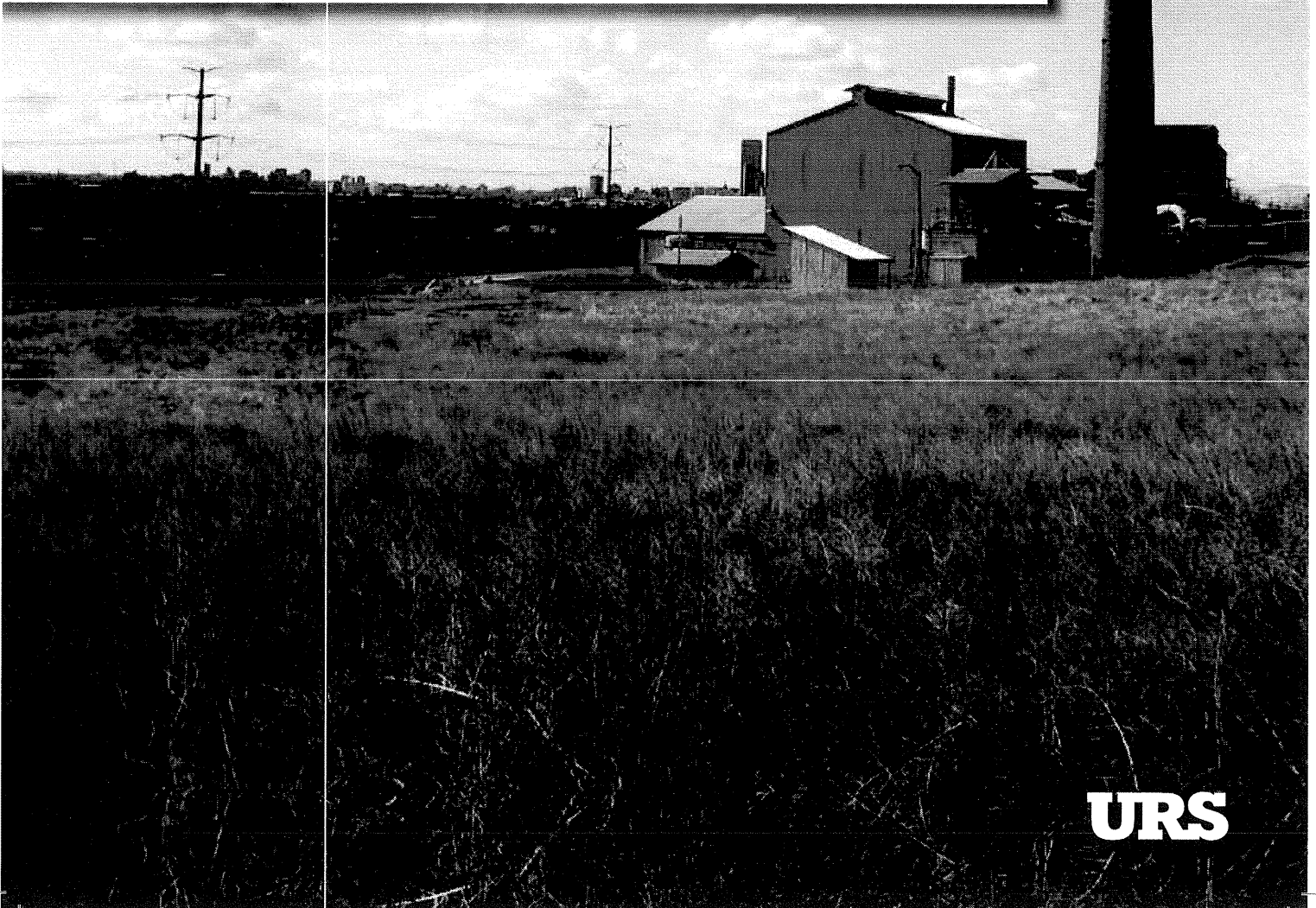


DENVER
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Denver Urban Renewal Authority ASARCO Site Blight Study

October 2008



URS



Denver Urban Renewal Authority
ASARCO Site Blight Study

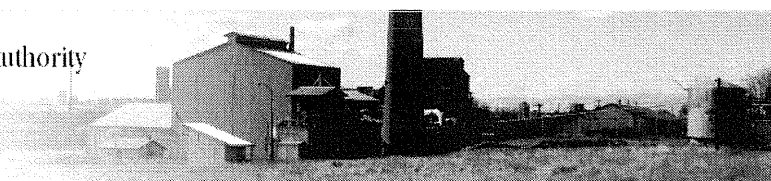


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1.0 Introduction

This report presents the conditions survey analysis and findings for the ASARCO Blight Study (“Study”), which was undertaken by URS for the Denver Urban Renewal Authority (DURA) under an Agreement for Professional Services, dated March 26, 2008. The field work, analysis and report preparation occurred between April and July 2008 by URS; there were no sub-consultants.

1.1 Purpose

The purpose of this Study is to determine whether the ASARCO Study Area (“Study Area”) constitutes a “blighted area” within the meaning of Colorado Urban Renewal Law, and whether the Study Area should be recommended for such urban renewal efforts as the Denver Urban Renewal Authority and the City and County of Denver may deem appropriate to prevent further deterioration and blight.

1.2 Study Area Description

The ASARCO Globe Plant site is located in a mixed industrial, commercial and residential area, known as Globeville, near the South Platte River, in Denver and south Adams Counties. The Study Area is located at the northeast corner of Logan St. and E. 51st Street in northeast Denver, approximately three miles north of Downtown Denver (see Exhibit 1-1 on the following page) and is comprised of nearly 80 acres on three (3) parcels. The southernmost parcel (15.25 acres) lies within the City and County of Denver and the northern two parcels (64.13 acres) are in Adams County.



During their 2007-2008 legislative session, the Colorado General Assembly passed Senate Bill 158, which authorizes an urban renewal authority to include in an urban renewal area, unincorporated territory outside the boundaries of a municipality but contiguous to a portion of the urban renewal area located within the municipality. Such inclusion can only occur with the consent of the board of county commissioners and with the consent of each real property owner within the unincorporated area proposed for inclusion.

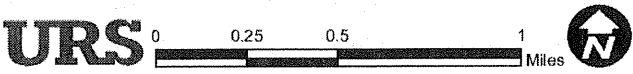
1.3 Colorado Urban Renewal Law

In the Colorado Urban Renewal Law, Colorado Revised Statutes § 31-25-101 et seq. (the “Urban Renewal Law”), the legislature has declared that an area of blight “constitutes a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state in general and municipalities thereof; that the existence of such areas contributes substantially to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blight is a matter of public policy and statewide concern....”. Pursuant to § 31-25-103(2) the term “blighted area” describes an area with an array of urban problems, including health and social deficiencies and physical deterioration. Before remedial action can be taken by a public agency, however, the Urban Renewal Law requires a finding by the appropriate governing body that an area constitutes a blighted area.



Exhibit 1-1: ASARCO Regional Context Map

 ASARCO Site Study Area
 County Boundary



The determination that an area constitutes a blighted area is a cumulative conclusion attributable to the presence of several physical, environmental, and social factors. Indeed, blight is attributable to a multiplicity of conditions, which, in combination, tend to accelerate the phenomenon of deterioration of an area. For purposes of the Study, the definition of a blighted area is premised upon the definition articulated in the Urban Renewal Law, as follows:

“Blighted area” means an area that, in its present condition and use and, by reason of the presence of at least four of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:

- a. Slum, deteriorated, or deteriorating structures;*
- b. Predominance of defective or inadequate street layout;*
- c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- d. Unsanitary or unsafe conditions;*
- e. Deterioration of site or other improvements;*
- f. Unusual topography or inadequate public improvements or utilities;*
- g. Defective or unusual conditions of title rendering the title non-marketable;*
- h. The existence of conditions that endanger life or property by fire and other causes;*
- i. Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities;*
- j. Environmental contamination of buildings or property; or*
- k.5 Inadequate public improvements or utilities.*

Additionally, paragraph (l.) states, “if there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, ‘blighted area’ also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k) of this subsection....”

To be able to use the powers of eminent domain “blighted” means that five of the eleven factors must be present (Colorado Revised Statutes § 31-25-105.5(2)(a)(I)):

- (a) “Blighted area” shall have the same meaning as set forth in section 31-25-103 (2); except that, for purposes of this section only, “blighted area” means an area that, in its present condition and use and, by reason of the presence of at least five of the factors specified in section 31-25-103 (2) (a) to (2) (l), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.*

Several principles have been developed by Colorado courts to guide the determination of whether an area constitutes a blighted area under the Urban Renewal Law. First, the absence of widespread violation of building and health codes does not, by itself, preclude a finding of blight. The definition of “blighted area” contained in the Urban Renewal Law is broad and encompasses not only those areas containing properties so dilapidated as to justify condemnation as nuisances, but also envisions the prevention of deterioration.”

Second, the presence of one well maintained building does not defeat a determination that an area constitutes a blighted area. A determination of blight is based upon an area “taken as a whole,” and not on a building-by-building basis. Third, an authority’s “determination as to whether an area is blighted...is a legislative question and the scope of review by the judiciary is restricted.” A court’s role in reviewing such a blight determination is simply to independently verify if the conclusion is based upon factual evidence and consistent with the statutory definition.

URS was retained by the Denver Urban Renewal Authority to perform an independent survey of the Study Area and to determine if it constitutes a blighted area under the Urban Renewal Law. Based upon the conditions existing in the Study Area, this Study will make a recommendation as to whether the Study Area constitutes a blighted area. The actual determination itself remains the responsibility of the legislative body.

1.4 Study Methodology

An important objective of this Study is to obtain and evaluate data, where possible, on a wide range of physical and non-physical conditions that are present in the Study Area. Data for the Study were collected through a field survey of the Study Area. This Study included the following tasks:

- Task 1: Project Initiation, Data Collection and Mapping
- Task 2: Field Survey, Research and Verification
- Task 3: Documentation and Presentation of Findings

The Study relied on observations made during the field survey as well as analysis of other information gathered as part of the Study. The field survey of the Study Area focused on six of the eleven factors previously defined. These six factors are identifiable through visual observations, without in-depth analysis of environmental conditions, life safety compliance, or building codes. They are further described in Section 2:

- Slum, Deteriorating or Deteriorated Structures
- Defective or Inadequate Street Layout
- Faulty Lot Layout
- Unsanitary or Unsafe Conditions
- Deterioration of Site or Other Improvements
- Unusual Topography or Inadequate Public Improvements or Utilities

Additional research focused on the following factors:

- Environmental contamination of buildings or property
- Existence of conditions that endanger life or property by fire or other causes
- Defective or unusual conditions of title rendering the title nonmarketable

1.5 Site History

The ASARCO Globe Plant (which gave the Globeville neighborhood its name) has been in operation since the late 19th Century. Smelting operations that separated impurities from gold, silver, copper and lead began on the site in 1886. ASARCO was founded in 1899 as the American Smelting And Refining Company by Henry H. Rogers, William Rockefeller, and Adolph and Leonard Lewisohn. In 1901 Meyer Guggenheim and his sons took over the company and converted the Globe Plant to a lead-only production facility.

In 1919, ASARCO changed from producing lead to producing arsenic trioxide for insecticides, medicines and glass. In 1926 the company began cadmium production for protective coating of iron and steel. Most recently, the Globe Plant produced high-purity metal alloys and specialty metals for advanced electronic applications. In 1975 the company officially changed its name to ASARCO Incorporated.

In December 1983, the Colorado Department of Public Health and Environment (CDPHE) sued ASARCO for damages to natural resources using the Environmental Protection Agency's (EPA) Comprehensive Environmental Response, Compensation and Liability Act (Superfund). As a result of this suit, CDPHE and ASARCO entered into an agreement in 1987 to conduct joint studies to determine the extent and nature of the site contamination. The EPA proposed the ASARCO Globe Plant for its National Priorities List on May 10, 1993. The State of Colorado and ASARCO reached a settlement in July 1993 to clean up the site. ASARCO will pay for the site's cleanup. The CDPHE is in charge of administrative and technical oversight. The EPA receives site studies and cleanup plans and will ensure that the work is protective of public health and the environment.

2.0 Project Area Analysis

2.1 Parcels and Buildings Surveyed

The ASARCO Study Area is comprised of nearly 80 acres on three (3) parcels of real property. The southernmost parcel (15.25 acres) lies within the City and County of Denver; however the northern two parcels (64.13 acres) are in Adams County's jurisdiction. Although a significant portion of the site has no physical structures, the team's analysis of the property included both developed and undeveloped areas within the Study Area. Exhibit 3-1 delineates the ASARCO Study Area boundary, County boundaries, and correlates with respective City and County Assessor's parcel data.

2.2 Field Survey Approach

A field survey was conducted during a site visit on April 17, 2008. URS has developed evaluation criteria for six factors described in Urban Renewal Law that can be readily observed through a field survey. These factors are:

- Slum, Deteriorating or Deteriorated Structures
- Defective or Inadequate Street Layout
- Faulty Lot Layout
- Unsanitary or Unsafe Conditions
- Deterioration of Site or Other Improvements
- Unusual Topography or Inadequate Public Improvements or Utilities

The URS survey team made field observations of these factors that are documented in photographs, located on an aerial photograph, and tallied on a survey matrix. These observations are referenced on the photo-reference matrix included as Table 3-1 and the photo-reference map included as Exhibit 3-2. A photograph index is provided as Exhibit 3-3, and each individual photograph is printed in larger format as the Appendix D.

The following factors were not addressed by the field survey:

- Defective or unusual conditions of title rendering title unmarketable
- Conditions that endanger life or property by fire or other causes
- Buildings that are unsafe or unhealthy for persons to live or work because of code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities
- Environmental contamination of buildings or property
- Health, safety, or welfare factors requiring high levels of municipal services or substantial underutilization of sites, buildings, or other improvements

2.3 Additional Research

URS undertook additional research which included review of information provided by others related to environmental contamination, crime statistics, and land use and zoning entitlements. The results of this research are discussed separately including how the observations relate to the following blight factors:

- Environmental contamination of buildings or property
- Existence of conditions that endanger life or property by fire or other causes
- Defective or unusual conditions of title rendering the title nonmarketable

2.4 Blight Factor Evaluation Criteria

Listed below are the evaluation criteria that URS used in the field survey and additional research that was undertaken to evaluate the blight factors.

2.4.1 Deteriorating or Deteriorated Structures

The field survey focused on the general condition and level of deterioration of a building's exterior components, such as:

- Exterior walls
- Visible foundation
- Fascia and soffits
- Gutters and downspouts
- Exterior finishes
- Windows and doors
- Exterior stairways and fire escapes
- Loading dock areas
- Fences, walls, and gates
- Ancillary Structures

The examination of these structural elements was limited to a visual inspection of condition and not a detailed engineering or architectural analysis. The intent of this portion of the field survey was to identify obvious indications of neglect, disrepair and/or deterioration in the exterior of the structures found within the ASARCO Study Area.

2.4.2 Defective or Inadequate Street Layout

The analysis conducted for this blight factor evaluated the effectiveness or adequacy of the streets that surround and/or penetrate the ASARCO Study Area. Evaluation criteria in this section include:

- Poor vehicular access
- Poor internal circulation

- Substandard driveway or curb cut definitions
- Poor parking lot layout

The factor was evaluated in the field survey as well as through examination of maps and aerial photographs.

2.4.3 Faulty Lot Layout

This blight factor required an analysis of the ASARCO Study Area with regards to its accessibility and usefulness as a developable or developed site. Conditions and evaluation criteria within this factor include:

- Faulty lot shape
- Faulty lot layout
- Non-conforming land use
- Inadequate lot size

This factor was analyzed using maps of the ASARCO Study Area and associated real estate parcel data. The ASARCO site consists of three (3) parcels in two counties.

2.4.4 Unsanitary or Unsafe Conditions

The presence of the following conditions can produce an environment that can be unsanitary and unsafe for pedestrians and visitors:

- Poorly lit or unlit areas
- Cracked or uneven surfaces for pedestrians
- Poor drainage
- Insufficient grading or steep slopes
- Presence of trash, debris, or weeds
- Presence of abandoned vehicles
- Presence of vagrants, vandalism, or graffiti

This factor was evaluated in the field survey.

2.4.5 Deterioration of Site or Other Improvements

This factor focuses on conditions that indicate the lack of general maintenance of a structure, site, or through the presence of these evaluation criteria, an environment that reduces the site's usefulness and desirability.

- Presence of billboards

- Deterioration of signage
- Neglected properties
- Unscreened trash or mechanical equipment
- Parking surface deterioration
- Site maintenance problems
- Lack of landscaping

This factor was evaluated in the field survey.

2.4.6 Unusual Topography or Inadequate Public Improvements or Utilities

This section identifies key deficiencies in the off-site public infrastructure system serving the Study Area, including:

- Unusual topography
- Deterioration of street pavement
- Deterioration of curb and gutter
- Insufficient street lighting
- Presence of overhead utilities
- Lack of sidewalks

This factor was evaluated in the field survey.

2.4.7 Environmental Contamination of Buildings or Property

- Documented environmental contamination of the site or buildings

This factor was evaluated through additional research.

2.4.8 Existence of Conditions That Endanger Life or Property by Fire or Other Causes

- High crime rates including arson
- History of fire or flooding that endangers life or property

This factor was evaluated through additional research.

2.4.9 Defective or Unusual Conditions of Title Rendering the Title Nonmarketable

- Defects in title rendering the title nonmarketable
- Unusual conditions of title rendering the title nonmarketable

This factor was evaluated through additional research.

2.5 Results of the Field Survey

The overall findings of the field survey are presented in this section. Table 2-1 on the following page tabulates the results of the field survey of the Study Area. Figure 2-1, below, is one example of a physical condition found in the ASARCO Study Area that contributes to the findings of blight.

Figure 2-1: Deteriorated Wall



A deteriorated wall, one of many physical conditions leading to blight, is seen here on one of the 50-plus buildings on the ASARCO Site.

Table 2-1: Field Survey Conditions Observed

DENVER URBAN RENEWAL AUTHORITY ASARCO SITE BLIGHT STUDY Field Survey Matrix		
SLUM, DETERIORATED OR DETERIORATING STRUCTURES	Deteriorated External Walls	•
	Deteriorated Visible Foundation	•
	Deteriorated Fascia/Soffits	•
	Deteriorated Gutters/Downspouts	•
	Deteriorated Exterior Finishes	•
	Deteriorated Windows and Doors	•
	Deteriorated Stairways/Fire Escapes	•
	Deteriorated Loading Dock Areas	•
	Deteriorated Fences/Walls/Gates	•
	Deteriorated Ancillary Structures	•
DEFECTIVE OR INADEQUATE STREET LAYOUT	Poor Vehicle Access	•
	Poor Internal Circulation	
	Substandard Driveway Definition/Curbcuts	
	Poor Parking Lot Layout	
FAULTY LOT LAYOUT	Faulty Lot Shape	
	Faulty Lot Layout	•
	Non-Conforming Land Use	
	Inadequate Lot Size	
UNSANITARY OR UNSAFE CONDITIONS	Poorly Lit or Unlit Areas	
	Cracked or Uneven Surfaces for Pedestrians	•
	Poor Drainage	•
	Insufficient Grading/Steep Slopes	•
	Trash/Debris/Weeds	•
	Abandoned Vehicles	
	Vagrants/Vandalism/Graffiti	•
DETERIORATION OF SITE OR OTHER IMPROVEMENTS	Presence of Billboards	
	Deterioration of Signage	•
	Neglected Properties	•
	Unscreened Trash/Mechanical	•
	Parking Surface Deterioration	•
	Site Maintenance Problems	•
	Lack of Landscaping	•
UNUSUAL TOPOGRAPHY OR INADEQUATE PUBLIC IMPROVEMENTS OR UTILITIES	Deterioration of Street Pavement	•
	Deterioration of Curb and Gutter	
	Insufficient Street Lighting	
	Presence of Overhead Utilities	•
	Lack of Sidewalks	
TOTAL COUNT		25

• - Indicates condition observed

2.5.1 Slum, Deteriorating or Deteriorated Structures

The majority of the structures within the ASARCO Study Area show signs of deterioration, and many display signs of poor maintenance, deterioration, and/or damage. These deteriorated building components include damaged or broken windows and doors, visible weathering of exterior finishes, damage and deterioration of loading dock areas, crumbling and cracked building fascia, visual weathering and deterioration of parapets and soffits, damage and deterioration of fences and gates, and deterioration of ancillary structures. Of the six factors evaluated, deterioration of structures was the most prevalent.

2.5.2 Defective or Inadequate Street Layout

The majority of the Study Area shows adequate automobile access and circulation. The ASARCO Study Area includes a small number of internal surface parking areas, each with sufficient access and adequate internal circulation. Because of the unique use of this property as a private facility, most of the typical traffic-related issues simply do not exist. There are no public streets within the site, nor does traffic generally circulate throughout the site. It should be noted however that because the site is fenced off to the general public, external traffic is not permitted to freely access the site. This constitutes an observation of poor vehicular access, blocked on the west by railroad and on the south boundary by a single gate.

2.5.3 Faulty Lot Layout

Within the ASARCO Study Area, there are instances where the layout of the lots results in buildings spanning two or more lots/parcels. The team identified six (6) structures bisected by parcel lines. Although multiple jurisdictions does not constitute faulty lot layout, the team notes this as a possible constraint.

2.5.4 Unsanitary or Unsafe Conditions

Most of the instances of unsanitary or unsafe conditions in the ASARCO Study Area are in the form of weeds, debris, and the presence of steep slopes. There are areas within the Study Area where cracked and uneven pedestrian surfaces are prevalent. The team also recorded multiple instances where poor drainage was evident.

2.5.5 Deterioration of Site or Other Improvements

There are several identified examples of deterioration of site or other improvements. There are multiple examples of deterioration of signage, neglected properties, unscreened trash and mechanical equipment, and site maintenance problems. There is a general lack of landscaping throughout the ASARCO Study Area.

2.5.6 Unusual Topography or Inadequate Public Improvements or Utilities

Examples of deteriorating street pavement and the presence of overhead utilities are found in significant portions of the ASARCO Study Area. Again, because the use of this site was solely private, the public improvements evaluated in this factor were not necessary for daily operations and simply did not exist.

2.6 Other Factors Determined through Research

2.6.1 Environmental Contamination of Buildings or Property

The team did not conduct any inspections or make observations of environmental contamination of the site.

However, the survey team did review available documentation from the EPA and the CDPHE regarding clean-up efforts (the *ASARCO Globe Plant Superfund Site December 2007 Update*) which is included as Appendix C. The conclusions in that report, regarding current status, as of December, 2007, included the following statement:

A shortage of funding from the ASARCO National Trust is currently inhibiting remedial progress, including the completion of the Former Neutralization Pond and the sampling and remediation of commercial and industrial properties.

Therefore, it can be concluded that environmental contamination of the site as documented in this report support a finding of blight. The reader is referred to this report for more information. URS makes no other findings or conclusions regarding environmental contamination on the site.

2.6.2 Crime Statistics

According to the 2007 Denver Statistical Neighborhood Crime Report, the Globeville Neighborhood exhibited a decrease in total reported offenses from 2006 to 2007. The most frequently reported crime was larceny in 2007. Significant offenses of burglary, drug abuse, criminal mischief, aggravated assault, and auto theft were reported. Higher densities of crimes were reported closer to Interstate 25, west of the ASARCO Study Area. Summary analysis was not available for 2007; however the 2006 Denver Statistical Neighborhood Crime Report rated Globeville no. 7 in crimes per 1,000 residents with 148.2 crimes per 1,000 residents. Neighboring Five Points ranked no. 2 in crimes per 1,000 residents with 230.3 per 1,000.

High crime rates are often conditions indicative of or leading to blight. However, within the scope of this Study, there was insufficient information to support a finding of blight due to *the existence of conditions that endanger life or property by fire and other causes.*

2.6.3 Land Use and Zoning Entitlements

The ASARCO site spans two jurisdictions, as previously mentioned. The northern portion of the Study Area lies within unincorporated Adams County. The southern portion of the Study Area lies within the City and County of Denver. This presents itself as a possible concern when processing entitlements. Depending on the differences in the jurisdictions' processing procedures of entitlements such as annexation, platting, and development plans, this may prove difficult for future applicants.

However, this situation can be remedied, and therefore does not support a finding of blight due to *defective or unusual conditions of title rendering the title non-marketable.*

3.0 Summary of Findings and Conclusions

3.1 Findings

All six of the physical factors that were surveyed (as described in Section 2.2) were observed in the Study Area. In support of these observations, 25 different conditions (out of a total possible 37) were documented in photographs and maps and are listed below:

Field Survey:

- Deteriorated External Walls
- Deteriorated Visible Foundation
- Deteriorated Fascia/Soffits
- Deteriorated Gutters/Downspouts
- Deteriorated Exterior Finishes
- Deteriorated Windows and Doors
- Deteriorated Stairways/Fire Escapes
- Deteriorated Fences/Walls/Gates
- Deteriorated Loading Dock Areas
- Deteriorated Ancillary Structures
- Faulty Lot Layout
- Poor Vehicular Access
- Cracked or Uneven Surfaces for Pedestrians
- Poor Drainage
- Insufficient Grading/Steep Slopes
- Trash/Debris/Weeds
- Vagrants/Vandalism/Graffiti
- Deterioration of Signage
- Neglected Properties
- Unscreened Trash/Mechanical
- Parking Surface Deterioration
- Site Maintenance Problems
- Lack of Landscaping
- Deterioration of Street Pavement
- Presence of Overhead Utilities

Other Research:

- Environmental contamination of buildings and property - This is due to incomplete environmental clean-up (based on the *ASARCO Globe Plant Superfund Site December 2007 Update* – see Appendix C)
- Entitlements - Site spans multiple jurisdictions
- Crime Statistics - High crime rates in the area

3.2 Conclusions

It is the conclusion of the ASARCO Site Blight Study (“Study”) that the Study Area, in its present condition and use, is a blighted area as defined by Colorado Urban Renewal Law, Colorado Revised Statutes § 31-25-101 et seq. (the “Urban Renewal Law”). By reason of the presence of factors identified in the Urban Renewal Law and as documented in this report, the Study Area substantially impairs or

arrests the sound growth of the City and County of Denver and Adams County, retards the provision of housing accommodations, constitutes an economic or social liability, and is a menace to the public health, safety, morals and welfare.

While some properties in the Study Area are in standard or sound condition, deteriorated and substandard conditions are prevalent throughout the Study Area. It should be noted that this conclusion is for the Study Area as a whole and is not based on separate individual properties.

Per Urban Renewal Law, conditions in the Study Area constitute at least four of the factors indicative of a blighted area. As described in this report, the following seven factors were observed or are documented to be present in the Study Area:

- Slum, Deteriorating, or Deteriorated Structures.
- Defective or Inadequate Street Layout.
- Faulty Lot Layout.
- Unsanitary or Unsafe Conditions:
- Deterioration of Site or Other Improvements:
- Unusual Topography or Inadequate Public Improvements or Utilities
- Environmental Contamination of Buildings or Property

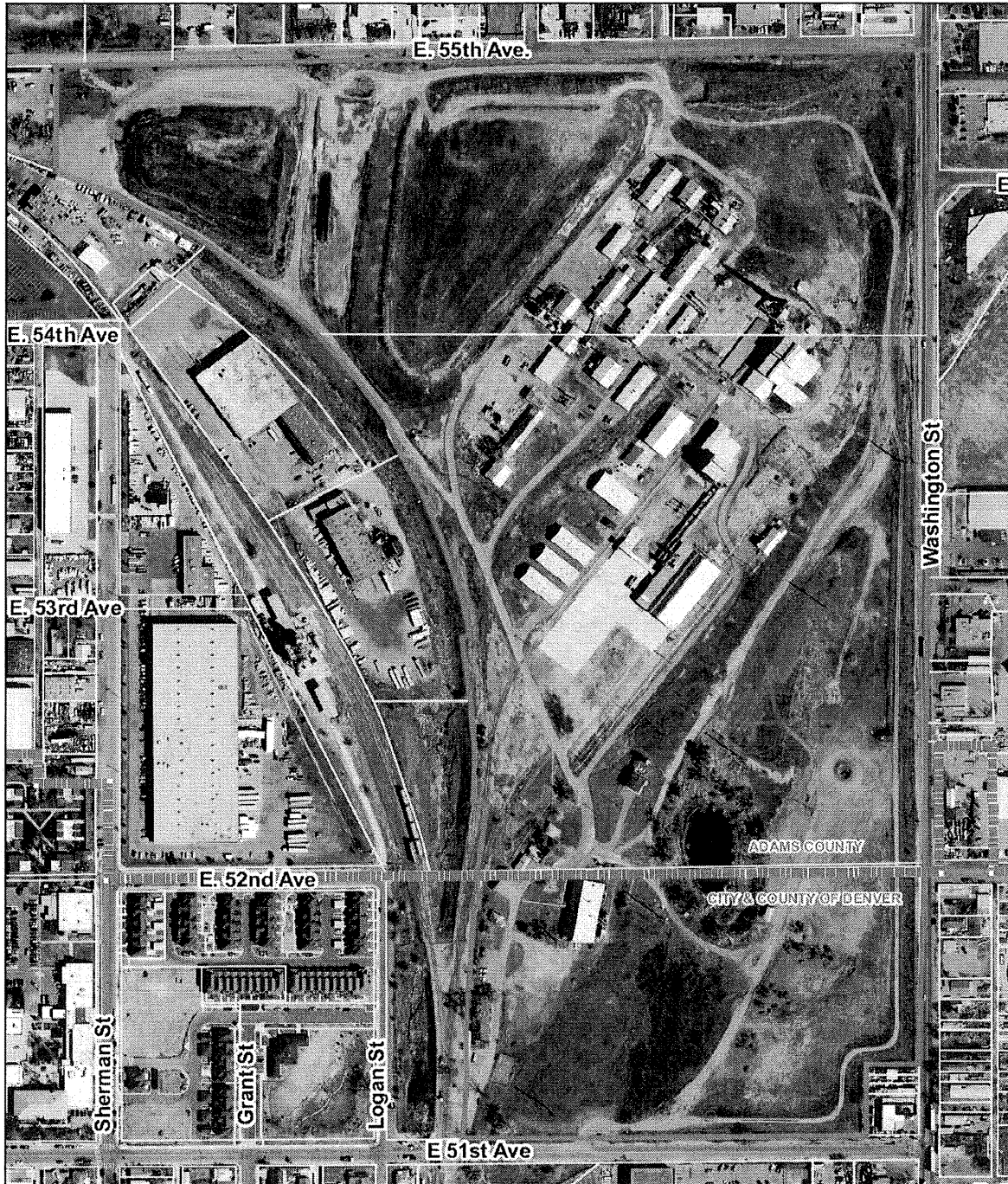





Exhibit 3-1: ASARCO Study Area and Parcel Map

 ASARCO Site Study Area
 County Boundary

URS 0 150 300 600 Feet 

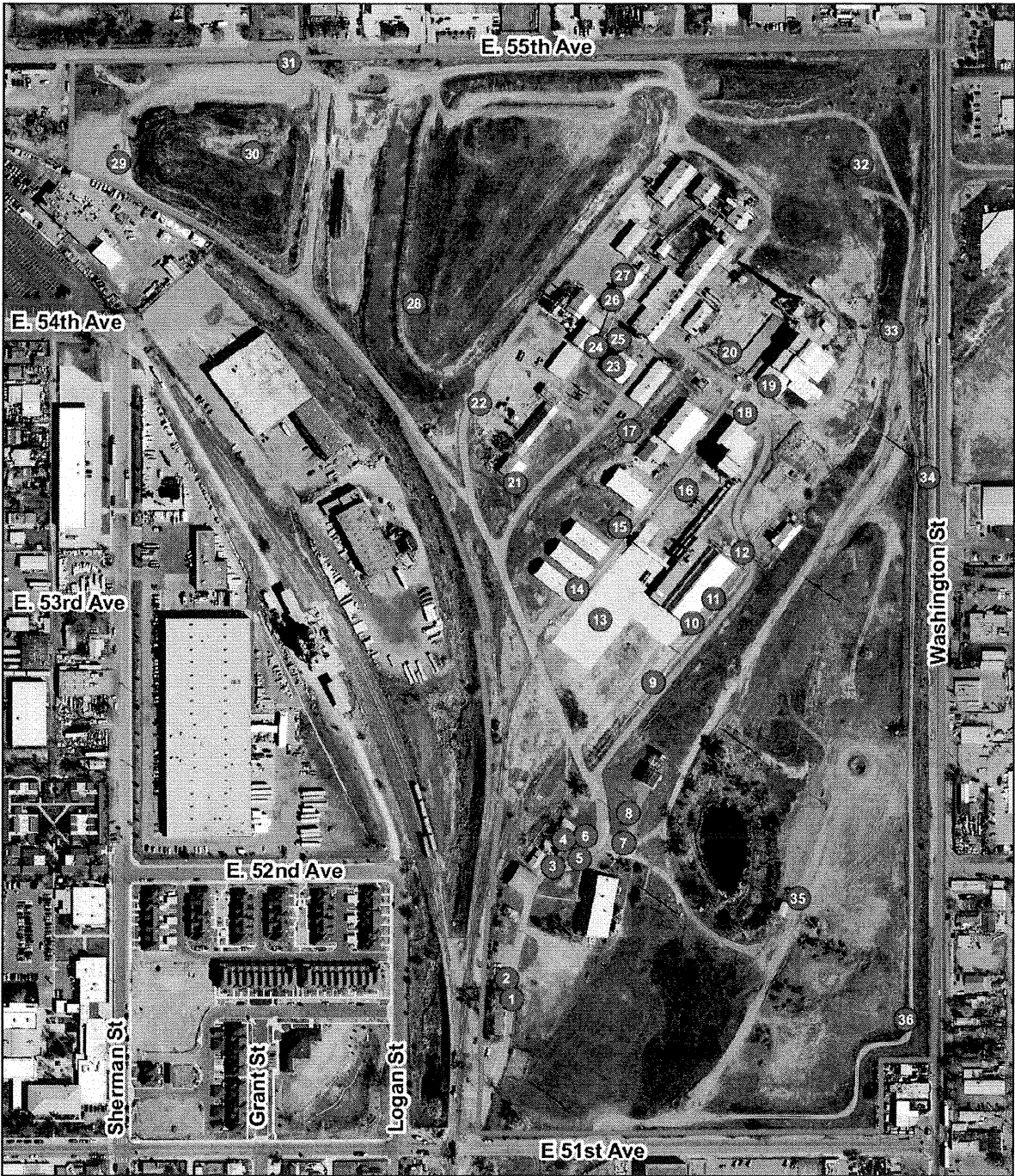




Exhibit 3-2: Photograph Location Map

-  ASARCO Site Study Area
-  Photograph Reference Number

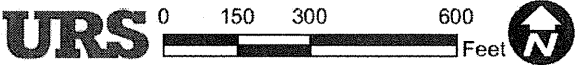
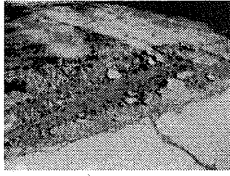


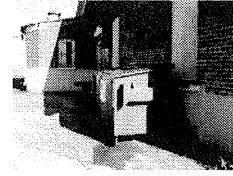
Exhibit 3-3 Photograph Index:



1_Deteriorated Parking Surface.JPG



2_Uneven Pedestrian Surface.JPG



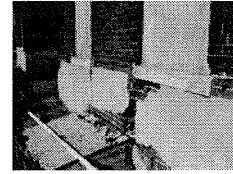
3_Unscreened Trash.JPG



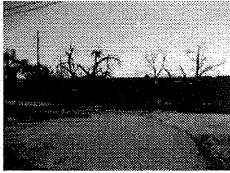
4_Deteriorated Fascia_Soffits.jpg



5_Deteriorated Walls.JPG



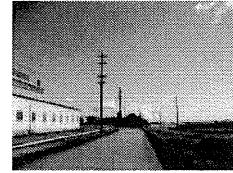
6_Deteriorated External Walls.JPG



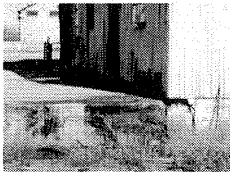
7_Deteriorated Street Pavement.JPG



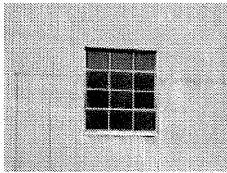
8_Overhead Utilities_1.JPG



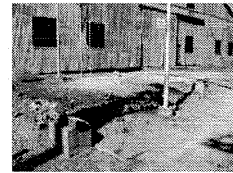
9_Overhead Utilities_3.JPG



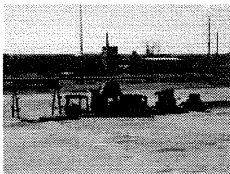
10_Deteriorated Structure.JPG



11_Deteriorated Windows.JPG



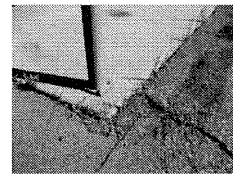
12_Deteriorated Loading.JPG



13_Trash_Debris.JPG



14_Deteriorated Signage.JPG



15_Weeds.JPG



16_Deteriorated Wall.JPG

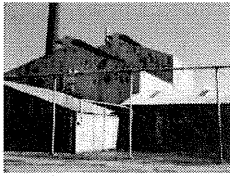


17_Overhead Utilities_5.JPG

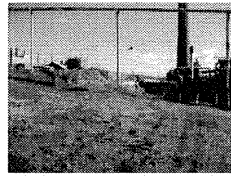


18_Poor Drainage.JPG

Exhibit 3-3: Photograph Index (continued)



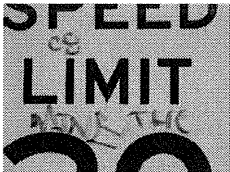
19_Deteriorated Exterior.JPG



20_Steep Slope.JPG



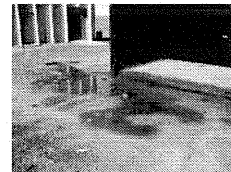
21_Neglected Property.JPG



22_Graffiti.JPG



23_Deteriorated Structure_Fascia.JPG



24_Poor Drainage.JPG



25_Overhead Utilities_4.JPG



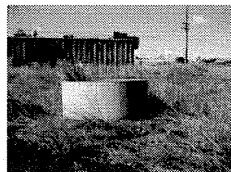
26_Deteriorated Stairs.JPG



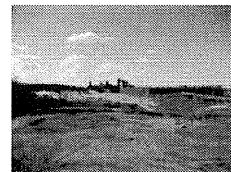
27_Deteriorated Loading Area.JPG



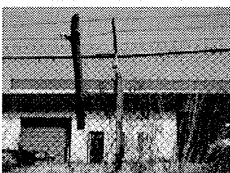
28_Steep Slope.jpg



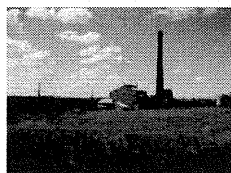
29_Weeds.jpg



30_Steep Slopes.JPG



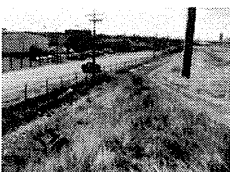
31_Deteriorated Fence.jpg



32_Weeds.jpg



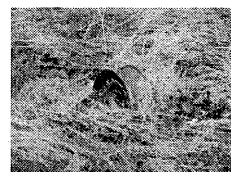
33_Poor Drainage.jpg



34_Steep slope.jpg



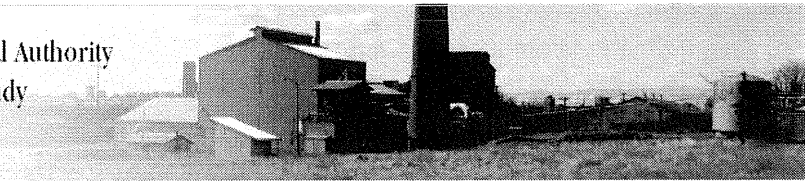
35_overhead utility.JPG



36_trash_debris.jpg



Denver Urban Renewal Authority ASARCO Site Blight Study



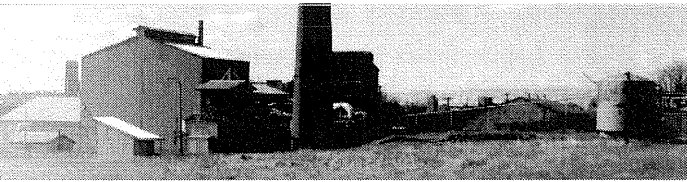
Appendix A – Sources Consulted

Documents and Websites:

1. State of Colorado Statutes for Downtown Development Authorities, 31-25-801, 31-25-807 (http://www.state.co.us/gov_dir/leg_dir/olls/colorado_revised_statutes.htm).
2. Denver Public Safety Crime Statistics (<http://www.denvergov.org/police>)
3. City and County of Denver Assessor Parcel Info, 2008.
4. Adams County Assessor Parcel Info, 2008.
5. Colorado Municipal League Statehouse Report, February 22, 2008, Page 1.
6. Environmental Protection Agency, Region 8 (<http://www.epa.gov/region8/sf/co/asarco/Update.2007.AsarcoGlobe.pdf>)
7. Colorado Department of Public Health & Environment (<http://www.cdphe.state.co.us/hm/rpglobe.htm>)



Denver Urban Renewal Authority ASARCO Site Blight Study



Appendix B – Contacts

City and County of Denver – Denver Urban Renewal Authority

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ASARCO

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Denver Urban Renewal Authority
ASARCO Site Blight Study



Appendix C – ASARCO Globe Plant Superfund Site December 2007 Update

Colorado Department of Public Health & Environment (<http://www.cdphe.state.co.us/hm/rpglobe.htm>)

December 2007 Update

ASARCO, Globe Plant Superfund Site

Denver, Colorado
(Review Date 6/30/04)

***H**ighlights Since the 2004 Five-Year Review*

- **Environmental Covenant Implemented January 2005**
- **Asarco files for bankruptcy August 2005**
- **EPA completed Placement of VB/I-70 Community Soils September 2006**

Brief Site History: The Asarco Globe Plant is located at 495 East 51st Avenue, Denver, Colorado. Its 78 acres lie along the western edge of the South Platte River floodplain, 2.7 miles upstream from the confluence with Clear Creek. The plant includes 53 current and former manufacturing and support buildings used for production, offices and wastewater treatment. Refining operations began in 1886 as the Holden Smelter which produced gold and silver. Asarco bought the facility in 1901 and converted the plant to lead smelting. In 1919 the facility switched to the production of arsenic trioxide and then in 1926 to cadmium production which continued until 1993. The plant also produced indium in 1944 and, during the 1950's, litharge, test lead, bismuth oxide and thallium along with small quantities of high purity metals such as antimony, copper and tellurium. The Colorado Department of Public Health and Environment (CDPHE) found the plant to be out of compliance with the Colorado Solid Waste Disposal Sites and Facilities Act in 1980 and 1981. Subsequent to CDPHE inspections, EPA listed the plant on the open dump inventory for 1981 under RCRA Section 4000 criteria and installed three groundwater monitoring wells.

Cleanup Activities Completed:

- Design for the Former Neutralization Pond is 90% complete.
- Terrace drain installed to intercept contaminated groundwater.
- Medical Monitoring Program examined 1,500 residents.
- Approximately 700 residential properties surrounding Globe Plant remediated in Fall of 2002.

Current Status: A shortage of funding from the Asarco National Trust is currently inhibiting remedial progress, including the completion of the Former Neutralization Pond and the sampling and remediation of commercial and industrial

properties. ASARCO has signed a sales agreement with a developer for the Globe Plant. The developer would complete the environmental cleanup and redevelop the property. The developer is completing its evaluation to determine if they will be able to complete the property purchase. Although the site was proposed for National Priorities List inclusion in May 1993, it was not listed.

Summary of Protectiveness:

All immediate threats at the site have been addressed and the remedy is expected to be protective of human health and the environment after all components are completed as proposed. Long term protectiveness of the remedial action will be verified through annual monitoring after completion of the remedy. The only portion of the remedy that impacts current protectiveness is the sampling and remediation of commercial and industrial properties.

Issues Impacting Protectiveness: A few issues that do not immediately impact the protectiveness of the remedy were noted. The following table summarizes the status of the follow-up actions addressing these issues.

**ASARCO, Globe Plant Superfund Site
Five-Year Review Update Table
(Review Date 6/30/04)**

Issue	Recommendations/ Follow-up	Follow-up Actions (Status/ Due Date)	Status of Follow-up Actions 12/07	Resp. Party
1) Completion of OU for the Former Neutralization Pond (FNP).	Make funding available to implement the remedy.	ASAP	On hold	ASARCO
2) Continued groundwater monitoring	Make funding available to implement the remedy.	Until the Maximum Contaminant Levels (MCL) are met.	On-going.	ASARCO
3) Continue operation of the Waste Water Treatment Plant (WWTP)	Fund operational cost of WWTP including disposal of sludge into the FNP or off-site.	Until the MCLs are met.	On-going.	ASARCO
4) Completion of the Final Medical Monitoring Report	Report final set of biomonitoring data. Obtain final analysis of trends and statistics.	2004	Report completed November 2004.	CDPHE

Issue	Recommendations/ Follow-up	Follow-up Actions (Status/ Due Date)	Status of Follow-up Actions 12/07	Resp. Party
5) Sampling and remediation of commercial and industrial properties.	Begin sampling of properties not yet sampled and remediate those that exceed limits.	September 2004	On-going.	ASARCO
6) Enforcement of institutional controls	Implement an environmental covenant	ASAP	Completed January 2005.	ASARCO /State
7) Continue placement of community soils on plant.	Consent Decree between ASARCO, EPA and State will assure continued placement of VB/I70 soils on plant site, compaction, grading and re-vegetation of those soils.	2005	Completed September, 2006.	ASARCO /EPA
8) Establishment and maintenance of a vegetative cover	The same consent decree will assure establishment of a vegetative cover to control erosion and windblown soils.	2005	Completed October, 2006	EPA

URS

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