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Decision Document



Air-to-Ground Gunnery Range  
Munitions Response Site

Passage Key Air-to-Ground Gunnery Range  
Manatee County, Florida

Formerly Used Defense Site Project Number: I04FL040101

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United States Army Corps of Engineers  
Jacksonville District  
701 San Marco Boulevard  
Jacksonville, Florida 32207

September 2019



## EXECUTIVE SUMMARY

The United States Army Corps of Engineers prepared this Decision Document to describe the Department of Defense selected alternative for the Air-to-Ground Gunnery Range Munitions Response Site at the Passage Key Air-to-Ground Gunnery Range Formerly Used Defense Site, Project Number I04FL040101, located in Manatee County, Florida.

As a result of the Remedial Investigation findings, the Passage Key site was divided into two Munitions Response Sites based on the potential for human receptors to come into contact with munitions and explosives of concern. The two resulting Munitions Response Sites are the Air-to-Ground Gunnery Range (649 acres, which was the area investigated during the Remedial Investigation) and Remaining Waters (12,498.72 acres). This Decision Document presents the selected alternative for the Air-to-Ground Gunnery Range. The selected remedy for the Remaining Waters is addressed in a separate Decision Document.

There are no unacceptable risks or hazards to human or ecological receptors from munitions constituents. Additionally, while a small number of munitions may remain based on the Remedial Investigation findings, access to the munitions is limited because the items are underwater and buried in sediment under normal site conditions. This limited access provides only an intermittent potential for encountering munitions and therefore results in acceptable site conditions. However, following major storm events, the potential for encountering munitions may increase to occasional because items may be exposed temporarily. This may pose an unacceptable risk to explosive hazards to receptors if there is not a remedy in place at the Air-to-Ground Gunnery Range. Accordingly, the following alternatives were considered:

- No Action;
- Land Use Controls;
- Limited Surface and Subsurface Clearance; and
- Complete Surface and Subsurface Clearance.

The Land Use Controls Alternative (which is, providing educational flyers and signage as needed; incorporating information on the National Oceanic and Atmospheric Administration nautical chart and/or a Notice to Mariners through the United States Coast Guard to indicate a potential hazard for munitions; updating the Community Relations Plans the appropriate selected alternative for the Air-to-Ground Gunnery Range to protect human health and the environment. This alternative was selected in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 United States Code § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 Code of Federal Regulations Part 300. The selected remedy will remain in place until a determination is made that the alternative is no longer necessary.

The Florida Department of Environmental Protection, the regulatory agency for the site, the United States Fish and Wildlife Service, the property manager, and Manatee County concur with Land Use Controls as the selected alternative.

Based on the results of the Remedial Investigation/Feasibility Study and the information currently available, the selected alternative is protective of human health and the environment and satisfies the statutory requirements of the Comprehensive Environmental Response, Compensation, and Liability Act.

The estimated present worth of capital and annual cost of this remedy is \$248,000.

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## PART 1: DECLARATION

### 1. SITE NAME AND LOCATION

**Site Name:** Passage Key Air-to-Ground Gunnery Range, Air-to-Ground Gunnery Range Munitions Response Site (hereafter referred to as Air-to-Ground Gunnery Range)

**Formerly Used Defense Site Project Number:** I04FL040101

The Passage Key Formerly Used Defense Site is located near Anna Maria Island in Manatee County, Florida. The site is situated at the entrance to Tampa Bay from the Gulf of Mexico and includes 13,147.72 acres. **Map 1**, included at the end of this Part 1, shows the former Passage Key location and includes an inset showing the location within the State of Florida.

The area that was the focus of the Remedial Investigation/Feasibility Study includes approximately 649 acres and consists of the former air-to-ground gunnery range target area and bombing range and associated safety buffer. The Remedial Investigation/Feasibility Study Investigation Area, which is the Air-to-Ground Gunnery Range Munitions Response Site, includes the area used in conjunction with the range as the bombing and strafing target where munitions use has been confirmed based on the Remedial Investigation findings.

The remaining 12,498.72 acres of the original Passage Key Air-to-Ground Gunnery Range Munitions Response Site are now in the Remaining Waters Munitions Response Site, which is addressed in a separate Decision Document.

The Department of the Interior owns Passage Key, and the United States Fish and Wildlife Service manages it as the Passage Key National Wildlife Refuge. The public accesses the water surrounding Passage Key for recreational and commercial boating and fishing.

### 2. STATEMENT OF BASIS AND PURPOSE

The U.S. Army is the lead agency on behalf of the Department of Defense, and the United States Army Corps of Engineers (USACE) has mission execution authority for the Formerly Used Defense Site (FUDS) Program.

This Decision Document presents the Selected Remedy for the Air-to-Ground Gunnery Range within the Passage Key Air-to-Ground Gunnery Range Formerly Used Defense Site in Manatee County, Florida. The Selected Remedy was chosen in accordance with the Comprehensive Environmental Response, Compensation and Liability Act, 42 United States Code § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, and the National Oil and Hazardous Substances Pollution Contingency Plan. The United States Army Corps of Engineers based this decision on the Administrative Record file for this site.

The Florida Department of Environmental Protection, the regulatory agency for the site, the

United States Fish and Wildlife Service, the property manager, and Manatee County concur with the Selected Remedy.

### **3. ASSESSMENT OF THE SITE**

The response action selected in this Decision Document is necessary to protect public health and welfare and the environment from potential risks associated with the munitions that may be present near Passage Key on the sea floor in the water surrounding the barrier island.

### **4. DESCRIPTION OF SELECTED REMEDY**

Because of the occasional likelihood to encounter munitions following major storm events and given the current and future land use scenarios, the Land Use Control (public awareness program Alternative is the appropriate selected remedy to reduce the potential to encounter munitions. This remedy includes the following actions.

- Provide educational flyers and signage as needed for the United States Fish and Wildlife Service to distribute and make available which provide information regarding potential munitions and the appropriate response if suspected munitions are encountered.
- Incorporate a note on the National Oceanic and Atmospheric Administration nautical chart and/or a Notice to Mariners through the United States Coast Guard to indicate a potential hazard for munitions.
- Update the Community Relations Plan.

Since there is potential for human receptors to come into contact with munitions, if present, a complete exposure pathway is possible. Risk would not be managed by source removal but, instead, through controls to limit an exposure pathway (i.e., limiting interaction). The public awareness program would address the appropriate response if munitions are encountered but cannot completely control behavior.

This alternative provides a reduction in the potential for humans to come into contact with munitions and, therefore, meets the Remedial Action Objective and the protectiveness criterion.

### **5. STATUTORY DETERMINATIONS**

The United States Army Corps of Engineers, as the lead agency, has determined that, based on the information currently available, the selected remedy of Land Use Controls (consisting of a public awareness program) is protective of human health and the environment and satisfies the statutory requirements of Comprehensive Environmental Response, Compensation and Liability Act §121. The Public Awareness Program will protect human health and the environment by educating site users of the possible dangers associated with the area. Public Education will provide information for landowner and land users to respond appropriately if

suspected munitions are found.

The Selected Remedy is protective of human health and the environment. In addition, the remedy is cost-effective and utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable. There is also a statutory preference for treatment as a principal element of the remedy, and although the education program does not include a treatment process, this remedy reduces the potential hazards to human health, welfare, and the environment.

The Selected Remedy will result in hazardous substances, pollutants or contaminants (i.e., munitions) remaining on-site above levels that allow unlimited use and unrestricted exposure; in accordance with 40 Code of Federal Regulations 300.430(f)(4) ii) a statutory review will be conducted every five years after initiation of the selected remedy to ensure that the remedy remains protective of human health and the environment.

## **6. AUTHORIZING SIGNATURES**

This Decision Document presents the Land Use Control (public awareness Alternative as the remedy for the Air-to-Ground Gunnery Range Munitions Response Site. The United States Army Corps of Engineers is the lead agency for the Passage Key Formerly Used Defense Site and developed this Decision Document in accordance with the Comprehensive Environmental Response, Compensation and Liability Act, as amended by the Superfund Amendments and Reauthorization Act, and the National Oil and Hazardous Substances Pollution Contingency Plan. This Decision Document, along with the Decision Document for the Remaining Waters, will be incorporated into the existing Administrative Record file, which is available for public review at the Island Branch Library located at 5701 Marina Drive, Holmes Beach, Florida and at the United States Army Corps of Engineers' Jacksonville District office. The addition of the Decision Documents completes the Administrative Record for the Passage Key Air-to-Ground Gunnery Range. The Administrative Record is protected from additional documents being added.

This document, presenting the Land Use Control (public awareness) selected remedy for the Air-to-Ground Gunnery Range is approved by the undersigned, pursuant to Memorandum, CEMP-CED (200-1a), August 10, 2019, subject: Re-delegation of Assignment of Mission Execution Functions Associated with Department of Defense Lead Agent Responsibilities for the Formerly Used Defense Sites Program and delegation on September 17, 2019, to the Director of Regional Business of FUDS mission execution responsibility for assigned projects, including approval authority on decision documents for FUDS response action up to \$5 million.

Decision Document  
Air-to-Ground Gunnery Range Munitions Response Site  
Passage Key Air-to-Ground Gunnery Range  
Manatee County, Florida  
Formerly Used Defense Site Project No. I04FL040101

APPROVED:

Digitally signed by  
BROWN,THEODORE A.1229740136  
Date: 2019.09.29 16:44:30 -04'00'  
**THEODORE A. BROWN, P.E., SES**  
Director of Regional Business

**29 September 2019**  
Date

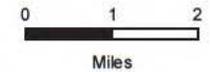
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**Map 1**  
**Site Location**

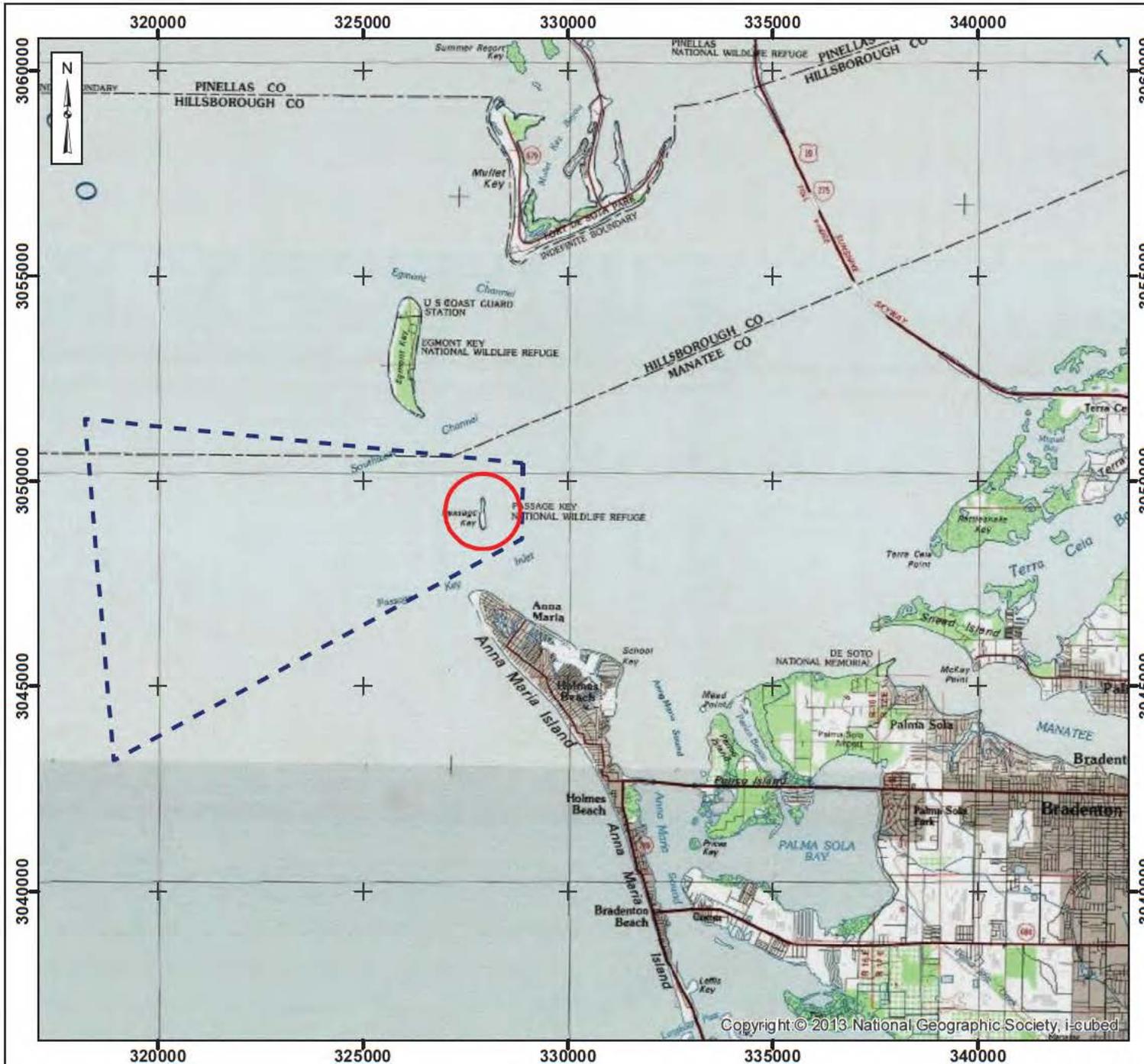
**Legend**

-  Air-to-Ground Gunnery Range  
 Munitions Response Site  
 (Remedial Investigation / Feasibility  
 Study Investigation Area)
-  Remaining Water Munitions  
 Response Site  
 (Historical Range Safety Fan)



Data Source: ESRI, ArcGIS Online,  
 USGS Topo Map

Coordinate System: UTM, Zone 17N  
 Datum: NAD 83  
 Units: Meters



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## **PART 2: DECISION SUMMARY**

### **1. SITE NAME, LOCATION, AND BRIEF DESCRIPTION**

Passage Key, which is only accessible by boat, is a meandering barrier island surrounded by waters of the Gulf of Mexico and Tampa Bay. The former Passage Key Air-to-Ground Gunnery Range, which includes the key and surrounding waters, is located approximately 1 mile north of Anna Maria Island, 1.35 miles south of Egmont Key, and 10 miles northwest of downtown Bradenton in Manatee County, Florida (refer to **Map 1**, included at the end of Part 1). The former Passage Key Air-to-Ground Gunnery Range is comprised of two Munitions Response Sites: the 649-acre Air-to-Ground Gunnery Range, which includes the former air-to-ground gunnery range and bombing target area that is addressed in this Decision Document, and the remaining 12,498.72 acres of range safety buffer that is now in the Remaining Waters Munitions Response Site that is addressed in a separate Decision Document.

The Department of the Interior owns Passage Key, and the United States Fish and Wildlife Service manages it as the Passage Key National Wildlife Refuge. The key serves as an important resting and nesting area for sea birds. Due to erosion and shifting sands, the key is now much smaller than it was in the 1940s and has changed in location and shape over time (refer to **Map 2**, included at the end of Part 2). Because of its small size and importance to wildlife, Passage Key is closed to all public use. While there are signs noting access is prohibited, there are no fences to restrict access, and the public routinely uses the key and surrounding waters for swimming, boating and fishing. The current use of Passage Key as a National Wildlife Refuge is expected to remain the same in the future.

### **2. SITE HISTORY AND ENFORCEMENT ACTIVITIES**

#### **2.1 SITE HISTORY**

Prior to military use, the Department of the Interior owned and managed Passage Key as one of the first national wildlife refuges. In 1943, the War Department acquired a permit to use the key and surrounding waters as a ground strafing and dive bombing range. The Army used the site until October 1945.

The former Passage Key Air-to-Ground Gunnery Range extended from Tampa Bay west into the Gulf of Mexico and comprised approximately 13,148 acres, most of which constituted the safety buffer. This acreage included Passage Key, which was an approximately 36-acre island in the early 1940s, and the surrounding waters. Munitions use at the range during training was focused within the target area and included practice and photoflash bombs, practice rockets, and small arms ammunition. High explosive bombs, rockets, and 37-millimeter rounds may have also occasionally been used. The War Department relinquished the permit for Passage Key in March 1946, which returned Passage Key back to the Department of the Interior.

## 2.2 PREVIOUS INVESTIGATIONS

The United States Army Corps of Engineers completed a series of studies at the site, including the following:

- 1993 Inventory Project Report (Initial)
- 2000 Inventory Project Report (Supplemental)
- 2002 Archives Search Report
- 2008 Site Inspection Report
- 2018 Remedial Investigation/Feasibility Study Report
- 2019 Revised Inventory Project Report

Evidence of practice and photoflash bombs, and possibly one high explosive bomb, practice and possibly high explosive rockets, and a 37-millimeter projectile have been observed at the Air-to-Ground Gunnery Range in the past based on information presented in these studies. Explosive hazards associated with practice munitions and photoflash bombs are significantly less than high explosive munitions, but they can potentially present an explosive hazard. When found, the munitions were removed to eliminate potential hazards. A brief description of each study/investigation follows.

The *1993 Inventory Project Report*, prepared in (and dated) September 1993, identified Passage Key as a practice bombing and gunnery range and determined the site was formerly used by the Department of Defense. As such, it is eligible for the Defense Environmental Restoration Program – Formerly Used Defense Sites.

The *2000 Inventory Project Report* reviewed the initial 1993 report, concluded further ordnance and explosive investigation was warranted after the finding of four unexploded ordnance items at the site in 1998, and recommended an engineering evaluation/cost analysis.

The United States Army Corps of Engineers prepared the *2002 Archives Search Report* in August 2002. The Archives Search Report included an evaluation of historical records, interviews with individuals associated or familiar with the site, and a site visit. This report is the source of most of the historical information pertaining to site activities.

The *2008 Site Inspection Report* identified one Munitions Response Site as requiring further investigation based on the study findings. No indications of munitions or munitions debris were observed during the field work. Based on past discoveries of munitions and munitions debris, a Remedial Investigation was recommended for the Air-to-Ground Gunnery Range.

The *2018 Remedial Investigation/Feasibility Study Report* was prepared to document the Remedial Investigation findings and to develop and evaluate remedial alternatives in the Feasibility Study. The report provides a comprehensive description of the site history, the details of the field

activities and findings, the associated hazard and risk evaluations and their conclusions, and the alternatives developed and evaluated.

The *2019 Revised Inventory Project Report* documents the delineation of the Passage Key Air-to-Ground Gunnery Range Munitions Response Site into two Munitions Response Sites based on the Remedial Investigation findings. These two Munitions Response Sites are: Air-to-Ground Gunnery Range and Remaining Waters.

### **2.3 ENFORCEMENT ACTIVITIES**

There have been no enforcement activities at this site.

## **3. COMMUNITY PARTICIPATION**

In accordance with the Comprehensive Environmental Response, Compensation and Liability Act, and Department of Defense and United States Army regulations, the United States Army Corps of Engineers has kept the local community involved throughout the investigative process. The United States Army Corps of Engineers facilitated community involvement through public notices and meetings, which allowed members of the community to provide comments during the site characterization and alternative selection process.

The United States Army Corps of Engineers prepared a Community Relations Plan for the former Passage Key Air-to-Ground Gunnery Range site at the beginning of the Remedial Investigation and revised it periodically, including after preparing the Proposed Plan. It will be revised again after the Decision Document is signed.

Prior to the Remedial Investigation fieldwork, the Information Repository was established at the United States Army Corps of Engineers' Jacksonville District office and at the Island Branch Library in Holmes Beach. The Administrative Record file currently contains the Community Relations Plan, Inventory Project Reports (original and revised), Site Inspection Report, Remedial Investigation Work Plan, Remedial Investigation/Feasibility Study Report, and Proposed Plan. Project documents were also placed on the Jacksonville District's website.

Representatives from the Florida Department of Environmental Protection, United States Fish and Wildlife Service, and Manatee County participated in the environmental investigation process through Technical Project Planning meetings and reviewing and commenting on project plans and reports.

The United States Army Corps of Engineers ran a notice in a local newspaper of general circulation at the beginning of the Remedial Investigation (January 7, 2015) to announce the Remedial Investigation, solicit interest in a restoration advisory board, and notify the public of the availability of the Administrative Record file and the location of the Information Repository. On November 14, 2018, the United States Army Corps of Engineers placed another notice in a local

newspaper of general circulation to announce the Proposed Plan public meeting and public comment period.

The United States Army Corps of Engineers hosted a public meeting on November 29, 2018, at The Center of Anna Maria Island in Anna Maria, Florida to present the Remedial Investigation findings, the Proposed Plan, and to solicit public comment. The United States Army Corps of Engineers notified the Florida Department of Environmental Protection about the meeting and provided a copy of the Proposed Plan prior to the meeting; representatives acknowledged concurrence with the Preferred Alternative but chose not to attend the meeting. Representatives from Manatee County and the public did attend. The United States Army Corps of Engineers placed the Proposed Plan and Proposed Plan fact sheet on the United States Army Corps of Engineers' website prior to the public meeting, and they were also placed in the Information Repositories.

The public comment period for the Proposed Plan was held from November 29, 2018, to December 31, 2018. The United States Army Corps of Engineers did not receive any comments from the public during the comment period.

#### **4. SCOPE AND ROLE OF THE RESPONSE ACTION**

The overall remedial strategy for the former Passage Key Air-to-Ground Gunnery Range Munitions Response Site reflects the stakeholders' and regulator's interest in managing the risk and protecting the public from potential explosive hazards. For sites with a lower potential for encountering munitions, such as at the Air-to-Ground Gunnery Range Munitions Response Site, risk management is often accomplished through a combination of Land Used Controls, such as signage, digging restrictions, and public awareness.

Once a Selected Remedy has been approved for the Air-to-Ground Gunnery Range Munitions Response Site that is determined to be protective of human health and the environment, minimizes explosive safety hazards, and satisfies the statutory requirements of Comprehensive Environmental Response, Compensation and Liability Act §121 with regard to the former Department of Defense use of the site, the United States Army Corps of Engineers will develop a remedial design/response action plan that details how the Selected Remedy will be conducted. Following the completion of the remedial design/response action plan, the remedial action will be implemented.

The final selected remedy described in this Decision Document was agreed upon by the United States Army Corps of Engineers, Florida Department of Environmental Protection, United States Fish and Wildlife Service, and Manatee County, and it represents a cost-effective remedy for the Air-to-Ground Gunnery Range Munitions Response Site. The remedial action offers a suitable balance of threshold factors, balancing factors, and modifying factors. The remedial action for the site will be implemented under the authority of the United States Army Corps of Engineers.

## 5. SITE CHARACTERISTICS

The following sections provide an overview of the site features, sampling strategies, and potential munitions contamination at the site.

### 5.1 SITE OVERVIEW

Passage Key is a meandering barrier island located at the entrance of Tampa Bay. Although once much larger, the key today consists of a small sand bar with limited vegetation. The water immediately surrounding the sand bar is very shallow, with depths of just one to two feet. Due to erosion/deposition and shifting sands, the key has changed in location and shape over time see **Map 2**. The Formerly Used Defense Site boundary, which is comprised of approximately 170.5 acres, includes the historical (early 1940s) location of Passage Key and the surrounding waters. The historical air-to-ground gunnery range and bombing target area (5.7 acres) is located within the Formerly Used Defense Site boundary. The area that was the focus of the Remedial Investigation/Feasibility Study, which is now the Air-to-Ground Gunnery Range Munitions Response Site, includes approximately 649 acres and consists of the former air-to-ground gunnery range and bombing target area and bombing target safety buffer. This area includes the Formerly Used Defense Site boundary, as well as the other locations where Passage Key migrated over time. The Passage Key Air-to-Ground Gunnery Range Formerly Used Defense Site, which is comprised of 13,147.72 acres and extends from Tampa Bay west into the Gulf of Mexico, includes the Air-to-Ground Gunnery Range Munitions Response Site and the surrounding water area associated with the former air-to-ground gunnery range safety fan (i.e., Remaining Waters Munitions Response Site that is addressed in a separate Decision Document).

#### 5.1.1 HUMAN RECEPTORS

Potential human receptors include agency personnel, contractors/visitors (e.g., conducting natural resource surveys and/or studies), trespassers and/or recreational users (i.e., fishing, boating, swimming).

#### 5.1.2 ECOLOGICAL RECEPTORS

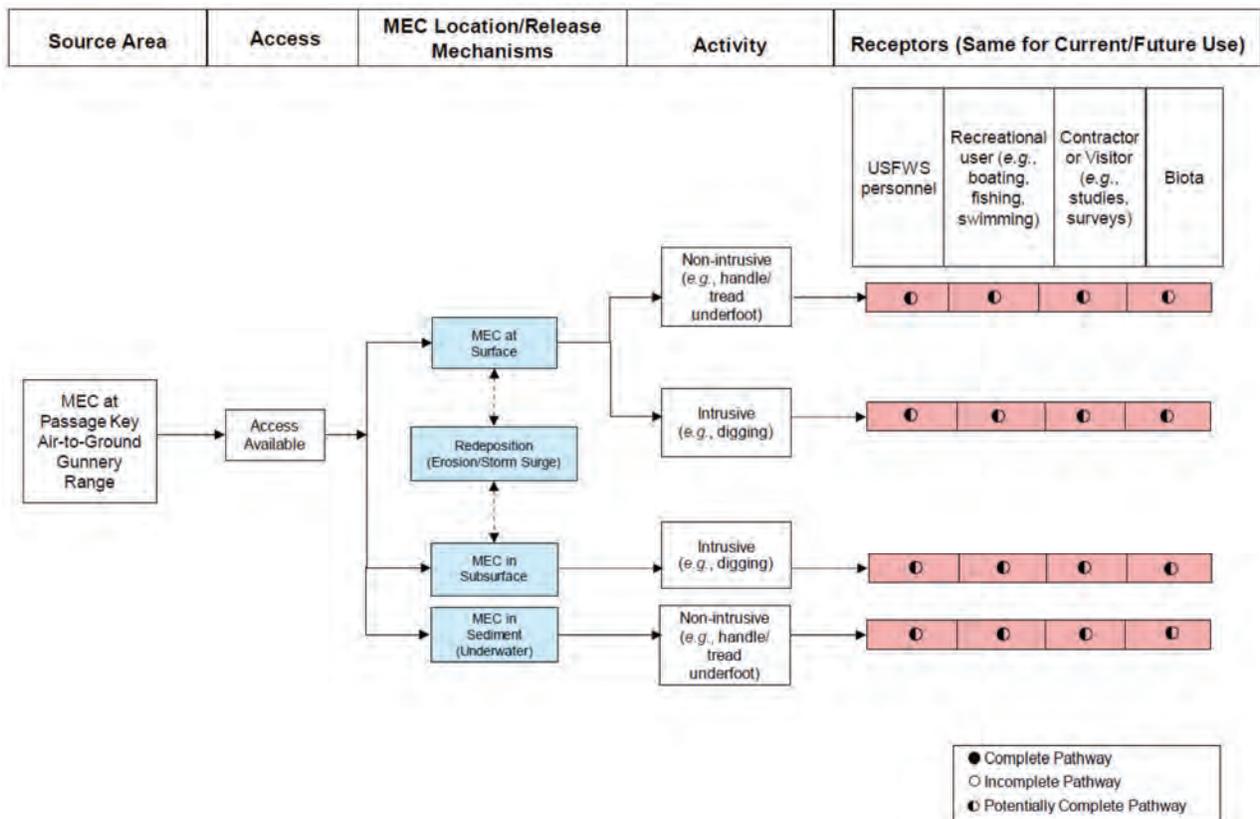
Several species of flora and fauna considered to be federally, and/or state, threatened or endangered are known to be present within Manatee County, Florida. There are eight federally-listed species, as well as state-listed species, known to exist near Passage Key. While these species may periodically visit or transit the site depending on the time of year, there are no known threatened and endangered species that permanently use the site. There are no documented fresh water wetlands that exist within the project area.

#### 5.1.3 CONCEPTUAL SITE MODEL

The conceptual site model was refined following the Remedial Investigation to incorporate the investigation findings, and further refined during the development and evaluation of alternatives as

part of the Feasibility Study. Exposure pathways for munitions in the surface and subsurface were considered potentially complete because, historically, munitions have been found on the surface and in the subsurface and there is an occasional likelihood of encountering munitions following major storm events based on the investigation findings. The revised Remedial Investigation exposure pathway analysis figure from the Remedial Investigation/Feasibility Study report is presented in Figure 5-1. Due to the lack of a munitions constituent source area, exposure pathways are considered incomplete for all receptors in all environmental media.

**Figure 5-1: Munitions Conceptual Site Exposure Model**



## 5.2 SAMPLING STRATEGY

The area that was the focus of the Remedial Investigation included approximately 649 acres and consisted of the former strafing and bombing target and the surrounding bombing range safety buffer. The purpose of the Remedial Investigation was to search for potential munitions and, then, determine the nature (i.e., type) and extent (i.e., how much and where) of munitions to better understand the potential hazards and risks associated with the site’s former use as a strafing and bombing range. The Remedial Investigation was conducted for marine and land (i.e., sand bar) areas, as well as in the near-shore areas associated with the Passage Key Air-to-Ground Gunnery Range Formerly Used Defense Site. Digital and analog geophysical data were collected along linear paths in the water and on land, and within grids in the water, to determine the type, density

and distribution of munitions see **Map 3**, included at the end of Part 2, for the anomaly density data). The marine investigations included approximately 10.65 acres (or 13.4 miles) of linear paths and 5.02 acres of grids. A total of 212 anomaly locations were investigated in the water. For the land-based and near-shore investigation, approximately 0.63 acres (or 1 mile) of linear paths were surveyed and a total of 20 anomaly locations were investigated.

Unexploded ordnance, munitions debris, expended small arms ammunition, and scrap metal not related to munitions were observed at the site. The munitions debris and expended small arms ammunition, which do not present an explosive hazard, and the munitions found confirmed historical use and the types of munitions used. All of the unexploded ordnance and the majority of the munitions debris were found in an area designated as Target Area 1 see **Map 4**, included at the end of Part 2, for the dig results). Items found in the water included unexploded ordnance (4 items), munitions debris (21 items documented as safe), small arms ammunition (25 expended items), and scrap metal (79 items). Items found on land and in the shallow near-shore area adjacent to the key included scrap metal (20 items). The munitions items found in the water were identified as a fuzed 37-millimeter projectile, a 4.5-inch aerial rocket, and two bomb burster/fuzes from 100-pound photoflash bombs. They were found at depths ranging from 6 to 36 inches below the sediment surface in water approximately 5 to 15 feet deep. The 4.5-inch aerial rocket could not be confirmed as practice and was treated as a high explosive rocket. The majority of munitions debris recovered during the Remedial Investigation was from aerial rockets, photoflash bombs, and practice bombs. In total, approximately 4,108 pounds of munitions debris and scrap metal were removed from the water and land/near-shore areas investigated.

### 5.3 CONSTITUENTS OF CONCERN

Based on the Remedial Investigation findings, no known contaminants or constituents of concern were identified at the former Passage Key Air-to-Ground Gunnery Range. Due to the dynamic coastal environment at the site and lack of a concentrated source of munitions, sampling for munitions constituents was not performed. Since there is no concentrated source of munitions and no known contaminants of concern, there are no unacceptable risks or hazards to human or ecological receptors from munitions constituents.

### 5.4 MUNITIONS CONTAMINATION

Based on the Remedial Investigation findings, a small number of munitions may remain at the site. Under normal site conditions, access to the munitions is limited since the items are underwater and buried in sediment. However, given the site's location in a dynamic coastal area, there is a potential for munitions to be exposed due to storms. To address this, a qualitative evaluation of unacceptable risk was performed based on the Remedial Investigation findings. Considerations included the types of munitions found at the site, their relative low sensitivity for detonation, the limited quantity found that is consistent with the short historical use of the site (for only a few years during World War II), the inaccessibility of munitions found underwater and in the sediment during

normal site conditions and following major storm events, as well as the frequency of use of the area (i.e., Target Area 1) by receptors. Based on the qualitative evaluation, under normal site conditions, the limited access provides an intermittent potential for encountering munitions and results in acceptable site conditions. However, following major storm events, the likelihood of encountering munitions may increase to occasional and the risk of explosive hazards to receptors was determined to be unacceptable without implementation of remedial alternatives to reduce the frequency of encounter, as presented and discussed in the Feasibility Study.

## **6. CURRENT AND POTENTIAL FUTURE LAND AND RESOURCE USES**

### **6.1 LAND USES**

Because of its small size and importance to wildlife, Passage Key is closed to all public use. Although the island is small, it provides an important resting and nesting area for birds and remains under the United States Fish and Wildlife Service jurisdictional control as the Passage Key National Wildlife Refuge. Public access is technically restricted at the site, but there are limited signs and no barriers to prevent access to the key or the surrounding waters. As such, the key and surrounding water are routinely used by the public for swimming, boating, and fishing. Future land use is expected to remain the same.

### **6.2 SURFACE WATER USE**

Surface water bodies surround the land area associated with the site. These include the Gulf of Mexico and Tampa Bay. Boaters use the area surrounding Passage Key for recreation. The site is located within the Tampa Bay estuary system and is within a coastal zone management area. The site is not part of or adjacent to a National Marine Sanctuary, National Estuarine Reserve, or a National Marine Fisheries Service protected or management area. However, as noted above, Passage Key is managed as a National Wildlife Refuge. There is no drinking water source at the Passage Key Air-to-Ground Gunnery Range.

## **7. SUMMARY OF SITE RISKS**

There is no unacceptable risk to human health or the environment attributable to the Army's training during World War II from munitions constituents and an occasional likelihood of encountering munitions following major storm events based on the findings of the Remedial Investigation and previous studies. Human health and ecological risk assessments were not needed because there is no concentrated source of munitions, and therefore, no munitions constituents source area. Exposure pathways are considered incomplete for all receptors in all environmental media. For the Feasibility Study, alternatives were developed and evaluated based on the potential impacts to people and the environment from exposure to munitions. A munitions hazard assessment and qualitative evaluation were used to aid in the development, evaluation, and selection of appropriate response alternatives. The potentially exposed population includes all those who pass through, work in, or visit the area.

## **8. REMEDIAL ACTION OBJECTIVES**

The overall remedial action objective is to reduce the unacceptable risk due to the presence of practice, photoflash and high explosive bombs and practice and high explosive aerial rockets within the former bombing and gunnery range target area to a depth of 4 feet below the sediment surface to address exposure to people and the environment by direct contact such that an acceptable risk level is achieved. More specifically, the following remedial action objectives were developed for the former Passage Key Air-to-Ground Gunnery Range:

- Reduce human exposure and interaction with potential munitions such that negligible risk to human receptors can be demonstrated. This remedial action objective applies to current and anticipated future use for recreation (boating, fishing) within the boundaries of Target Area 1 to a depth of 4 feet below the sediment surface.
- Control the specific exposure pathways for munitions identified within the investigation area, including contact by humans on the sediment surface and subsurface. The majority of site activities are recreational in nature, with intrusive activities limited to depths no greater than one foot below the sediment surface.
- Implement safety and institutional procedures that allow for current land use of the site to continue and are protective for the reasonably anticipated future use (which is the same as the current use).

## **9. DESCRIPTION OF ALTERNATIVES**

Four alternatives were developed for potential implementation at the former Passage Key Air-to-Ground Gunnery Range based on the results of the Remedial Investigation. They are listed below and detailed in the sections that follow.

- Alternative 1: No Action
- Alternative 2: Land Use Controls
- Alternative 3: Limited Surface and Subsurface Clearance
- Alternative 4: Complete Surface and Subsurface Clearance

## 9.1 DESCRIPTION OF ALTERNATIVES

### **Alternative 1: No Action**

- No remedy implemented to reduce the potential safety hazards posed by munitions and explosives concern.
- Assumes continued use of the site in its current condition.

The “No Action” alternative involves no active response by the United States Army Corps of Engineers to locate, remove, dispose, or limit the exposure to any potential munitions that may remain at the site. While the United States Army Corps of Engineers would not provide additional public awareness or education concerning the potential explosive hazards at the site, no changes to the existing conditions or United State Fish and Wildlife Service restrictions already in place, would occur.



**Figure 1: Existing Passage Key Informational Sign at Anna Maria Island**

### **Alternative 2: Land Use Controls**

- Provide educational flyers for the United States Fish and Wildlife Service to distribute and make available which provide information regarding potential munitions and the appropriate response if suspected munitions are encountered. Signs may also be placed providing information about the World War II historical use and noting that munitions may remain at Passage Key and the surrounding waters from those training activities could be placed at the public park on Anna Maria Island where there is existing information regarding the key (see **Figure 1**), or at local boat ramps where public access is available.
- Incorporating a note on the National Oceanic and Atmospheric Administration chart and/or a Notice to Mariners through the United States Coast Guard to indicate a potential hazard for munitions.
- Update the Community Relations Plan.

### **Alternative 3: Limited Surface and Subsurface Clearance**

- Searching for and removing munitions on the surface and beneath the sediment surface in the high anomaly density area (i.e., Target Area 1 identified in the Remedial Investigation [198.5 acres], which includes portions of the sand bar) using accepted technology.
- Destruction of recovered unexploded ordnance, if any.
- Inspection and certification of munitions debris for shipment off-site s material documented as safe.

- Implementation of an education program (see Alternative 2).

**Alternative 4: Complete Surface and Subsurface Clearance**

- Searching for and removing munitions on the surface and beneath the sediment surface over 100 percent of the area that was the focus of the Remedial Investigation (649 acres) using accepted technology.
- Destruction of recovered, if any, unexploded ordnance.
- Inspection and certification of munitions debris for shipment off-site s material documented as safe.
- Following this work, the potential risk of encountering munitions would be negligible, so land use controls would not be necessary.

**9.2 COMMON ELEMENTS AND DISTINGUISHING FEATURES OF EACH ALTERNATIVE**

Seven criteria and two additional modifying criteria (nine total) were used to evaluate the four remedial alternatives individually and against each other to select a Preferred Alternative. The Preferred Alternative was selected based on which alternative was found to be most suitable to address the site’s potential hazards. The nine criteria evaluated fall into three groups: threshold criteria, primary balancing criteria and modifying criteria.

- *Threshold criteria* are requirements that must be met in order for an alternative to be eligible for selection.
- *Primary balancing criteria* are used to weigh major trade-offs among alternatives.
- *Modifying criteria* are considered to the extent that information is available but cannot be fully evaluated until after public comment period for the Proposed Plan has concluded.

The following sections evaluate the relative performance of each alternative against the nine criteria, noting how the alternative compares to the other options under consideration. The nine evaluation criteria are discussed below and are listed in **Table 1**, Evaluation Criterial for Remedial Alternatives. The detailed analysis of alternatives can be found in the Remedial Investigation/Feasibility Study report.

**Table 1: Evaluation Criteria for Remedial Alternatives**

<b>Threshold Criteria</b>	Overall Protection of People and the Environment
	Compliance with Applicable or Relevant and Appropriate Requirements
<b>Primary Balancing Criteria</b>	Long-term Effectiveness and Permanence
	Reduction of Toxicity, Mobility, or Volume through Treatment
	Short-term Effectiveness
	Implementability
	Cost

<b>Modifying Criteria</b>	State Acceptance
	Community Acceptance

- **Overall Protection of People and the Environment** determines whether an alternative eliminates, reduces, or controls potential threats to people and the environment through institutional or engineering controls, or treatment.
- **Compliance with Applicable or Relevant and Appropriate Requirements** evaluates whether the alternative meets cleanup levels, standards of control, or other requirements found in Federal and State environmental statutes, regulations, and other requirements that have been determined to apply or are relevant and appropriate to the site and action, or whether a waiver is justified.
- **Long-term Effectiveness and Permanence** considers the ability of an alternative to maintain protection of people and the environment over time.
- **Reduction of Toxicity, Mobility, or Volume through Treatment** evaluates an alternative's use of treatment to reduce the harmful effects of principal contaminants, their ability to move in the environment, and the amount of contamination present.
- **Short-term Effectiveness** considers the length of time needed to implement an alternative and the risks the alternative poses to workers and the environment during implementation.
- **Implementability** considers the technical and administrative feasibility of implementing the alternative, including factors such as the relative availability of goods and services.
- **Cost** includes estimated capital and annual operations and maintenance costs, as well as present worth cost. Present worth cost is the total cost of an alternative over time in terms of today's dollar value. Cost estimates are expected to be accurate within a range of +50 to -30 percent.
- **State and Community Acceptance** may be considered to the extent that information is available during the Feasibility Study but cannot be fully considered until after the public comment period. In the final balancing of trade-offs among alternatives on which the final remedy selection is based, modifying criteria are of equal importance to the balancing criteria.

### 9.3 EXPECTED OUTCOMES OF EACH ALTERNATIVE

**Alternative 1 – No Action:** This alternative does not reduce potential current and future munitions exposure hazards, if present. The National Contingency Plan requires the No Action alternative to be evaluated and it simply means that a remedial action will not be implemented. No restrictions or limitations would be placed on land use and no costs are associated with this alternative, since there would be no action.

**Alternative 2 – Land Use Controls:** This alternative consists of various land use control components to manage risk to site users through education (i.e., a public awareness program) and other means (e.g., signage). A public awareness program would focus on providing information on the areas potentially containing the munitions hazards and the appropriate response if suspected munitions are encountered, with an emphasis on making the information available to site users.

Informational materials minimize or reduce interaction with munitions hazards by increasing awareness of site users to the potential presence of munitions, and by providing guidance on how to avoid and report munitions if encountered i.e., the Department of Defense policy referred to as the “3Rs” – Recognize, Retreat, and Report). Other examples include educational flyers that would be prepared for United States Fish and Wildlife Service to distribute and notes that can be added to the National Oceanic and Atmospheric Administration chart and/or a Notice to Mariners through the United States Coast Guard to indicate a potential hazard for munitions. The Community Relations Plan, which includes a revised project summary, updated fact sheets, stakeholder lists, media contacts, and information on the community, would also be updated. Though not part of the remedy, five-year reviews would be required for Alternative 2 to monitor and ensure that the remedy remains protective of human health and the environment.

**Alternative 3 – Limited Surface and Subsurface Clearance:** This alternative uses a combination of activities to achieve a reduction in the munitions hazards and minimize receptor interaction with munitions at the site. The activities consist of geophysics and intrusive investigations (munitions removal) in the high anomaly density area (i.e., Target Area 1 identified in the Remedial Investigation [198.5 acres], which includes portions of the sand bar) to a depth of four feet below sediment surface.

Detection and identification of anomalies attributable to munitions are conducted by digital geophysical mapping in the marine environment and analog surveys (mag and dig techniques) used only in the sand bar area. Geophysical data would be processed, and anomalies selected will be based on previous data collected at these site, standardized instrument response curves, geophysical prove-out data, and other data specific to the munitions being targeted.

The objective of the munition’s removal is to identify and remove munitions on the ground surface and in the subsurface to a maximum depth of four feet below sediment surface. The depth of typical intrusive activities at Passage Key is shallower than the maximum depth that unexploded ordnance and munitions debris were found during the intrusive investigations. For this reason, the maximum depth of munitions removal should be the same as the maximum depth that munitions were found, in this case 36 inches. Locations to be reacquired and excavated would be based on anomalies from the geophysical data for the marine environment and on areas that are flagged using analog instruments within the sand bar area. Munitions, if encountered, that are acceptable to move could be moved to a nearby designated area for demolition or destroyed in place if possible. All munitions debris would be inspected, certified as safe, containerized, and shipped to an offsite smelter for destruction.

A Public Awareness Program, similar to that described under Alternative 2, would provide additional protection by providing information to the public concerning munitions hazards at the site. In addition, notices would be published, and meetings held to inform nearby residents around Anna Maria Island of munitions removal activities and to help plan for evacuations, if needed. It is

estimated that one meeting would be held prior to the removal work and one at the end of the field investigation. Reports, fact sheets, and other information would also be placed in the information repository and website. Though not part of the remedy, five-year reviews would be required to monitor and ensure the remedy remains protective of human health and the environment.

**Alternative 4 – Complete Surface and Subsurface Clearance:** This alternative uses a combination of activities to achieve a reduction in the MEC hazards and minimizes receptor interaction with munitions at the site. The activities consist of geophysics and intrusive investigations (munitions removal) as described in Alternative 3; however, this alternative would cover 100 percent of the area that was the focus of the Remedial Investigation to a depth of four feet below sediment surface. This alternative would achieve unlimited use/unlimited exposure at the site.

## 10. COMPARATIVE ANALYSIS OF ALTERNATIVES

The four alternatives presented in Section 9, which were initially screened for effectiveness, cost and implementability, were carried forward for detailed analysis. Based on the analysis of the four alternatives, the following conclusions were made for the Air-to-Ground Gunnery Range. A summary of the alternative evaluation is provided in **Table 2**, Detailed Analysis of Alternatives.

The *No Action alternative (Alternative 1)* does not protect of human health since it does not mitigate the potential risk associated with possible munitions. Alternative 1 is not effective in the short or long-term because no actions would be taken to reduce potential contact with munitions nor does this alternative include an action that will result in a permanent solution for the site. Alternative 1 is readily implementable since it requires no actions and has no associated costs.

The *Land Use Controls alternative (Alternative 2)* protects people and the environment but requires more action and is more expensive to implement than Alternative 1. Although this alternative would not remove potential munitions from the site, it would increase awareness to the potential explosives hazards at the site and limit the potential for people to encounter munitions that may remain at the site. This alternative does not address ecological receptors; however, the explosive hazard to ecological receptors is considered minimal. Alternative 2 is also less disruptive to the environment than Alternatives 3 or 4 since no activities would be required at Passage Key. Alternative 2 is more cost-effective and easier to implement than the surface and subsurface clearance alternatives (Alternative 3 and 4).

The *Limited Surface and Subsurface Clearance alternative (Alternative 3)* is protective of people and has greater long-term effectiveness than Alternatives 1 and 2. There is moderate short-term explosive hazards associated with the removal of munitions while implementing the Alternative. There are also potential marine environmental impacts associated with Alternative 3 if avoidance and/or mitigation measures are not used, which makes it less implementable than either

Alternatives 1 or 2. Alternative 3 is substantially more costly than Alternatives 1 and 2 but less costly than Alternative 4.

The *Complete Surface and Subsurface Clearance alternative (Alternative 4)* provides protectiveness of people by removing any munitions, if present, but it also has significant environmental impacts if mitigation measures are not used. Alternative 4 has the most long-term effectiveness of all the alternatives but has the most short-term risks from potential explosive hazards associated with the removal of munitions (if present). Alternative 4 is the least implementable of the four alternatives because of the potential environment impacts that will require more mitigation measures. It is also significantly more costly than the other three alternatives.

Further details regarding the evaluation of alternatives is provided in the Remedial Investigation/Feasibility Study report.

**Table 2: Detailed Analysis of Alternatives**

Alternative	Threshold Criteria		Primary Balancing Criteria				
	Overall Protection	Complies with ARARs	Reduction of Mobility, Volume, or Toxicity of MEC based on Treatment	Short-term Effectiveness	Long-term Effectiveness	Implementability	Capital and Annual Costs
<b>Alternative 1: No Action</b>	Not protective of human health and the environment	Not Applicable	No Reduction	Low Short-Term Hazards	Not Effective	Readily Implementable	\$0
<b>Alternative 2: Land Use Controls</b>	Protective of human health and the environment	Not Applicable	No Reduction	Low Short-Term Hazards ( <i>from Installing Signs and Public Awareness</i> )	Effective	Readily Implementable	\$248,000
<b>Alternative 3: Limited Surface and Subsurface Clearance</b>	Protective of human health and the environment ( <i>localized natural resource adverse impacts during clearance activities are possible if mitigation measures are not implemented</i> )	Complies	Some Reduction	Moderate Short-Term Hazards ( <i>from Munitions Removal in High Anomaly Density Areas</i> )	More Effective	Moderately Implementable ( <i>with natural resource impacts if mitigation measures are not implemented</i> )	\$3.5 million

Alternative	Threshold Criteria		Primary Balancing Criteria				
	Overall Protection	Complies with ARARs	Reduction of Mobility, Volume, or Toxicity of MEC based on Treatment	Short-term Effectiveness	Long-term Effectiveness	Implementability	Capital and Annual Costs
<b>Alternative 4: Complete Surface and Subsurface Clearance</b>	Protective of human health and the environment <i>(significant natural resource adverse impacts during clearance activities are possible if mitigation measures are not implemented)</i>	Complies	Greatest Reduction	Greatest Short-Term Hazards <i>(from Munitions Removal)</i>	Most Effective	Least Implementable <i>(with significant natural resource impacts if mitigation measures are not implemented)</i>	\$7.8 million

Threshold criteria are pass or fail and, as such, are not graded with the color system.	Most Desirable	Significantly Desirable	Moderately Desirable	Least Desirable
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## **11. SELECTED REMEDY**

### **11.1 SUMMARY AND DESCRIPTION OF THE RATIONALE FOR THE SELECTED REMEDY**

The Land Use Controls Alternative (Alternative 2) provides benefits over the other evaluated alternatives due to the relative ease and cost effectiveness of its implementation. Alternative 2 may involve installing signs near the site, including at the public park on Anna Maria Island where there are existing signs providing the public information regarding Passage Key and at public boat ramps. The alternative also includes posting educational material on the United States Fish and Wildlife Service's website and possibly incorporating a note on the National Oceanic and Atmospheric Administration chart and/or a Notice to Mariners through the United States Coast Guard to indicate a potential hazard for unexploded ordnance. These institutional controls would provide adequate protection for people and the environment and are effective in the short- and long-term for the current land use at the site, which is not anticipated to change in the future. Alternative 2 can be implemented easily and at relatively low cost without the environment disturbances required for the alternatives that include searching for and removing munitions. Based on the information currently available, the United States Army Corps of Engineers concludes the selected remedy will satisfy the statutory requirements under the Comprehensive Environmental Response, Compensation, and Liability Act. The United States Army Corps of Engineers may modify the selected remedy in response to public comments or new information.

The Florida Department of Environmental Protection, United States Fish and Wildlife Service, and Manatee County have reviewed the Remedial Investigation/Feasibility Study report and concur with United States Army Corps of Engineers' analysis. Based on discussions during project meetings with the United States Corps of Engineers, the United States Fish and Wildlife Service, Florida Department of Environmental Protection, and Manatee County concurred that Alternative 2 achieves acceptable risk. The United States Fish and Wildlife Service expressed concern over the environmental impacts that would result from the surface and subsurface searches and clearances, which would be conducted as part of Alternatives 3 and 4, if selected.

### **11.3 SUMMARY OF THE ESTIMATED REMEDY COSTS**

The capital and 30-year total present worth cost of the Land Use Controls (public awareness program) remedy is estimated to be \$248,000, which includes a \$120,000 budget for Land Use Controls and \$128,000 to conduct recurring five-year reviews for 30 years. Since the actual length of the remedial activity that would require maintenance and repairs of Land Use Controls cannot be determined with certainty, the long-term monitoring is presumed over a 30-year span for cost estimating purposes based on United States Environmental Protection Agency guidance documents.

#### **11.4 EXPECTED OUTCOMES OF THE SELECTED REMEDY**

With the implementation of the Selected Remedy – Land Use Controls (public awareness program), the expected outcomes are anticipated to include the following:

- Land use will remain unchanged;
- No restrictions will be placed on current or future land use;
- No limitations will be placed on surface water use; and
- No munitions will be removed as part of this alternative.

#### **12. STATUTORY DETERMINATIONS**

Based on the information currently available, the selected remedy for the Air-to-Ground Gunnery Range munitions response site is protective of human health and the environment and satisfies the statutory requirements of Comprehensive Environmental Response, Compensation and Liability Act §121. A Public Awareness Program will protect human health and the environment by educating potential site users of the possible dangers associated with the area. Public Education will provide information for landowner and land users to respond appropriately if suspected munitions are found.

The Selected Remedy is protective of human health and the environment. In addition, the remedy is cost-effective and utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable. There is also a statutory preference for treatment as a principal element of the remedy, and although the education program does not include a treatment process, this remedy reduces the potential hazards to human health, welfare, and the environment.

The remedy for this munitions response site will result in hazardous substances, pollutants or contaminants (i.e., munitions) remaining on-site above levels that allow unlimited use and unrestricted exposure (i.e., the selected remedy will place no restrictions on the potential use of land [sand bar] or other natural resources). Therefore, a statutory review will be conducted every five years after initiation of the selected remedy to ensure that the remedy continues to minimize explosive safety hazards and the remedy is, protective of human health and the environment.

#### **13. DOCUMENTATION OF SIGNIFICANT CHANGES**

The Proposed Plan was released for public comment on November 29, 2018. The Proposed Plan identified the Land Use Controls Alternative (Alternative 2) as the Preferred Alternative for Passage Key Air-to-Ground Gunnery Range. The Florida Department of Environmental Protection, United States Fish and Wildlife Service, and Manatee County concurred with the selected alternative, and no comments were received from the public on the Proposed Plan. Therefore, the Proposed Plan remains unchanged.

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The location of Passage Key has changed over time, largely due to seasonal deposition from nearby rivers, dredging activities, and erosion from various storms, such as hurricanes. The site's location at the mouth of Tampa Bay tends to increase the shifting effect.

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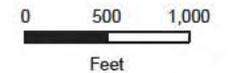
Decision Document  
Passage Key Air-to-Ground  
Gunnery Range  
Manatee County, Florida  
I04FL040101



### Map 2 Site Details

#### Legend

-  Air-to-Ground Gunnery Range  
Munitions Response Site  
(Remedial Investigation / Feasibility  
Study Investigation Area)
-  Historical Air-to-Ground Gunnery  
Range and Bombing Target Area
- Location of Passage Key**
-  1942
-  1944
-  1951
-  1998
-  2014
-  2015 (Nov.)
-  2015 (Dec.)



Data Source: FLDOT, Aerial Imagery, 2017

Coordinate System: UTM, Zone 17N  
Datum: NAD 83  
Units: Meters

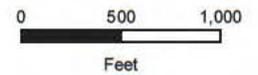
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### Map 3 Anomaly Density

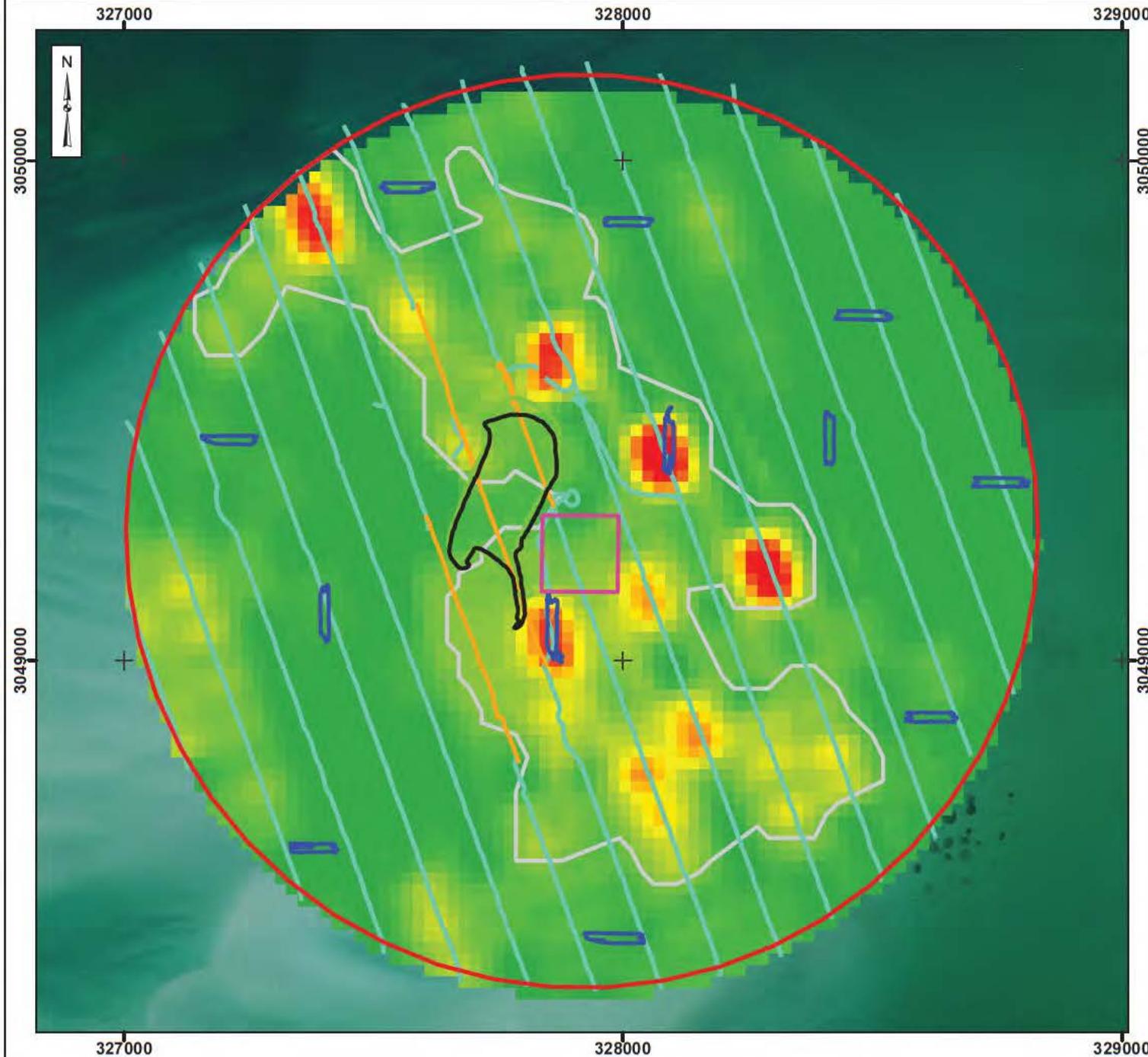
#### Legend

- Air-to-Ground Gunnery Range  
Munitions Response Site  
(Remedial Investigation / Feasibility  
Study Investigation Area)
  - Historical Air-to-Ground Gunnery  
Range and Bombing Target Area
  - Passage Key (Nov. 2015)
  - Passage Key (Dec. 2015)
  - Target Area 1
  - Analog Transect
  - Digital Geophysical Mapping  
Transect
  - Digital Geophysical Mapping  
Grid
- Anomaly Density (anomalies/acre)
- High : 151
  - Low : 0



Data Sources: FLDOT, Aerial Imagery, 2017

Coordinate System: UTM, Zone 17N  
Datum: NAD 83  
Units: Meters



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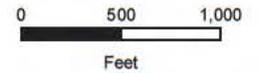
Decision Document  
Passage Key Air-to-Ground  
Gunnery Range  
Manatee County, Florida  
I04FL040101



### Map 4 Dig Results

#### Legend

-  Air-to-Ground Gunnery Range Munitions Response Site (Remedial Investigation / Feasibility Study Investigation Area)
  -  Historical Air-to-Ground Gunnery Range and Bombing Target Area
  -  Passage Key (Nov. 2015)
  -  Passage Key (Dec. 2015)
  -  Target Area 1
  -  Analog Transect
  -  Digital Geophysical Mapping Transect
  -  Digital Geophysical Mapping Grid
- Anomalies**
-  Unexploded Ordnance
  -  Practice Bomb
  -  Munitions Debris
  -  Small Arms Ammunition
  -  Scrap Metal



Data Sources: FLDOT, Aerial Imagery, 2017

Coordinate System: UTM, Zone 17N  
Datum: NAD 83  
Units: Meters



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## **PART 3: RESPONSIVENESS SUMMARY**

This Responsiveness Summary summarizes all comments received on the Proposed Plan during the comment period regarding the preferred alternative and general concerns related to the site.

### **1. STAKEHOLDER ISSUES AND LEAD AGENCY RESPONSES**

The public comment period began on November 29, 2018 and ended December 31, 2018. The United States Army Corps of Engineers hosted a public meeting on November 29, 2018.

#### **1.1 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, UNITED STATES FISH AND WILDLIFE SERVICE, AND OTHER STAKEHOLDERS COMMENTS**

The Florida Department of Environmental Protection provided written concurrence with the selected alternative. Representatives from Manatee County indicated concurrence with the selected alternative during the public meeting. United States Fish and Wildlife Service, the property manager, also concurs with the decision that Land Use Controls is appropriate for the site.

#### **1.2 PUBLIC COMMENTS**

The United States Army Corps of Engineers did not receive any comments on the Proposed Plan or Preferred Alternative during the public comment period. None of the attendees at the public meeting expressed disagreement or expressed concerns with the Preferred Alternative.

### **2. TECHNICAL AND LEGAL ISSUES**

The appropriateness of the selected remedy is contingent on the land uses remaining unchanged. No changes are anticipated at this time.

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