' Room, Wall	White	Wood	Fair to Poor	25 SF	0.56% (5,600 ppm)
P-16	Men's Room, Window Trim	White	Wood	Fair to Poor	25 SF	9% (90,000 ppm)
P-24	West Basement Room 1, Window	Dark Mint	Wood	Fair to Poor	590 SF	8.5% (85,000 ppm)
P-26	North Basement Room 2, Wall	Red	Plaster	Fair to Poor	300 SF	5.8% (58,000 ppm)
P-17	Basement Stairwell, Wall	Brown	Plaster	Fair to Poor	3,815 SF	8.2% (82,000 ppm)
P-19	Basement Room 4, Ceiling	Green	Plaster	Fair to Poor	4, 435 SF	4.7% (47,000 ppm)
P-20	Basement Room 4, Wall	Blue	Plaster	Fair to Poor	920 SF	0.7% (7,000 ppm)
P-08	South Basement Stairway, Wall	Dark Pink	Plaster	Fair to Poor	13,400 SF	8% (80,000 ppm)

It should be noted that the hazardous building materials survey was completed as a renovation-level survey due to the plans to rehabilitate the Theatre building, rather than as a demolition-level survey. The survey was therefore limited to accessible materials only and did not include wall cavities, underground



## **APPLICABLE REGULATIONS AND CLEANUP STANDARDS**

utilities, roofing, or attic. Previously undiscovered hazardous building materials may be present within wall cavities (e.g. asbestos in electrical wire wrapping, insulation materials, vapor barrier paper, etc.), and some underground utility piping has been known to contain asbestos (e.g. Transite pipe). Renovation of the Property is not anticipated to include disturbing these materials; however, if renovation of the Property requires removal of on-site portions of underground utilities (storm drains, sewer, domestic water laterals, etc.) or roofing and associated adhesives, these components will be assumed to contain asbestos, or sampling for asbestos will be performed prior to the removal process. If, during renovation, suspect ACMs are discovered that are not identified within this report, those materials will be assumed positive for asbestos unless additional sampling, analysis, and/or assessment indicates otherwise.

### **1.3.3 Polychlorinated Biphenyls**

Stantec collected nine caulk samples for analysis of PCBs. In 40 CFR 761.3, EPA defines PCB bulk product waste as waste containing PCBs at greater than or equal to 50 milligrams per kilogram (mg/kg). PCBs were not detected in any samples at concentrations equal to or greater than 50 mg/kg.

## **2.0 APPLICABLE REGULATIONS AND CLEANUP STANDARDS**

### **2.1 CLEANUP OVERSIGHT RESPONSIBILITY**

The cleanup will be conducted in accordance with the regulations described in this section. All documents prepared for this site will be submitted to the Colorado Department of Public Health and Environment (CDPHE).

### **2.2 APPLICABLE LAWS AND REGULATIONS**

The following are applicable laws and regulations for ACMs and LBP.

#### **2.2.1 Asbestos Laws and Regulations**

Asbestos is regulated by the US Environmental Protection Agency (EPA) National Emission Standard for Hazardous Air Pollutants (NESHAP), the Toxic Substances Control Act (TSCA), the Clean Air Act (CAA), and DEQ under OAR, Chapter 340, Division 248 (Asbestos Requirements).

Pursuant to the US Occupational Safety and Health Administration, Asbestos in Construction Standard (29 CFR 1926.1101), an ACM is any material containing greater than 1% asbestos. Potential asbestos exposure in construction is regulated when construction, alteration, repair, maintenance, or renovation of structures, substrates, or portions thereof contain asbestos. The Colorado Department of Public Health and Environment (CDPHE) also defines an ACM as any material containing greater than 1% asbestos. ACMs are regulated under CDPHE's Regulation No. 8, which provides requirements for training/certification, notification, and ACM-related operations designed to protect Colorado citizens from



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## EVALUATION OF CLEANUP ALTERNATIVES

exposure to asbestos and to protect against adverse health and environmental effects associated with releases of asbestos from ACM.

### 2.2.2 Lead Laws and Regulations

The United States Department of Housing and Urban Development (HUD), promulgates the rules for evaluating and controlling lead-based paint hazards commonly referred to as Title X (ten). Although HUD Title X specifically focuses on residential housing and child-occupied facilities, the evaluation framework promulgated by HUD for lead paint evaluation is the generally accepted guideline for performing paint surveys/inspections. The 1997 HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (updated in 2012) are based on requirements set forth in Section 1017 of Title X. The HUD Guidelines can be used by state and local governments and the private sector as a source of standards and procedures for testing and abating lead-based paint in public and private owned housing, daycare centers, and public buildings that exhibit conditions like those in residential structures.

Worker exposure to material containing lead during construction and renovation work is regulated by OSHA [29 CFR 1926.62(a)]. These regulations require worker protection during construction "...where lead or materials containing lead are present." OSHA has established regulations that set limits on exposure to lead in the workplace (Permissible Exposure Levels [PELs]), and provide requirements for personnel notification, PPE use, engineering control implementation, and personnel monitoring programs for workers that are exposed to lead in the workplace. The State of Colorado is not a delegated authority to promulgate worker protection regulations. Therefore, the federal OSHA regulations will apply for construction related activities at the Property.

## 3.0 EVALUATION OF CLEANUP ALTERNATIVES

### 3.1 REMEDIAL ACTION OBJECTIVE

The remedial action objective for ACMs, lead paint, and other hazardous materials in the former Fox West Theatre is to prevent these materials from causing unacceptable risk to human health. The following formula is commonly used to represent risk:

$$\text{RISK} = \text{EXPOSURE} \times \text{CONCENTRATION}$$

As indicated by this common formula, risk can be reduced by limiting exposure or by reducing the magnitude of contaminant concentration. The human exposure pathway of concern for ACMs is inhalation. ACM exposure can be limited by isolating ACMs from human contact or by maintaining ACMs in good condition so that asbestos fibers would not be released into indoor air where exposure via inhalation could occur. The only way to reduce the ACM concentration is to abate the ACMs, which would reduce the concentration to zero. If the concentration is zero, then risk also would be zero.





## **EVALUATION OF CLEANUP ALTERNATIVES**

The human exposure pathways of concern for lead paint are incidental ingestion and inhalation. Lead exposure can be limited by isolating lead paint from human contact or by maintaining lead paint in good condition so that lead dust and chips would not be released into indoor air where exposure via inhalation could occur. The only way to reduce the lead concentration is to abate the lead paint, which would reduce the concentration to zero. If the concentration is zero, then risk also would be zero.

### **3.2 CLEANUP ALTERNATIVES CONSIDERED**

Three alternatives were considered: No Abatement, Partial Abatement, and Complete Abatement. The optimal cleanup alternative for ACM, lead paint, and other hazardous materials will depend on the timing of rehabilitation plans for the Theatre. Three options are described below. These options cover the full spectrum of possible cleanup alternatives.

#### **3.2.1 Alternative 1: No Abatement Alternative**

The No Abatement Alternative is essentially the alternative that has been implemented to date. Under this alternative, the City must continue to secure the building to eliminate trespass and minimize uses of the building that require employees to enter the building.

Various ACMs in the building were identified during the Stantec RBM Survey as being in both damaged and good condition. However, the condition ratings in the RBM Survey are based on average condition of each discrete material. There are localized areas within materials described as in good condition where materials have been damaged, most commonly because of water intrusion. ACMs in poor or damaged condition represent a current risk to anyone that may enter the building. As a result, Stantec recommends that as part of the No Abatement Alternative, signage identifying this potential hazard be erected, and where reasonably implementable, access to these areas be prohibited and barred.

To prevent ACM releases to the exterior environment surrounding the Theatre, the building envelope must be maintained. Windows are the most obvious weak link in maintaining the building envelope. As a result, any broken windows should be addressed to maintain a secure building envelope. This might include window replacement or using plywood to “board up” a broken window. This is particularly important if there is known ACM in poor condition near a broken window.

A Structural Inspection of the Theatre conducted by JUST Architectural & Engineering in 2016 found no signs of significant settling or cracking indicating that the building is substantially stable (JUST, 2016). Based on this analysis, the short-term risk of structural failure of the building is low. Such a structural failure could result in a release of ACM or hazardous materials to the exterior environment. The building structure integrity must be reasonably maintained to minimize the risk of structural failure and the release of ACM or hazardous materials into the exterior environment.

Lastly, under the No Abatement Alternative, the City must 1) limit access to the building interior using security measures, including limiting access by City and other authorized personnel, 2) ensure that the hazards of building entry are properly communicated to any City or other authorized personnel that may



# **DRAFT ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE, TRINIDAD, COLORADO**

## **EVALUATION OF CLEANUP ALTERNATIVES**

enter the building, and 3) establish an entry protocol for City and other authorized personnel that may enter the building.

### **3.2.2 Alternative 2: Partial Abatement of ACM and Hazardous Substances**

The Partial Abatement Alternative may range from abating all ACM and other hazardous materials in poor condition as a temporary measure to reduce the current risk to human health, to abating ACM and other hazardous materials impacted by a limited renovation of the building. Under this range of alternatives, ACM and other hazardous materials would remain in the building and would require implementation of an Operations and Maintenance Plan to ensure remaining hazardous materials do not pose a threat to those who might enter the building.

### **3.2.3 Alternative 3: Complete Abatement of ACM and Hazardous Substances**

The Complete Abatement Alternative requires the abatement of all ACM, abatement of all LBP in poor condition, and encapsulation of all lead-containing paint in good condition. This alternative must be selected if the building were to be demolished and is the preferred alternative should substantial renovation and re-occupancy of the building occur. Under this alternative, all ACM and LBP would be removed or encapsulated and there would be no on-going management requirements.

## **3.3 CLEANUP ALTERNATIVE EVALUATION**

To satisfy EPA requirements, three characteristics of each alternative -- effectiveness, implementability, and cost -- must be considered prior to selecting a recommended cleanup alternative. These characteristics are considered for each alternative in the following sections.

### **3.3.1 Effectiveness**

Effectiveness is evaluated by 1) the ability to achieve the desired level of protection as quickly as possible, and 2) whether the alternative can maintain the desired level of protection over the long-term.

#### **3.3.1.1 Alternative 1**

The No Abatement Alternative would use engineering and institutional controls (e.g., signage, locked doors) to manage identified ACMs and other hazardous materials in-place within the Theatre. Various engineering and institutional controls (generally described above in Section 4.2.1), if properly implemented, would mitigate the risk associated with hazardous materials by minimizing or eliminating human exposure to these materials. The effectiveness of this alternative requires initial measures to isolate hazards, and continued management to maintain hazard isolation.

Alternative 1 would only be effective if no renovations or reuse were planned for the Theatre and the building was to remain secured and unused. Alternative 1 would not effectively control or prevent exposure of workers or building occupants to hazardous materials if the Theatre is to be renovated and reopened; therefore, Alternative 1 is not effective given the City's plans for reuse of the building.



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### **EVALUATION OF CLEANUP ALTERNATIVES**

#### **3.3.1.2 Alternative 2**

The Partial Abatement Alternative would use a combination of abatement of selected materials and engineering and institutional controls to mitigate risks associated with hazardous materials. Various engineering and institutional controls (generally described above in Section 4.2.1), if properly implemented, would mitigate the risk associated with hazardous materials that the City may elect to leave in place by minimizing or eliminating human exposure to these materials.

The abatement of selected materials would eliminate the potential for exposure to those selected materials only. This alternative would require partial hazardous materials abatement, initial measures to isolate remaining hazards, and continued management to maintain hazard isolation.

Alternative 2 would be reasonably effective if renovations were planned only for isolated areas of the Theatre. Alternative 2 would not effectively control or prevent exposure of workers or building occupants to hazardous materials if the Theatre is to be renovated and reopened; therefore, Alternative 2 is not effective given the City's plans for complete and not partial reuse of the building.

#### **3.3.1.3 Alternative 3**

The Complete Abatement Alternative would use abatement to remove or encapsulate all ACMs and other hazardous materials. With all hazardous materials in the Theatre addressed, risk to human health associated with exposure would be eliminated. Alternative 3 is an effective way to eliminate risk at the Theatre since the hazardous building materials will be removed eliminating exposure.

### **3.3.2 Ability to Implement**

An assessment of implementability is intended to evaluate whether, or with how much difficulty, the cleanup alternative can be implemented and whether the alternative's continued effectiveness can be assessed and verified.

#### **3.3.2.1 Alternative 1**

Alternative 1 has generally already been implemented by the City. Stantec recommends, if this alternative is anticipated to continue to be implemented for multiple years, that limited additional measures (described in Section 4.2.1) be taken to ensure the isolation of hazardous building materials in poor condition from City and other authorized personnel that may enter the building. Further, the effectiveness of Alternative 1 is readily verifiable through the collection and analysis of air samples for ACM fibers and wipe samples for lead. Alternative 1 is considered moderately easy to implement as it will require monitoring of institutional and engineering controls to mitigate exposure to hazardous building materials.



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### **EVALUATION OF CLEANUP ALTERNATIVES**

#### **3.3.2.2 Alternative 2**

The Partial Abatement Alternative requires implementing both: 1) limited hazardous building materials abatement and 2) the same engineering and institutional controls required under Alternative 1 for any materials not abated. There are no hazardous materials abatement contractors based in Trinidad, Colorado. There are asbestos abatement contractors located approximately 200 miles from Trinidad in the Pueblo/Colorado Springs area and approximately 250 miles from Trinidad in the Denver area. Thus, the technical capabilities to perform the limited asbestos abatement are reasonably available.

Alternative 2 is considered moderately easy to implement as it will require mobilizing abatement personnel and equipment to the Theatre and conducting partial abatement, as well as monitoring of institutional and engineering controls to mitigate exposure to remaining hazardous building materials.

#### **3.3.2.3 Alternative 3**

The Complete Abatement Alternative requires comprehensive hazardous materials abatement. Alternative 3 will not require ongoing institutional or engineering controls. The implementability of Alternative 3 is comparable to Alternative 2 as both alternatives require mobilizing abatement personnel and equipment to the Theatre and conducting abatement. The additional abatement required for Alternative 3 is offset by eliminating the need for ongoing controls and monitoring.

### **3.3.3 Cost**

#### **3.3.3.1 Alternative 1**

The ROM cost associated with Alternative 1 is approximately \$25,000. These costs are associated with 1) added isolation measures for ACMs and LBPs in poor condition; 2) continued monitoring to evaluate whether materials that are presently intact deteriorate over time; and 3) maintaining the building envelope. This does not account for the considerable lost opportunity cost of leaving the Theatre building unfit for community use.

#### **3.3.3.2 Alternative 2**

The ROM cost estimate for this alternative ranges from \$75,000 to \$200,000. The low-end cost estimate includes the abatement of hazardous building materials in poor condition and all elements of Alternative 1. The high-end cost estimate includes the abatement of all hazardous building materials in poor condition, the abatement of selected hazardous building materials to be determined based on the next phase of building renovation plans, and all elements of Alternative 1.

#### **3.3.3.3 Alternative 3**

The ROM cost estimate for this alternative is \$550,000 based on bids received in response to an abatement Request for Proposals released by the City in 2020. This estimate includes cleanup of hazardous materials associated with the bird infestation and the abatement of all ACMs and abatement or



## DRAFT ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE, TRINIDAD, COLORADO

### EVALUATION OF CLEANUP ALTERNATIVES

encapsulation of LBPs identified in Stantec's 2019 RBM Survey report and listed in Section 2 of this ABCA.

#### 3.3.4 Green Remediation Considerations

The carbon footprint associated with asbestos and other hazardous abatement is relatively small. Electrical, water, and wastewater services are not currently available within the building. The abatement contractor will work with the City to make these services available. The selected abatement contractor is located in the Denver area, approximately 250 miles from Trinidad. The contractor will conduct the abatement work during a single mobilization to minimize travel. Reuse of the Theatre would have a much smaller carbon footprint than demolition of the building, and construction of a new building of similar function and size.

### 3.4 RECOMMENDED CLEANUP ALTERNATIVE

To quantitatively evaluate the three cleanup alternatives, the following point system is utilized:

- Good – 5 points
- Good-Moderate – 4 points
- Moderate – 3 points
- Moderate-Poor – 2 points
- Poor – 1 point

Alternative	Effectiveness	Implementability	Cost	Score
Alternative 1	Poor: 1	Good-Moderate: 4	Good-Moderate: 4	9
Alternative 2	Poor: 1	Moderate: 3	Moderate: 3	7
Alternative 3	Good: 5	Moderate: 3	Moderate: 3	11

Based upon this quantitative scoring system and the plans to rehabilitate and reopen the Theatre, Alternative 3: Complete Abatement is recommended.



## **ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES – FORMER FOX THEATRE, TRINIDAD, COLORADO**

### References

## **4.0 REFERENCES**

JUST, 2016. Structural Inspection 423 W Main St., Trinidad, CO 81082. June 15, 2016.

Stantec, 2018. Limited Regulated Building Materials Survey, Former Fox Theater, 423 West Main Street, Trinidad, Colorado 81082. October 15, 2018.



## Threshold Criteria Response – Attachment B

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Community Notification Ad



# STATE

**Derek Draplin**  
*The Center Square*

A Christian ministry in Colorado is suing Gov. Jared Polis, alleging that the state's COVID-19 executive orders violate its constitutional rights by arbitrarily restricting religious gatherings and services.

Andrew Wornmack Ministries International (AWMI) in Teller County is represented by the Liberty Counsel, a non-profit Christian ministry that often litigates on issues that align with traditional Christian values. The ministry's lawsuit seeks a temporary restraining order and preliminary injunction.

"Governor Jared Polis has clearly discriminated against religious gatherings," Liberty Counsel Chairman Mat Staver said. "The distinction between religious and nonreligious gatherings has nothing to do with health and safety. The virus does not favor one or the other."

Staver added that Polls' actions reveal "an agenda disguised as health and safety."

"There is no pandemic pause button to the Constitution, nor is there an exception for religious gatherings," he said.

The lawsuit alleges the state's COVID-19 orders impose "discriminatory and disparate prohibitions on the types of activities" the ministry participates in.

"Orders allow AWMU to feed the hungry, clothe the naked, house the homeless, provide other material social services and necessities of life to an unlimited number of individuals with unlimited volunteers in a single facility, but the Orders prohibit AWMU from engaging in a religious conference, ministry, event, gathering, or service with the same individuals in the same facility, on pain of criminal penalties," the lawsuit states.

AWMI is set to host a pastor's conference in early October, the lawsuit says, which is required attendance for 652 students at Charis Bible College, one of AWMI's ministries.

"Without immediate relief, participants who work or attend the conference will be hindered in their ability to worship, minister, teach, learn, and otherwise exercise their sincerely held religious beliefs freely according to conscience by fear of being subjected to criminal or civil sanctions or penalties," the lawsuit says.

The plaintiffs allege the state's orders, which limit some gatherings to 175 people, are discriminatory.

"There is no distinction between the one-hour education program for 652 students and the one-hour religious worship services for the same 652 students, but the Governor's Orders exempt one as educational and prohibit the other as religious," the lawsuit says. AWMF and the college share

a 3,100 seat auditorium for events.

The lawsuit, filed in U.S. District Court on Monday, also lists Colorado Department of Public Health and Environment Executive Director Jill Hunsaker Ryan and Director of Teller County Department of Public Health Director Jacqueline

A spokesperson for Gov. Polis' office declined to comment on pending litigation.



*The Center Square*  
Colorado Governor Jared Polis is seen in a press conference on  
May 8, 2020 at the State Capitol in Denver.

### Trinidad State to participate in new apprenticeship model

... Continued from Page 1

The 18 organizations newly recognized as Standard Recognition Entities are:

- A-E Foundation (National)
- Alabama Office of Apprenticeship (Alabama)
- American Nurses Credentialing Center Practice  
Transition Accreditation Program® (National)
- ANCC International Accredited Center (National)
- Apprenticeship Missouri (Missouri)
- ApprenticeshipNC (North Carolus)
- Colorado Community College System (Colorado)
- U.S. Sector Security by Consortium BSC (National)
- FANUC/ROCKWELL SRE (National)
- FASTPORT (National)
- Franklin Apprenticeships (National)
- Iowa Department of Education (Iowa)
- Ivy Tech Community College of Indiana (Indiana)
- National Institute of Maritime Education (National)
- Peregrine Technical Solutions (National)
- Smart Automation Certification Alliance (National)
- Texas Workforce Commission (Texas)
- Workforce Solutions (National)

development across our 13 colleges," said Michael Macklin, associate vice

chancellor of workforce development at the Colorado Community College System. "We applaud USDOL in their swift support and vision that aligns with our goals to create innovative pathways for students to achieve a fulfilling career and increasing our state's economic vibrancy."

The Department of Labor announcement marks the culmination of their work in response to recommendations from the Task Force on Apprenticeship Expansion. Created under President Trump's Executive Order to Expand Apprenticeships in America issued on June 15, 2017.

the 20-member Task Force, headed by the Secretary of Labor and co-chaired by the Secretaries of Commerce and Education, expanded upon the Administration's commitment to apprenticeship development and expansion.

"This is a game changer for Colorado's ability to re-imagine workforce training and to connect much needed talent with employers," said Rolfe Heath, chair of the Colorado State Board for Community Colleges and Occupational Education. "CCCS is uniquely positioned as the state's largest provider of higher education and workforce training to spearhead this important work."

### CCC Assistance, training program expands

... Continued from Page 1

the pandemic.

The CCP currently has 16 mental health and community service providers who have been supporting various geographic areas of Colorado and groups of people that are being disproportionately impacted by COVID-19. Additionally, there will be three more providers joining the program September 29.

These trained crisis counselors are there to listen and provide support around the feelings that life during the pandemic may bring up, such as worry, sadness, hopelessness, or anger.

Providers can also help people understand and manage stress, develop coping strategies, and connect anyone with other resources they might need. All services are

free, anonymous, and can be conducted virtually or over the phone.

The CCP also includes the Healthcare Worker Well-Being Support Line through the University of Colorado Anschutz Medical Campus, which provides text and call support and is open to any health care providers, hospital employees, public health workers, or medical support staff. Healthcare Worker Well-Being Sup-

— **Health Solutions**  
(Las Animas, Huerfano  
and Pueblo)  
Webpage: [https://  
www.health.solutions/  
coloradospirit/](https://www.health.solutions/coloradospirit/)  
Hotline: 719-588-2664


**FOR STRONG AND SOLID LEADERSHIP AT  
ALL LEVELS AND AN END TO THE FEAR  
MONITORING AND LIES OF THE OPPOSITION  
VOTE FOR OUR DEMOCRATIC CANDIDATES**

US President and Vice President - Joe Biden and Kamala Harris  
US Senator - John Hickenlooper  
US Representative District 4 - Ilie McCardle  
Santa Senato, District 36 - Charles Lopez  
State Representative District 64 - Deane Orniston  
Los Angeles County Commissioner District 2 - Luis Lopez II  
Los Angeles County/Huerfano Co District Attorney - Henry Solano

**SUPPORT OUR  
GREAT CANDIDATES!!!!**

PHOTO BY: Los Angeles County Board/Photo Photo Booth/Chicago

**Blessing of  
the Animals**  
**At The Methodist Church**  
**"DRIVE BY STYLE"**  
**Sunday October 4th**  
**5-6 PM**

A photograph of four dogs sitting in a row against a pink background. From left to right: a small white dog, a grey dog, a large brown and white dog, and a small white dog.

**OBITUARY MEMORIALS**

**COMI FUNERAL HOME**  
"Holding's Leading Funeral Home"  
1804 East Main  
Trinidad, CO 81082  
(719) 846-3437

Owned & operated by:  
Nancy (Gladys) Winter

Joe (Jose) A. Barrella  
On Thursday, September 24, 2020, Joe (Jose) A. Barrella passed away peacefully at home, surrounded by his family at the age of 81.

Public visitation will be held Wednesday, September 30, 2020, from 3pm-7pm at the Comi Chapel.

Due to COVID restrictions, the Barrella family respectfully requests that the Funeral Mass and Interment be private, so the family members can be united according to the numbers allowed at this time.

Arrangements made under the direction of the Comi Funeral Home.

[illegible]

**Legal**

The name, address, business telephone number and bar number of the attorney or law firm representing the individual holder of the independence are:

**GREENWOOD PLAZA P.A., SUITE C-0600  
GREENWOOD AVENUE, SUITE C-0600  
ATTORNEY FRED G. GORMLEY**

The Attorney above is acting as a dual collector and is authorized to collect a dual fee. Any information provided may be used for its purpose.

**Public Trustee's Association of Colorado Revised 10/18**  
**Duplicate September 2, 9, 16, 23, 30, 2020 75847**

**City of Trinidad  
PUBLIC OPEN HOUSE FOR  
FOX WEST THEATRE  
U.B.E. BROWNFIELD CLEANUP  
GRANT APPLICATION SUBMITTAL &  
ANALYSIS OF  
CLEANUP ALTERNATIVE COMMENT**

**Thursday, Oct 16, 2020 5:30 PM - 8:30 PM (MDT)**

Please join my meeting from your computer, tablet or smartphone.  
<https://global.government.com/join/164949677>

You can also dial in using your phone:  
United States: 1(824) 821-5412  
Access Code: 154 0000

New to GoToMeeting? Get the app now and be ready when your first meeting starts:  
<https://global.gotomeeting.com/invite/164949677>

Notice is hereby given that the City of Trinidad intends to accept and implement the Environmental Protection Agency (U.S. EPA) Brownfield Cleanup Grant for the Fox West Theatre located at 423 W. Main Street in Trinidad, Colorado. The City of Trinidad is seeking comments, alternatives and grant application documents available online beginning October 5th on the City Website at Trinidad.co.gov under the Press Releases tab. All persons are welcome to attend and comment. Comments pertaining to the grant applications should be sent to City of Trinidad, c/o George Ann Clark georgiac@trinidadco.gov, 135 N. Arroyo Street, Trinidad, CO 81082, and will be accepted until October 23, 2020.



# CHRONIC NEWS

MEDIA GROUP

**Member: Chronicle Press Association**  
**Periodicals Postage paid for at Trinidad, Colo.**  
**Published Monday — Friday**  
[www.thechronic-news.com](http://www.thechronic-news.com)

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6 Months.....	\$36.00																								
1 Year.....	\$72.00																								

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**822.006.0600**



# OBITUARIES & MEMORIALS



## FUNERAL HOME

Trinidad's Leading Funeral Home  
1804 East Main  
Trinidad, CO 81082  
(719) 846-3347

Owned & operated by:  
Mary (Kissy) Winter

**Joe (Jose) A. Barela**  
On Thursday, September 24, 2020, Joe (Jose) A. Barela passed away peacefully at home, surrounded by his family at the age of 91.

Public visitation will be held Wednesday, September 30, 2020, from 3pm-7pm at the Corni Chapel.

Due to COVID restrictions, the Barela family respectfully requests that the Funeral Mass and interment be private, so the family members may attend according to the numbers allowed at this time. Arrangements made under the direction of the Corni Funeral Home.



### Continued from Page 2

...evidence of debt secured by the deed of trust and other violations thereof.

**THE LIEN FORECLOSED MAY NOT BE A FIRST LIEN.**

**AN UNDIVIDED 625/1000 INTEREST IN THE FOLLOWING:**  
TOWNSHIP: 33 SOUTH, RANGE 66 WEST OF THE 6TH P.M.  
SECTION 22: NE1/4NE 1/4  
PORTIONS OF TRACTS 19, 20 AND 24, PRIMERO RANCH, 1, ACCORDING TO MAP FILED APRIL 15, 1994 AT BOOK 903, PAGE 342, AT RECEPTION NO. 606228 AND RECORDED APRIL 26, 1994 AT BOOK 903, PAGE 610 AT RECEPTION NO. 606375, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER OF LAS ANIMAS COUNTY, COLORADO.

Also known by street and number as: TRINIDAD, CO 81082.

**THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY ENCUMBERED BY THE LIEN OF THE DEED OF TRUST.**

#### NOTICE OF SALE

The current holder of the Evidence of Debt secured by the Deed of Trust, described herein, has filed Notice of Election and Demand for sale as provided by law and in said Deed of Trust.

**THEREFORE:** Notice is hereby given that I will at public auction at 10:00 A.M. on Wednesday, 10/29/2020, at 200 E. First Street, Room 204, Trinidad, Colorado 81082, sell to the highest and best bidder for cash, the said real property and all interest of the said Grantor(s), Grantor(s) heirs and assigns therein, for the purpose of paying the indebtedness provided in said Evidence of Debt secured by the Deed of Trust, plus attorneys' fees, the expenses of sale and other items allowed by law, and will issue to the purchaser a Certificate of Purchase, all as provided by law.

First Publication 9/2/2020  
Last Publication 9/30/2020  
Name of Publication The Chronicle-News

**IF THE SALE DATE IS CONTINUED TO A LATER DATE, THE DEADLINE TO FILE A NOTICE OF INTENT TO CURE BY THOSE PARTIES ENTITLED TO CURE MAY ALSO BE EXTENDED;**

DATE: 03/16/2020

Donna J. Leonetti, Public Trustee in and for the County of Las Animas, State of Colorado

By: Donna Leonetti, Public Trustee



The name, address, business telephone number and bar registration number of the attorney(s) representing the legal holder of the indebtedness is:  
Law Office of Jennifer S. Gormley, P.C. 6060 GREENWOOD PLAZA BLVD, STE. 300, GREENWOOD VILLAGE, CO 80111-6710 (303) 783-9600  
Attorney File # GORMLEY

The Attorney above is acting as a debt collector and is attempting to collect a debt. Any information provided may be used for that purpose.

@Public Trustee's Association of Colorado Revised 1/2015

Publisher: September 2, 9, 16, 23, 30, 2020 75847

City of Trinidad  
PUBLIC OPEN HOUSE FOR  
FOX WEST THEATRE  
U.S. EPA BROWNFIELD CLEANUP  
GRANT APPLICATION SUBMITTAL &  
ANALYSIS OF BROWNFIELD  
CLEANUP ALTERNATIVE COMMENT

Thursday, Oct 15, 2020 5:30 PM - 6:30 PM (MDT)

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<https://global.gotomeeting.com/join/184959677>

You can also dial in using your phone.  
United States: +1 (224) 501-3412  
Access Code: 164-959-677

New to GoToMeeting? Get the app now and be ready when your first meeting starts:  
<https://global.gotomeeting.com/install/184959677>

Notice is hereby given that the City of Trinidad intends to apply for a United States Environmental Protection Agency (U.S. EPA) Brownfield Cleanup Grant for the Fox West Theatre located at 423 W. Main Street in Trinidad, Colorado. The DRAFT Analysis of Brownfield Cleanup Alternatives and grant application documents are available online beginning October 5th on the City website at [trinidad.co.gov](http://trinidad.co.gov) under the Press Releases tab. All persons are welcome to attend and comment. Comments pertaining to the proposed applications should be sent to City of Trinidad, c/o Georgi Ann Clark, [georgi.clark@trinidad.co.gov](mailto:georgi.clark@trinidad.co.gov), 135 N. Animas Street, Trinidad, CO 81082, and will be accepted until October 23, 2020.

Published: September 30, 2020 76088



## CHRONICLE-NEWS MEDIA GROUP

USPS #110-040  
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(719) 846-3311  
Fax (719) 846-3612

Member: Colorado Press Association

Periodicals Postage paid for at Trinidad, Colo.

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Reporter: Garrett Watson  
[news@trinidadchroniclenews.com](mailto:news@trinidadchroniclenews.com)

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Effective July 1, 2019

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6 Months.....\$75.00  
1 Year.....\$150.00

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1 Year.....\$240.00

Online E-Paper  
1 Month.....\$6.00  
3 Months.....\$18.00  
6 Months.....\$36.00  
1 Year.....\$72.00

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**City of Trinidad  
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GRANT APPLICATION SUBMITTAL &  
ANALYSIS OF BROWNFIELD  
CLEANUP ALTERNATIVE COMMENT**

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<https://global.gotomeeting.com/join/184959677>

**You can also dial in using your phone.**

United States: [+1 \(224\) 501-3412](tel:+12245013412) **Access Code:** 184-959-677

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/184959677>

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City of Trinidad Colorado

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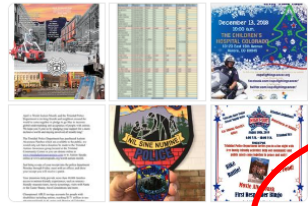
(719) 846-9843

Send Message

City Hall - Government Organization

### Photos

See All



### Videos

See All



City of Trinidad CO  
Thursday, October 22  
12:30pm - 5:00pm



1

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Comment

Share



Write a comment...



City of Trinidad Colorado

October 7 at 7:27 AM · 🌐

...

City of Trinidad  
PUBLIC OPEN HOUSE FOR  
FOX WEST THEATRE  
U.S. EPA BROWNFIELD CLEANUP  
GRANT APPLICATION SUBMITTAL &... See More

GO TO MEETING

GoToMeeting Download

3

1 Share

Like

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## Threshold Criteria Response – Attachment C

---

### Summary of Meeting and Comments and Responses

## **City of Trinidad Colorado**

### **Fox West Theatre EPA Brownfield Cleanup Grant Application**

**Public Meeting October 15, 2020 5:30 – 6:30**

#### **Meeting Summary and Comments/Responses**

The City of Trinidad held a virtual public meeting to share a plan to apply for an EPA Brownfield Cleanup Grant for the Fox West Theatre. A meeting noticed was published in the Chronicle-News newspaper on September 30, 2020 and was posted on the City's Facebook page. The meeting notice included information on how to join the virtual meeting, how to access the Draft Analysis of Brownfield Cleanup Alternatives and Draft EPA Brownfield Cleanup Grant application, and how to comment on the draft documents.

Georgi Clark of the City of Trinidad began the meeting with a welcome and introductions. The City's Qualified Environmental Professional, Carrie Rackey of Stantec, presented information on the City's history of brownfield redevelopment work and the plans to apply for a FY2021 Cleanup Grant for the Fox Theatre.

The meeting was held online using GoToMeeting software which allowed community members to ask questions and submit comments and input. Eight community members attended the meeting. A copy of the presentation, list of attendees, and comments/questions and responses is attached.

#### **Public Meeting Comments and Responses:**

Comment 1: Community member John Norris recommended including the Southern Colorado Repertory Theatre (SCRT) in outreach efforts. He stated that he supports revitalization of the Theatre as a catalyst for further revitalization of downtown Trinidad.

Response 1: Georgi Clark stated that City has been and will continue engaging with the SCRT on the plans for reuse of the Theatre.

No further comments or questions.

## Threshold Criteria Response – Attachment D

---

### Community Meeting Presentation





City of Trinidad

**EPA Brownfield Grant  
Community Meeting**

October 15, 2020

# Agenda

- 1 Introductions & Purpose
- 2 Brownfield Background
- 3 Fox West Cleanup Grant
- 4 Next Steps
- 5 Questions/Discussion

Image credit: foxwesttheatre.com





# Introductions

**Georgi Ann Clark** Planning Administrator  
City of Trinidad

**Carrie Rackey** Project Consultant  
Stantec Consulting Services Inc.

Image credit: [foxwesttheatre.com](http://foxwesttheatre.com)



# Purpose

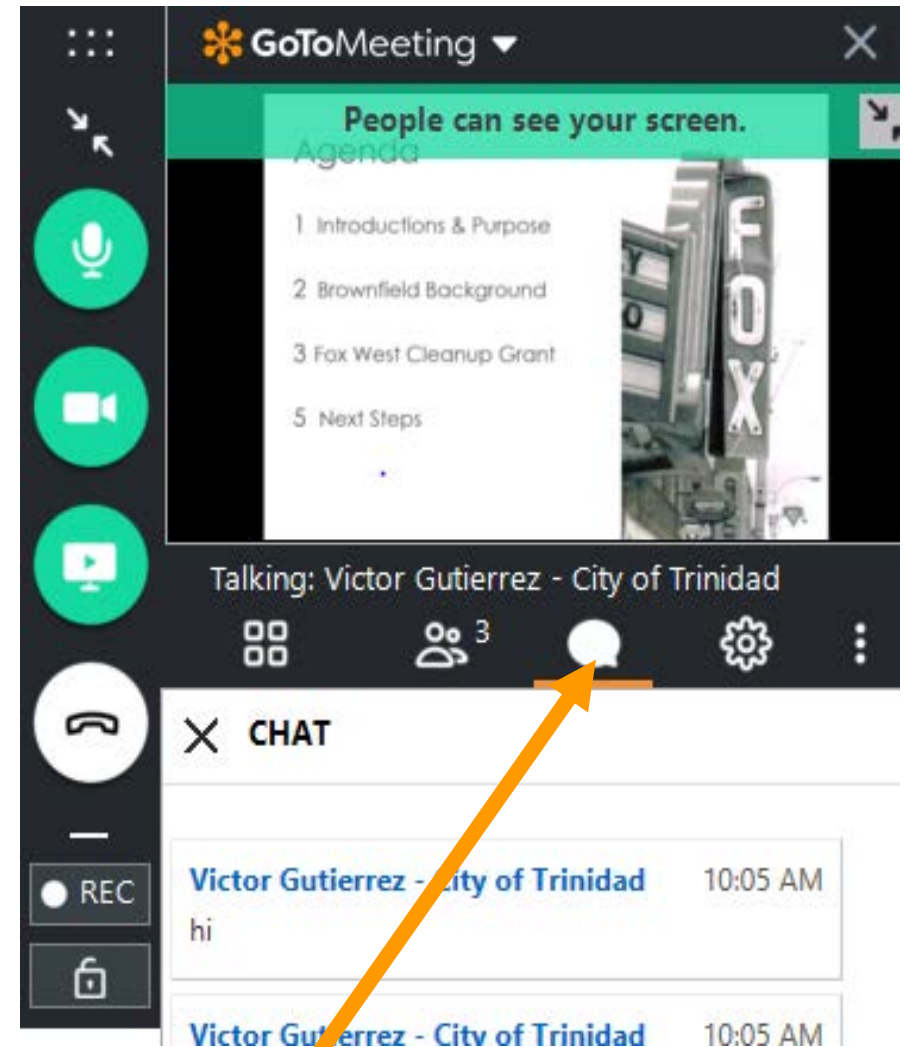
1. Share plans to apply for EPA Cleanup Grant for Fox West Theatre
2. Gather community input

Image credit: foxwesttheatre.com



# Meeting Information

- Attendees are muted
- Enter questions or comments into the chat box – we will respond during the Q&A section at the end
- Meeting is being recorded

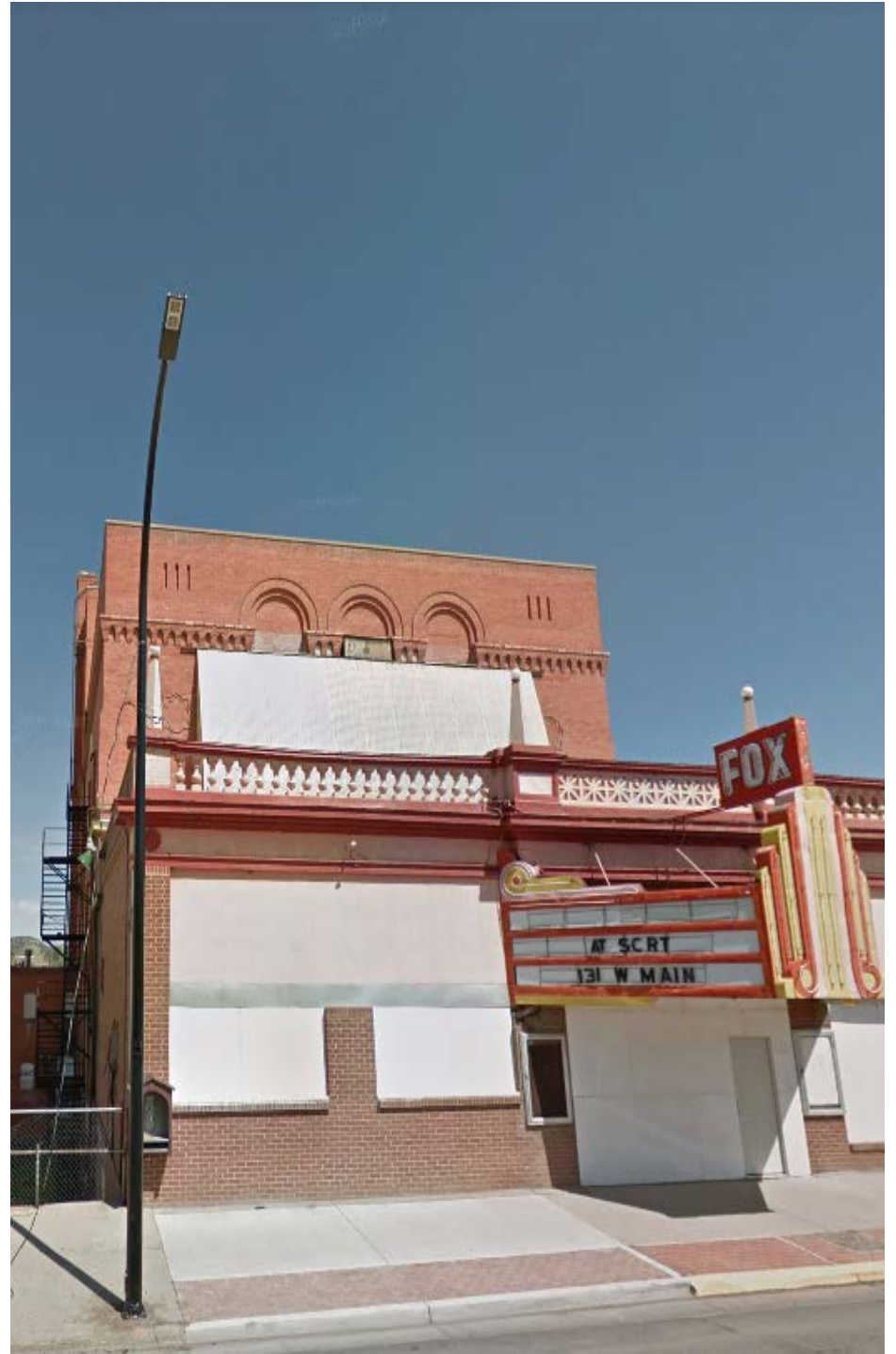


Click here to enter a question or comment

# Brownfields 101:

“Property where expansion, redevelopment, or reuse is complicated by the presence or suspected presence of contamination.”

Image credit: foxwesttheatre.com





# EPA Brownfield Grants



- Annual EPA Brownfield Grants
- Since 1990s
- Different types: Assessment, Cleanup, Multipurpose
- Competitive, complex application

[www.epa.gov/brownfields](http://www.epa.gov/brownfields)

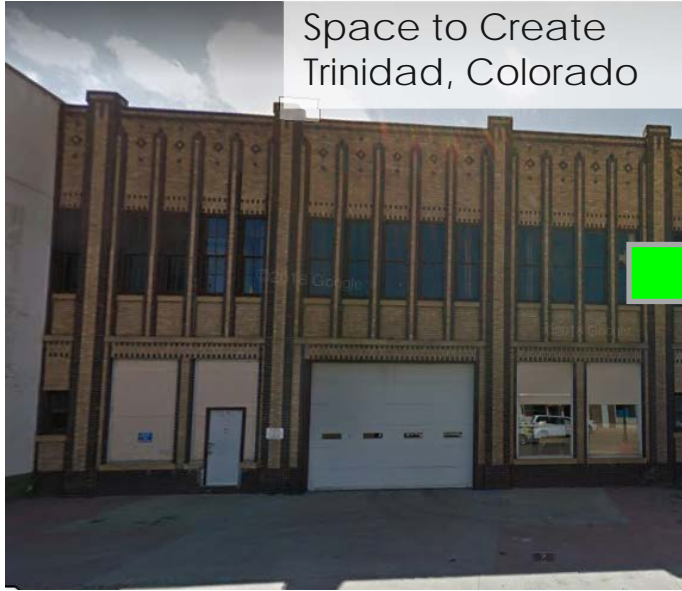
# Brownfields = Opportunities and Resources!

- Funding
- Facilitate property transactions
- Technical assistance
- Redevelopment possibilities



# Opportunities to transform...

Space to Create  
Trinidad, Colorado



La Puerta Redevelopment  
Trinidad, Colorado





# 2015 EPA Brownfield Assessment Grant

- Coalition Partners: Trinidad, Aguilar, Las Animas County
- \$500,000 EPA Brownfield Assessment Grant – Oct. 2015
- Throughout Las Animas County
- Funds nearly spent





# 2015 EPA Brownfield Assessment Grant

- Fox Theatre
- La Puerta



# 2015 EPA Brownfield Assessment Grant

- East Street School
- Pine Street Building



# 2015 EPA Brownfield Assessment Grant

- Aguilar Redevelopment Roadmap
- Las Animas County Market Analysis
- County Courthouse Assessment
- Airport Assessment



Economic  
Development  
Roadmap

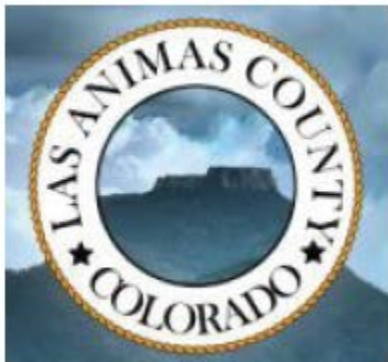


Town of Aguilar  
Colorado

July 2018

# 2020 EPA Grant Applications

1. Coalition Brownfield Assessment Grant
2. Cleanup grant for Fox West Theatre



City of Trinidad



Town of Aguilar  
Colorado



Image credit: foxwesttheatre.com



[illegible]

# Fox West Theater

Built 1908 with  
bricks made in  
Trinidad.

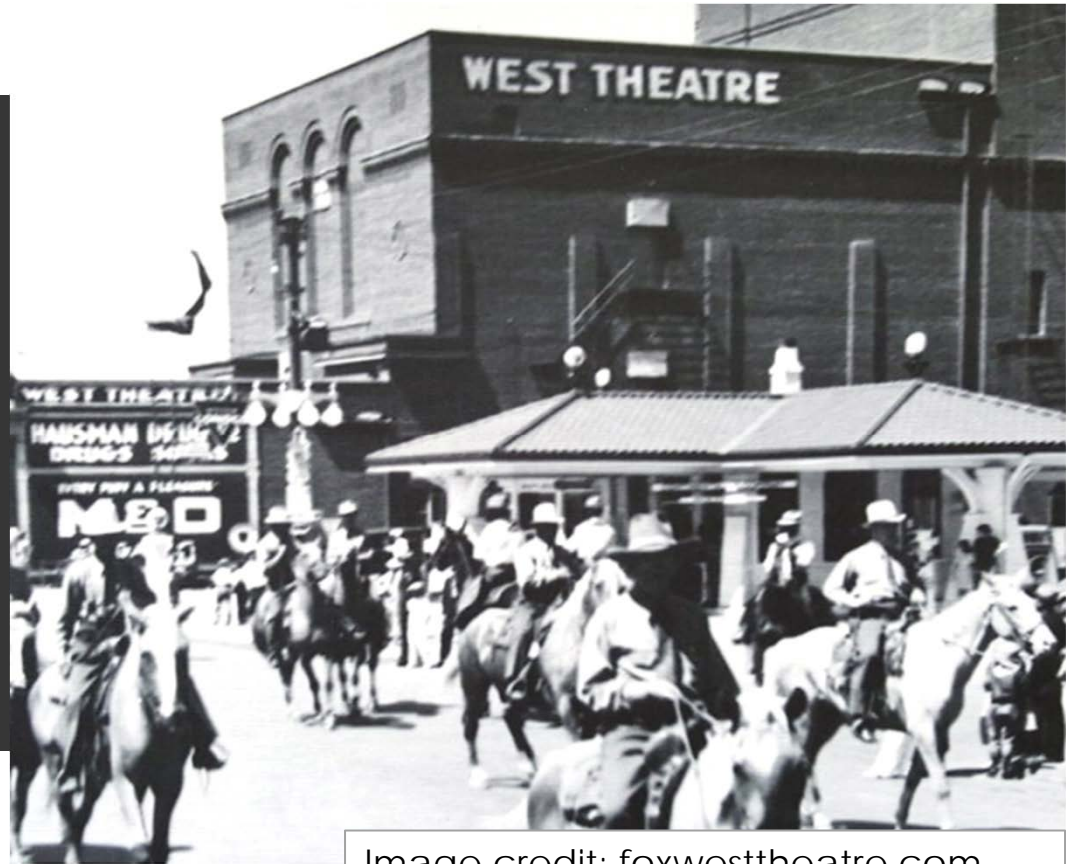


Image credit: foxwesttheatre.com

*Fox West Theatre is "a stunning example of the best historic American theatre design."*

-Theatre Consultants Collaborative



# Fox West Theater

- Vacant since 2013
- City purchased 2019
- Partnering with Fox West Theatre Alliance

History and Photos:  
[www.foxwesttheatre.com](http://www.foxwesttheatre.com)

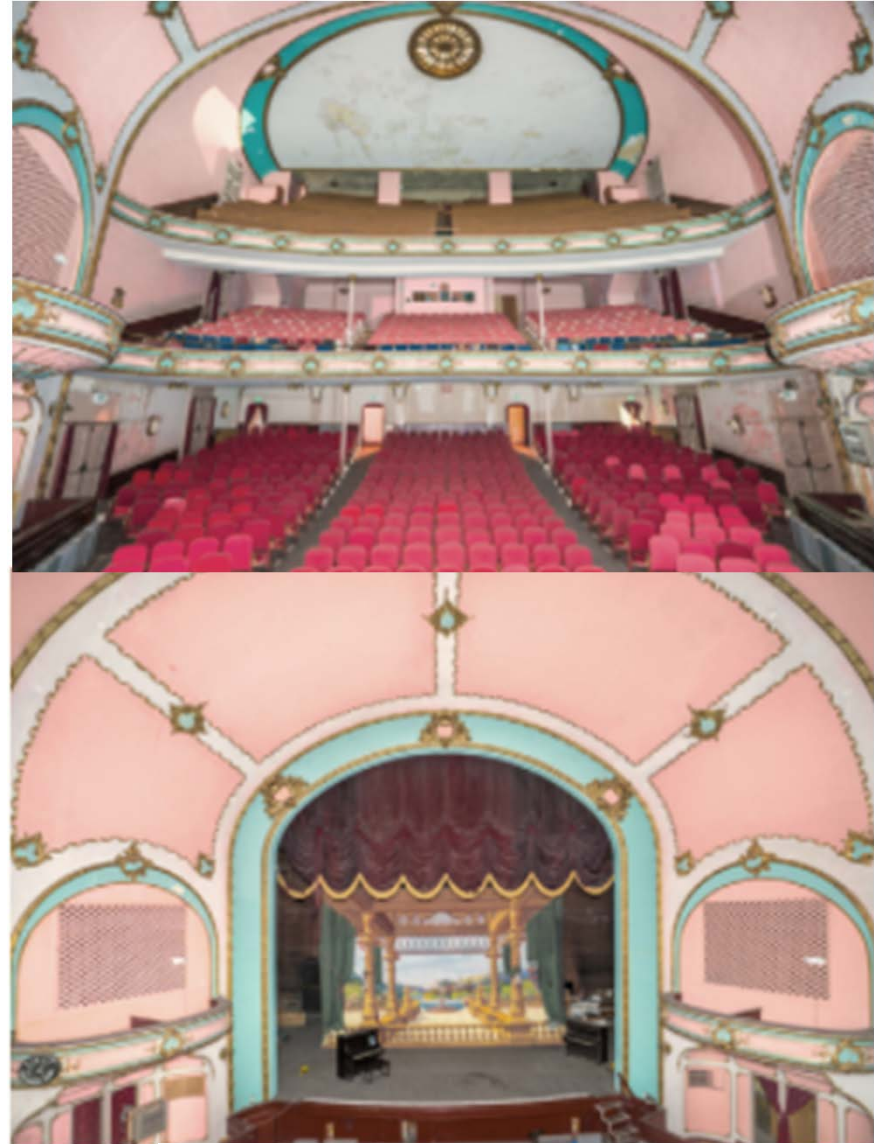


Image credit: foxwesttheatre.com

# EPA Brownfield Cleanup Grant Fox West Theater

## 2016 Community Survey:

200 Responses

89% Fox Theater is “**very important**”  
to Trinidad’s future!



# EPA Brownfield Cleanup Grant

## Fox West Theater

- Asbestos and lead paint cleanup
- \$108,000 CDPHE cleanup grant
- EPA Grant for up to \$500,000 for cleanup
- 20% Match (CDPHE grant will help)



Image credit: foxwesttheatre.com

# EPA Brownfield Cleanup Grant Fox West Theater

- CDPHE grant cleanup:  
Winter 2020/2021
- EPA grant cleanup (if awarded):  
Start Winter 2021/2022

# EPA Brownfield Cleanup Grant Fox West Theater

- Draft Cleanup Alternatives Analysis:  
<https://www.trinidad.co.gov/DRAFTAnalysisofBrownfieldCleanupAlternatives>
- Draft Grant Application:  
<https://www.trinidad.co.gov/CleanupGrantFoxTheatreTrinidadDRAFT>

# EPA Brownfield Cleanup Grant Fox West Theater

Provide input by 10/27/2020 to:

Georgi Ann Clark

City of Trinidad Planning Administrator

*719-846-9843 ext. 120*

*georgi.clark@trinidad.co.gov*

# Questions or Comments?



## Threshold Criteria Response – Attachment E

---

### Community Notification Meeting Participant List

# EPA Clean-up Grant Community Meeting - Fox Theatre Attendees

## Summary

<b>Meeting Date</b>	<b>Meeting Duration</b>	<b>Number of Attendees</b>	<b>Meeting ID</b>
October 15, 2020 5:14 PM MDT	58 minutes	11	184-959-677

## Details

Name	Email Address	Join Time	Leave Time	Time in Session
+17203189089		5:47 PM	5:53 PM	5
+19712211092		5:45 PM	6:13 PM	28
Carrie Rackey	Carrie.Rackey@stantec.com	5:22 PM	5:41 PM	18
Erin Ogletree	erin.ogletree@trinidad.co.gov	5:23 PM	6:13 PM	50
Georgi Clark, Planning Administra	audra.garrett@trinidad.co.gov	5:46 PM	6:13 PM	26
Georgi Clark, Planning Administra	audra.garrett@trinidad.co.gov	5:14 PM	5:45 PM	30
Jean Di Lisio		5:29 PM	6:13 PM	44
Jon Norris		5:28 PM	6:13 PM	45
Mike Valentine	mike.valentine@trinidad.co.gov	5:30 PM	6:13 PM	43
Stephanie Bakken	stephanie@danacrawford.net	5:40 PM	6:13 PM	33
Stephanie Bakken	stephanie@danacrawford.net	5:28 PM	5:38 PM	9
Stephanie Bakken	stephanie@danacrawford.net	5:38 PM	5:40 PM	1
Thomas Murphy		5:18 PM	6:13 PM	54
Victor Gutierrez - City of Trinidad	audra.garrett@trinidad.co.gov	5:17 PM	6:13 PM	56

## Application for Federal Assistance SF-424

\* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

\* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

10/28/2020

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

BF

### State Use Only:

6. Date Received by State:

7. State Application Identifier:

Colorado

### 8. APPLICANT INFORMATION:

\* a. Legal Name:

City of Trinidad

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

\* c. Organizational DUNS:

0764525560000

### d. Address:

\* Street1:

135 N Animas St

Street2:

\* City:

Trinidad

County/Parish:

\* State:

CO: Colorado

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

81082-2601

### e. Organizational Unit:

Department Name:

Division Name:

### f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Ms.

\* First Name:

Georgi

Middle Name:

Ann

\* Last Name:

Clark

Suffix:

Title:

Planning Administrator

Organizational Affiliation:

City of Trinidad

\* Telephone Number:

719-846-9843, ext. 120

Fax Number:

719-846-4140

\* Email:

georgi.clark@trinidad.co.gov



## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Environmental Protection Agency

### 11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

### \* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-20-07

\* Title:

FY21 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

City of Trinidad FY21 Brownfield Cleanup Grant for the Fox West Theatre

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**\* a. Applicant \* b. Program/Project 

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**\* a. Start Date: \* b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="500,000.00"/>
* b. Applicant	<input type="text" value="70,528.00"/>
* c. State	<input type="text" value="29,472.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="600,000.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title: \* Telephone Number:  Fax Number: \* Email: \* Signature of Authorized Representative:  \* Date Signed: