

CESAJ-PD-EE (200-1c)

MAY 14 1997

MEMORANDUM FOR Commander, South Atlanta Division

SUBJECT: DERP-FUDS Revised INPR for Site No. I02PR006800
(Culebra Island NWR)

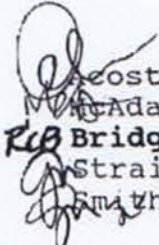
1. Enclosed is the revised Site Summary Sheet and Project Summary Sheet for the subject project. These documents were revised to reflect consideration of ordnance in the U.S. Territorial Waters surrounding Culebra and adjacent Cayos, Puerto Rico. This original project was approved on 24 December 1991. A copy of the revised documents needs to be forwarded to HND for final disposition.
2. If there are any questions, please contact Mr. Robert Bridgers, Project Manager at 904-232-3085 or Mr. Ivan Acosta, Technical Manager at 904-232-7693.

FOR THE COMMANDER:

2 Encls

HANLEY K. SMITH
Acting Chief, Planning Division

CF (w/encls)
CESAJ-DP-5 (Bridgers)


Acosta/CESAJ-PD-EE/1693/mw
Adams/CESAJ-PD-EE
RIB Bridgers/CESAJ-DP-I
Strain/CESAJ-PD-P
Smith/CESAJ-PD-E/CESAJ-PD

1:group/pde/walker/culebra.mem

REVISED SITE SURVEY SUMMARY SHEET
FOR
DERP-FUDS SITE NO. I02PR006800
CULEBRA ISLAND NWR, P.R.
April 9, 1997

SITE NAME(S): Culebra Island National Wildlife Refuge, adjacent cayos, and surrounding U.S. Territorial Waters, P.R., see site and location map at attachment 1.

SITE HISTORY: DOD use began in 1940 with the transfer of portions of Culebra Island from the Department of Interior to the Navy for use as a bombing and gunnery training range. The areas in question were deactivated in 1975 and transferred back to the Department of the Interior (U.S. Fish and Wildlife Service (USFWS)), the Department of Natural Resources P.R., the Puerto Rico Ports Authority, the Municipality of Culebra and the P.R. Department of Housing.

SITE VISIT: A site visit was conducted on 30 April 1991 by Mr. Ivan Acosta CESAJ-PD-EE and Mr. Henry Morales, USFWS National Wildlife Refuge representative. Mr. Morales is a native of the island and is familiar with the affected areas. Additionally, a letter from Mr. Kelly Wolcott, Refuge Manager describing the areas of concern was provided as background information.

CATEGORY OF HAZARD: HTRW, OEW

PROJECT DESCRIPTION: There are 2 potential projects in the area (one EOD project consisting of 12 sites and one HTRW project).

a. HTRW. There is a wetland area in the vicinity of the FWS facility that contains toxic materials. This site was down gradient of the motor pool and had anecdotal evidence of toxic material being dumped or drained into there. It requires investigation beyond the scope of this preliminary assessment.

b. OEW. There are at least 12 bomb impact sites on the island, adjacent cayos and surrounding waters that are dangerous and still contain visible unexploded bombs. It requires investigation beyond the scope of this preliminary assessment.

AVAILABLE STUDIES AND REPORTS: DERP-FUDS OEW Archives Search Report, Culebra Island, Dated February 1995. USACOE HTRW Report, Dated October 1996.

PA POC: Ivan Acosta (904) 232-1693 is the district POC

ENCI 1

REVISED PROJECT SUMMARY SHEET
FOR
DERP-FUDS OEW PROJECT NO. I02PR006802
CULEBRA ISLAND NWR, P.R.
SITE NO. I02PR006800
April 9, 1997

PROJECT DESCRIPTION: Ordnance detection and removal actions are needed for about 12 sites on the island, adjacent cayos and surrounding U.S. Territorial Waters. The sites in question are former Navy bombing and gunnery training ranges. The range areas are depicted on a USGS map No. 4R-P.R.-52-403 of the U.S. Fish and Wildlife Service, Culebra National Wildlife Refuge (USFWS) attachment 1. The impact areas are not fenced, sporadic markings and bomb casings could be found. The USFWS personnel stated that shell fragments have been collected from the sites and that unexploded rounds have been found. The range areas generally are used for camping, hunting, scuba diving, fishing and individuals walking through. There was no evidence of ordnance outside the impact areas.

PROJECT ELIGIBILITY: Records and maps indicate that the bombing and gunnery training range was built and used by the Navy from 1940 to 1975.

POLICY CONSIDERATIONS: Current DOD policy permits remediation of DOD generated ordnance. The title transfer documents do not absolve the government from site restoration responsibility; the USFWS did not receive compensation in lieu of restoration; the property has not been altered or beneficially used for ordnance related purposes by subsequent owners; and there were no deed restrictions violated.

PROPOSED ACTIVITIES: The INPR should be referred to HND for action. This action would consist of at least a metal sweep of the areas in question to determine the likelihood of further ordnance problems, and removal of ordnance items.

RAC: See attachment 2.

POINT OF CONTACT: Ivan Acosta, CESAJ-PD-EE, 904-232-1693

ENCL 2

| SUMMARY OF AREAS | | |
|------------------|----------------|-------------|
| AREA | FORMER USE/AGE | NEW USE/AGE |
| 1 | ARMY BARRACKS | POTENTIAL |
| 2 | ARMY BARRACKS | POTENTIAL |
| 3 | ARMY BARRACKS | POTENTIAL |
| 4 | ARMY BARRACKS | POTENTIAL |
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| 99 | ARMY BARRACKS | POTENTIAL |
| 100 | ARMY BARRACKS | POTENTIAL |
| TOTAL SQUARE | | 81,500 |

* FOR AREA A, SEE PLATE 1

LEGEND
SITE BOUNDARY: DASHED LINE
POTENTIAL: SOLID LINE

U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
MOBILE DISTRICT, ALABAMA

PROJECT AREA

DATE: 10/1/54

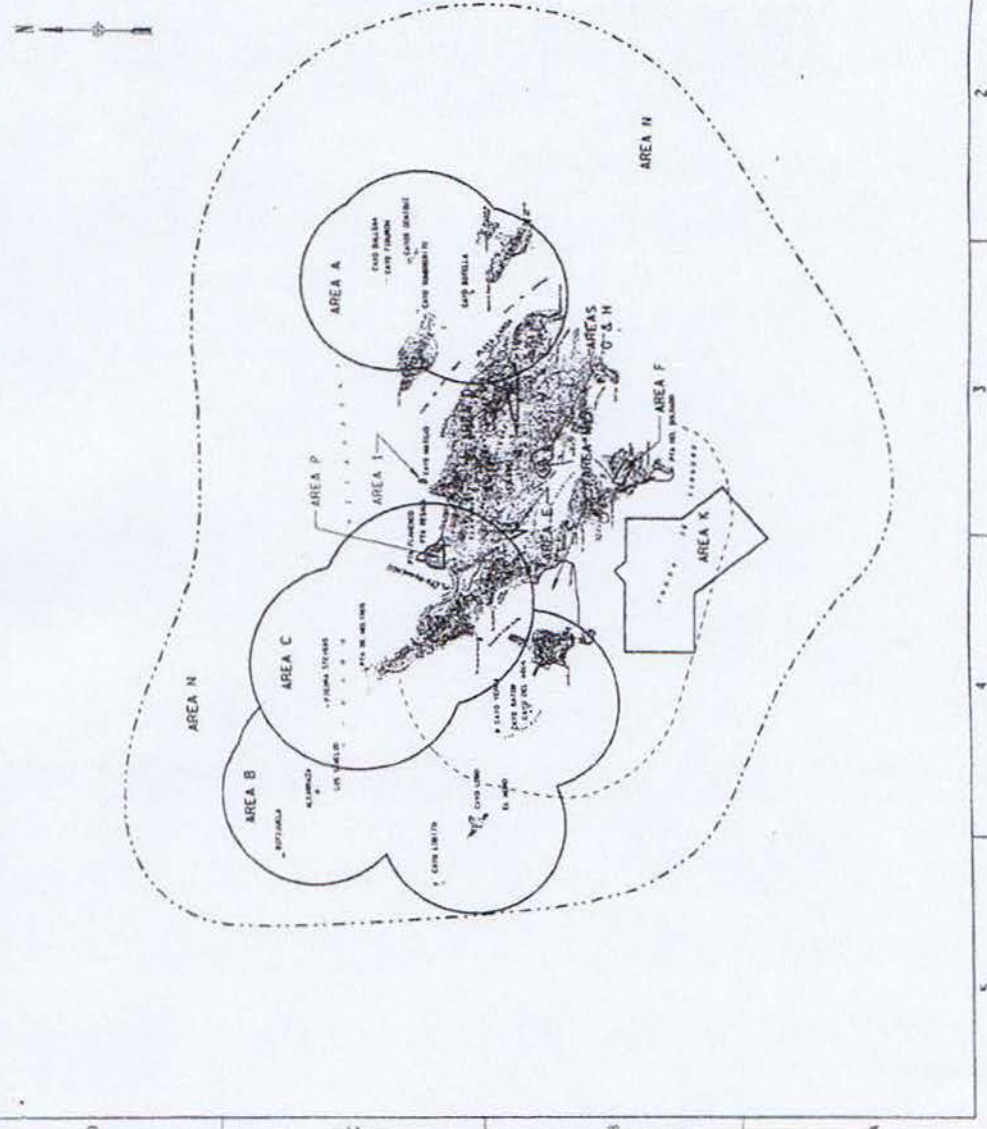
SCALE: 1" = 100'

PROJECT NO. 100-100-100

DESIGNED BY: [Name]

CHECKED BY: [Name]

APPROVED BY: [Name]



*This page is an enlargement of the
Summary of Areas table shown on
the project area map.*

1,080,000

1,090,000

1

| SUMMARY OF AREAS | | | |
|--|-----------------------------------|---------------|-----------------|
| AREA | FORMER USAGE | DEW PRESENCE | APPROX. ACREAGE |
| A | AERIAL BOMBING AND ROCKETS (EAST) | CONFIRMED | 7.400 |
| B | AERIAL BOMBING AND ROCKETS (WEST) | CONFIRMED | 10.683 |
| C | NAVAL GUNNERY AND AERIAL BOMBING | CONFIRMED | 9.051 |
| D | MORTAR RANGE | CONFIRMED | 80 |
| E | AIRFIELD RIFLE RANGE | POTENTIAL | 22 |
| F | SOUTHERN RIFLE RANGE | POTENTIAL | 43 |
| G | LOWER CAMP | POTENTIAL | 60 |
| H | LOWER CAMP DUMPS | POTENTIAL | 1 |
| I | CAYO MATOJO | POTENTIAL | 1 |
| J | NAVY GUN SITES | POTENTIAL | 14 |
| K | MINING WEST | POTENTIAL | 2.438 |
| L | MARINE WATER MINEFIELD | POTENTIAL | 142 |
| M | CONFIRMED WATER | CONFIRMED | 419 |
| N | NAVAL DEFENSIVE SEA AREA BOUNDARY | POTENTIAL | 57.284 |
| O | ALL OTHER LAND | POTENTIAL | 4.764 |
| P | FLAMENCO POINT OP | NOT EVALUATED | 87 |
| | | TOTAL ACREAGE | 92.500 |
| SOURCE: U.S. ARMY ENGINEER DISTRICT, CORPS OF ENGINEERS, ROCK ISLAND, ILLINOIS | | | |

DEFENSE ENVIRONMENTAL RESTORATION PROGRAM
FOR FORMERLY USED DEFENSE SITES
FINDINGS AND DETERMINATION OF ELIGIBILITY

Culebra Island National Wildlife Refuge, PR

Site No. IO2PRO06800

FINDINGS OF FACT

1. Between 1903 and 1964, the United States acquired 2747.12 acres of land on Culebra Island (2067.8 acres fee), Culebrita Island (266.0 acres fee), Luis Pena Cay (342.5 acres fee), Water Cay (7 acres fee) and the adjacent cayos (63.82 acres leased), for a bombing and gunnery range and auxiliary airfield for the Navy. The United States acquired fee title to 2135 acres of land from Spain (1785.5 acres on Culebra Island, the 342.5 acres on Luis Pena Cay, and the 7 acres on Water Cay). These lands were transferred to the Navy by Presidential Proclamation of 26 June 1903. The Navy acquired 13.83 acres by purchase in 1903 and 268.47 acres by donation in 1939, all on Culebra Island. In the early 1940's, 265.59 acres of fee land on Culebrita Island and Ladrones Cay were transferred to the Navy from the Coast Guard; 63.82 acres were acquired by leases for the Navy on adjacent cayos; and 0.41 of an acre on Culebrita Island was acquired by permit from the Coast Guard.
2. The lands were part of the U.S. Naval Station, Roosevelt Roads, Culebra Island and were utilized by the Navy as a coaling station, training area, auxiliary airport, weapons range, and bombing and gunnery range. The Navy constructed various improvements including a range operation center, maintenance sheds, helicopter landing pad, security fencing, warehouses, storage tanks, septic tanks, water distribution building, pumping stations, housing, and an auxiliary landing field including runways, taxiways, etc. Parts of the property (approximately 990 acres on Culebra Island) were utilized by others by virtue of outgrants from the Navy, prior to the Navy declaring the property as excess. The remainder of the property was under Department of Defense (DOD) control during the period of DOD ownership.
3. The Navy terminated the leases on the 63.82 acres on the adjacent cayos in 1972 and returned the property to the then current owners. The terms and conditions of the leases and termination notices or any restoration requirements are unknown as copies of these instruments could not be located. On 5 July 1972, the Navy reported 1089.80 acres of the site excess to the General Services Administration (GSA). On 19 May 1976, the Navy reported an additional 1501.5 acres excess to GSA. On 28 March 1978, the Navy transferred 4.09 acres on Culebrita Island to the Coast Guard and terminated the permit from the Coast Guard comprising 0.41 of an acre located on Culebrita Island, which is still utilized by the Coast Guard. The Navy retained and still utilizes 87.5 acres on Culebra Island.
4. The lands reported excess to GSA were disposed of as follows:
 - a. The Navy (at the direction of GSA) transferred 611 acres (342.5 acres on Luis Pena Cay, 261.5 acres on Culebrita Island, and 7 acres on

SITE NO. IO2PR006800

Water Cay) and 776.35 acres on Culebra Island, together with all improvements, to the Department of Interior, Fish and Wildlife Service (FWS) on 23 March 1978 and 15 September 1978, respectively. All 1387.35 acres transferred to the FWS comprise the Culebra Island National Wildlife Refuge.

b. By quitclaim deed dated 7 February 1980, GSA conveyed fee title to 79.73 acres to the Puerto Rico Ports Authority on Culebra Island for public airport purposes. The deed contained a recapture and reverter clause and was subject to existing easements for public highways, roads, utilities, etc. This property is utilized as a public airport.

c. By quitclaim deed dated 11 August 1982, the United States of America, through the Secretary of the Interior, conveyed 935.98 acres to the Commonwealth of Puerto Rico on Culebra Island. The deed contained a reverter clause and other restrictions pertaining to the development of the property, including a restriction that the bombardment area, composed of 644.99 acres, would be utilized only for public park or public recreational purposes. The deed contained language that the Commonwealth agreed to accept the bombardment area in its present condition, that the United States would not be held responsible for decontamination, and that the United States would be held harmless from any and all claims, demands, actions, etc., arising from any person's use of or presence on the property. This property is utilized for park purposes.

d. By quitclaim deed dated 24 February 1984, GSA conveyed 32.34 acres to the Department of Housing, Commonwealth of Puerto Rico on Culebra Island, which is now public housing. The deed contained no restrictions, reverter, or recapture clauses.

e. By quitclaim deed dated 29 April 1988, GSA conveyed 155.9 acres on Culebra Island to the Municipality of Culebra, Puerto Rico. This deed contained no warranties, recapture, or reverter clauses, but was subject to existing easements for public highways, roads utilities, etc., and contained a hold harmless clause in favor of the United States. This site is being utilized for city facilities and is under development as a port.

DETERMINATION

Based on the foregoing Findings of Fact, the site, except for the 87.5 acres still under control of the Navy, has been determined to be formerly used by the Department of Defense. It is therefore eligible for the Defense Environmental Restoration Program - Formerly Used Defense Sites established under 10 U.S.C. 2701, et seq.

24 Dec 1991

DATE

for K. F. Sobke

JOHN F. SOBKE
Major General, USA
Commanding