
Decision Document



Remaining Waters Munitions Response Site

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

Formerly Used Defense Site Project Number: I04FL040102

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 Remaining Waters Munitions Response Site at the Passage Key Air-to-Ground Gunnery Range Formerly Used Defense Site, Project Number I04FL040102, 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 Remaining Waters. The selected remedy for the Air-to-Ground Gunnery Range is addressed in a separate Decision Document.

There is no unacceptable risk to human or ecological receptors from munitions constituents, and an explosive safety hazard is not anticipated within the Remaining Waters. Therefore, no action is necessary to protect human health or the environment. No Action has been determined to be appropriate for the Remaining Waters.

A No Action determination 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 regulator, the Florida Department of Environmental Protection, concurs with the No Action determination for Remaining Waters.

Based on 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 cost for this decision is \$0.00.

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MAPS

Map 1	Site Location
Map 2	Site Detail

PART 1: DECLARATION

1. SITE NAME AND LOCATION

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

Formerly Used Defense Site Project Number: I04FL040102

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 section, 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. It is addressed in a separate Decision Document.

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 this 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 Alternative for Remaining Waters within the Passage Key Air-to-Ground Gunnery Range Formerly Used Defense Site in Manatee County, Florida. The Selected Alternative 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, concurs with the Selected Alternative.

3. ASSESSMENT OF THE SITE AND DESCRIPTION OF SELECTED REMEDY

As the lead agency, the United States Army Corps of Engineers determined that no action is necessary to protect public health or welfare or the environment. A No Action determination is the appropriate selected alternative for Remaining Waters. There is no unacceptable risk to human or ecological receptors from munitions constituents or munitions and explosives of concern.

4. STATUTORY DETERMINATIONS

Statutory determinations to comply with the Comprehensive Environmental Response, Compensation and Liability Act §121 are not applicable. As the lead agency, the United States Army Corps of Engineers has determined that no remedial action is necessary to ensure the protection of human health and the environment at Remaining Waters. Five-Year Reviews are not applicable.

5. AUTHORIZING SIGNATURES

This Decision Document presents the No Action decision for Remaining Waters. 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 Air-to-Ground Gunnery Range, 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 complete the Administrative Record for Passage Key. The Administrative Record is protected from additional documents being added.

This document, presenting the No Action determination for Remaining Waters, 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.

APPROVED:

BROWN.THEODORE.A.1229740136
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Date: 2019.09.29 16:34:23 -04'00'

THEODORE A. BROWN, P.E., SES
Director of Regional Business

29 September 2019

Date

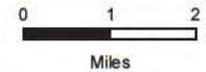
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Map 1
 Site Location

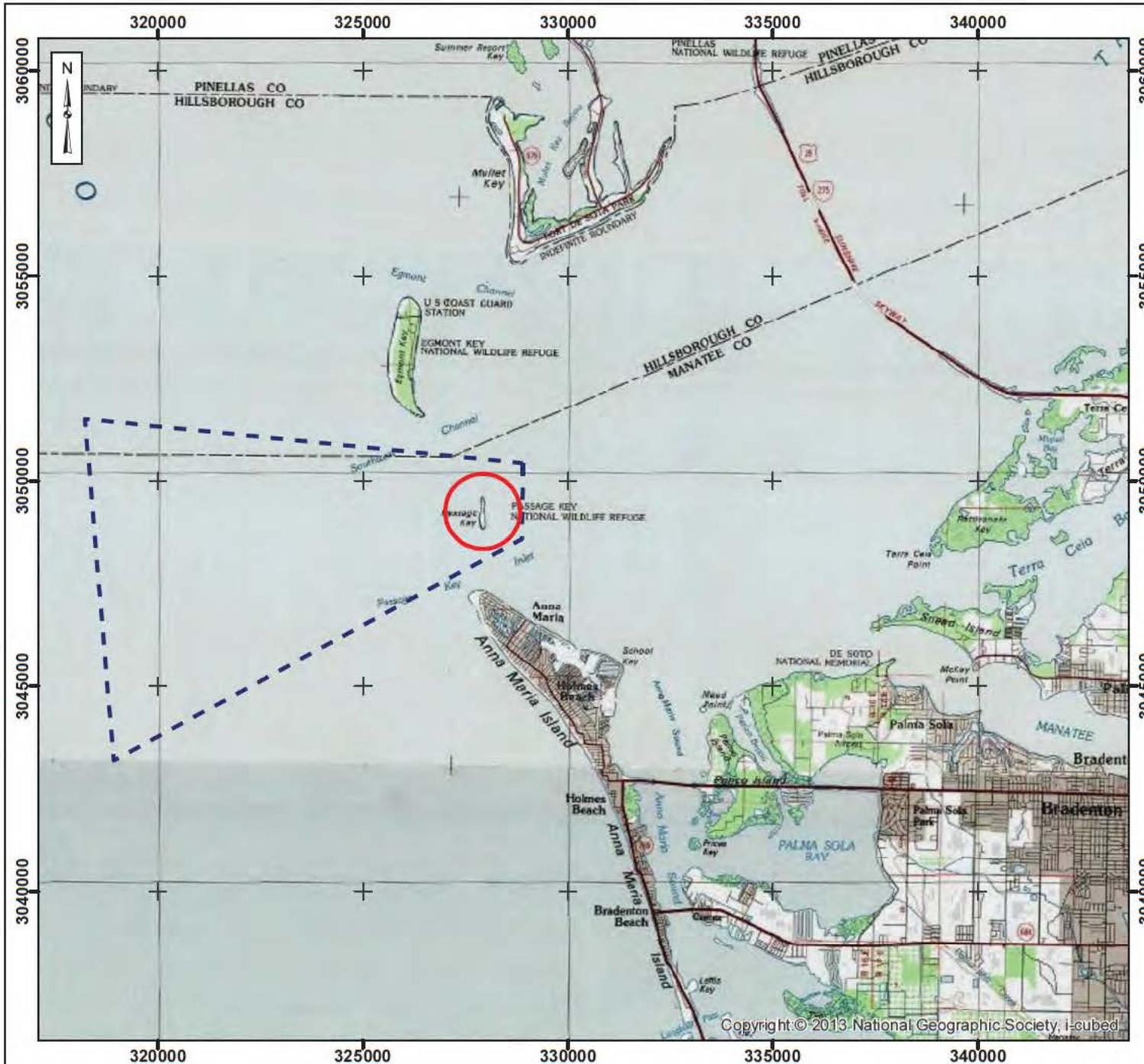
Legend

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



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 the 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, and the remaining 12,498.72 acres of range safety buffer that is now in the Remaining Waters Munitions Response Site addressed in this 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 this section). 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 use the key and waters surrounding the key for swimming, boating and fishing. Use of the Remaining Waters away from the key are limited to boating and fishing. The current use of Passage Key and the nearby waters 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. Munitions use was limited to the air-to-ground gunnery range and bombing target area; with the remaining waters serving as a safety buffer when the range was active. 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 the 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-milimeter projectile have been observed at the Air-to-Ground Gunnery Range in the past based on information presented in these studies. Based on these studies, no munitions have been observed within Remaining Waters. When found, the munitions within the Air-to-Ground Gunnery Range 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. While the Remedial Investigation focused field work at the Air-to-Ground Gunnery Range where munitions were found in the past, the work is relevant to both the Air-to-Ground Gunnery Range and Remaining Waters.

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 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

No unacceptable risk or hazards to human health or the environment associated with the military's training is present within Remaining Waters. No Department of Defense action is necessary to protect public health or the environment, and a No Action determination is appropriate. The Florida Department of Environmental Protection concurs with this determination.

5. SITE CHARACTERISTICS

The former Passage Key Air-to-Ground Gunnery Range extended from Tampa Bay west into the Gulf of Mexico and comprised approximately 13,147 acres, most of which consisted of a safety buffer. This included Passage Key, which was an approximately 36-acre island in the early 1940s and the surrounding waters. The location of the targets (and the key during the 1940s) is completely submerged now.

5.1 SITE OVERVIEW

Remaining Waters, which is within the Gulf of Mexico and Tampa Bay, was the air-to-ground gunnery range safety buffer established based on the distance a .50-caliber round could potentially travel when fired during training activities. There is no evidence of targets in this area, and no munitions have been found within Remaining Waters.

Potential human receptors are those who fish or swim in this area. There are also ecological receptors.

5.2 SUMMARY OF SITE CONTAMINATION

Fieldwork was not necessary within Remaining Waters since it was only used as a safety buffer, there were no targets, no munitions were found near the boundary of the Remedial Investigation Area, and there are no historical reports of munitions and explosives of concern or munitions debris found in this area. Due to the dynamic coastal environment at the site and lack of a concentrated source of munitions near the boundary of the Remedial Investigation Area, sampling for munitions constituents was not warranted. There are no unacceptable risks or hazards to human health or the environment within Remaining Waters associated with the Army's training during World War II.

6. CURRENT AND POTENTIAL SITE AND RESOURCE USES

6.1 LAND USES

There are no land areas within Remaining Waters. The area within Remaining Waters is routinely used for swimming, boating, and fishing. Future use is expected to remain the same.

6.2 SURFACE WATER USE

Remaining Waters is located within the Gulf of Mexico and Tampa Bay and is not a drinking water source.

7. SUMMARY OF SITE RISKS

There are no unacceptable risks or hazards to human health or the environment attributable to the Army's training during World War II at the Remaining Waters based on the Remedial Investigation findings, where no evidence of munitions was found near the boundary of the Remedial Investigation Area. There are also no historical reports of munitions and explosives of concern or munitions debris found within the Remaining Waters.

8. DOCUMENTATION OF SIGNIFICANT CHANGES

The Proposed Plan was released for public comment on November 29, 2018. The Proposed Plan identified No Action as the selected alternative for Remaining Waters. The Florida Department of Environmental Protection concurred with the selected alternative, and no one from the public commented on the Proposed Plan. Therefore, the Proposed Plan remains unchanged.

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Map 2
 Site Details

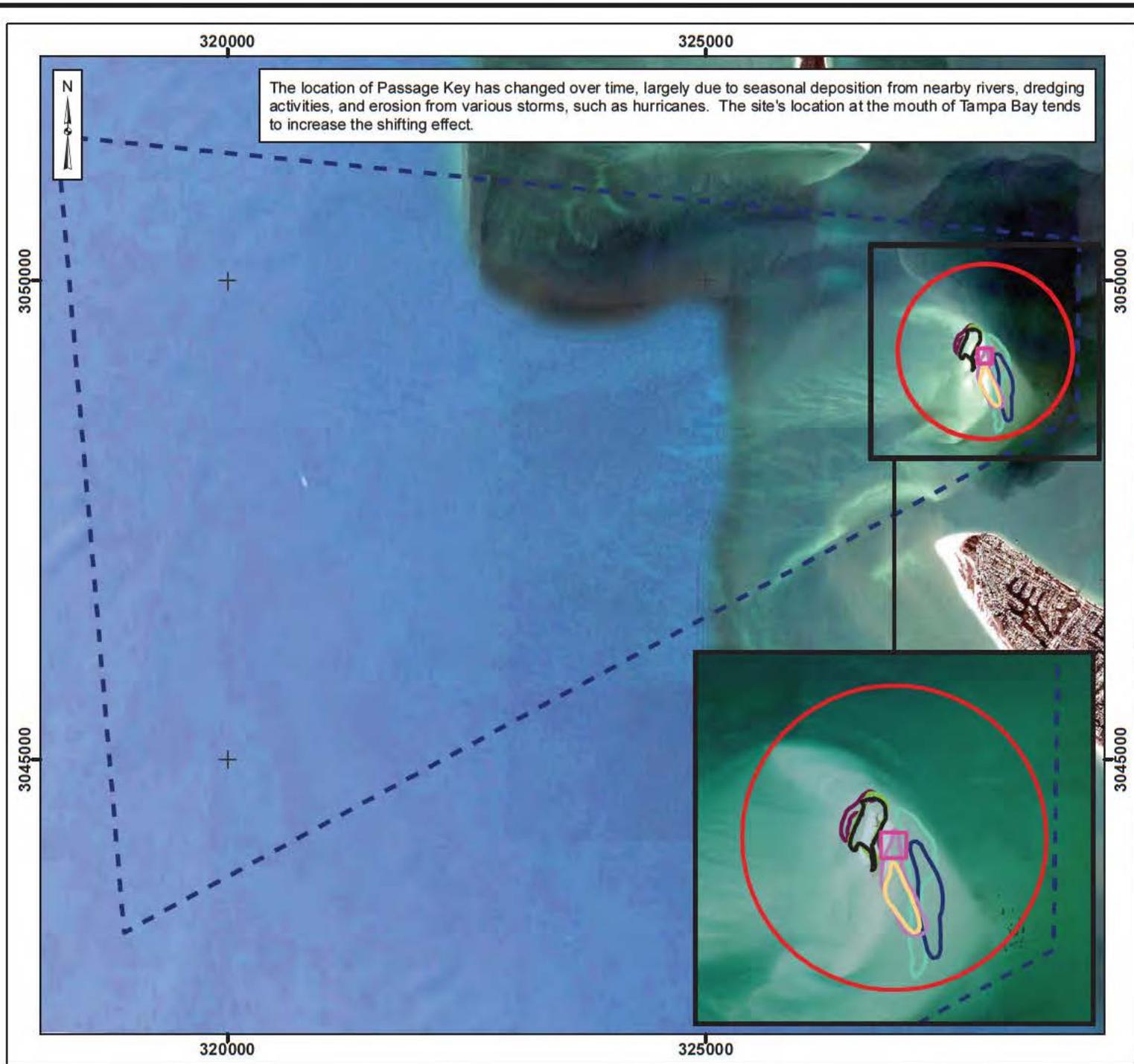
Legend

- Remaining Water Munitions Response Site (Historical Range Safety Fan)
- 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

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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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 COMMENTS AND OTHER STAKEHOLDERS

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.

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.

2. TECHNICAL AND LEGAL ISSUES

There are no technical or legal issues.

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