

KEY WEST >>> HAWK MISSILE SITE <<<< PLANNING REVIEW



KEY WEST SALT PONDS
 KEY WEST, FLORIDA
 AERIAL PHOTOGRAPH



Subject of Analysis: Key West HAWK Missile Site

Intent of Study:

Background:

The Homing all the Way Killer (HAWK) Missile Site is an approximately 42.95 acre property deeded to the City of Key West in 2002 as the result of a successful application for the Federal Lands to Park program in 1999. The site consists of salt ponds, mangrove forests, and upland, providing habitat for a diverse array of flora and fauna. Wildlife includes various protected species, including the bald eagle, and among others in a diverse ecosystem.

The site is located on the north edge of the property, and Key West International Airport, operated by Monroe County, is located to the south of the HAWK Missile site. Little Hamaca City Park is situated to the immediate west. Access to the HAWK Missile site and Little Hamaca City Park is effected through Government Road, which runs parallel to the Key West International Airport runways to connect the properties to the rest of the City to the west.



The HAWK Missile Site was built upon previous salt ponds, which were filled in by the U.S. Army in order to adapt the area for use as a missile site. The facility was built in 1964 as a defense site to repel expected Cuban and Russian assault as a result of the Cuban Missile Crisis and was used for defense until the early 1980s. The site was then transferred to the Navy and was not utilized except as a refuge for homeless veterans in 1994 and 1995. As part of a general base realignment and closure (BRAC) process, the site was deemed as surplus property. Subsequent to this, the City of Key West applied for and received the land as part of the Federal Lands to Parks program, receiving the property in April 2002.

The Federal Lands to Parks Program helps communities to acquire, reuse and protect surplus federal properties for local parks and recreation. States, counties, and communities may acquire federal land and buildings no longer needed by the federal government at no cost, on condition they are protected for public parks and recreation.

Issue Statement:

The City of Key West has been looking to establish what can and cannot be done within the area acquired from the Department of the Interior known as HAWK Missile Site. Currently, the City does not know what 'passive' activities are allowed within the site, and to what level can the area be developed? (Utilities,



WiFi, Roadways, Facilities, etc.) Additionally, the Key West International Airport has proposed buying the property and installing a public soccer field.

Goals:

The City is contemplating all possibilities which include keeping the property as is, developing the property within requirements and land regulations to the extent possible, and selling the site to the Airport. The City would also like to consider portioning off a smaller piece for lease, sale, or transfer to the Airport to meet their needs.

Summary of Findings:

The City of Key West has been looking to establish what can and cannot be done within the area acquired from the Department of the Interior known as HAWK Missile Site. Currently, the City does not know what ‘passive’ activities are allowed within the site, and to what level can the area be developed? (Utilities, WiFi, Facilities, etc.) Additionally, the Key West Airport has proposed buying the property and installing a public soccer field.

General Zoning:

The HAWK Missile Site is a combination of Conservation and Public and Semipublic Services (PS) zoning districts; the majority of the site is Conservation zoned. The conservation portion of the site is heavily restricted in terms of permissible use – all uses are conditional, and are geared towards recreation or a public good, provide that the provision of amenities such as boardwalks, observation towers, and watercraft facilities do not adversely affect the hydrological functions of the site. The PS portion of the site is generally in the southwest corner of the property, adjacent to Little Hamaca Park. Civic facilities and other uses of a public nature as detailed in this report are permitted, provided they meet the conditions of the 2002 Quitclaim Deed and other applicable site conditions.

Permissible Recreational Activities:

Recreational activities can be defined as being active or passive. Generally, existing covenants and regulations provide for passive recreational activities and generally prohibit active recreation on the HAWK Missile Site.

Active recreation refers to a structured individual or team activity that requires the use of special facilities, courses, fields, or equipment. In regards to existing proposals for soccer fields that have been proposed, these will generally not be allowed without an amendment to existing city code. Further, there may be considerations in regards to the conservation easement depending on the location proposed for any active recreation facility, which must be maintained.

Passive recreation refers to recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreational activities place minimal stress on a site’s resources; as a result, they can provide ecosystem service benefits and are highly compatible with natural resource protection. Within HAWK Missile Site, City code, as well as agreements with the Department of the Interior on park and recreational usage, allow for hiking, walking/jogging, wildlife viewing, picnics, and non-motorized watercraft, such as kayaking. The City may enter into concession agreements, such as that proposed by Half-Moon Kayaking, to provide **passive recreational services**, subject to approval by the US Secretary of the Interior. Such concessions cannot limit access to the park by the public. Connections via boardwalks to Little Hamaca Park as has been previously proposed, provided they are structured appropriately to code, are permissible as well.

Utilities Placement:

Generally, utilities on site are allowed in order to provide for use of the site; i.e. they are incidental to the existing or proposed use and are reasonable. Generally, utilities on conservation zoned land are not expressly permitted by existing City Code. Utilities may be permitted under City Code in the PS district; however, the City is advised that such functions are not generally parks and recreation in nature, and permission may be needed from the U.S. Secretary of the Interior.

Lease/ and Or Sale to Key West International Airport:

The Key West International Airport proposal provides for active recreation along with wetlands mitigation. While the wetlands for mitigation purposes is acceptable as it can be geared towards park and recreation functions as passive recreation, current regulations prohibit active recreation development on the HAWK Missile Site.

The property in question is currently deeded to the City of Key West. Under the terms of the transfer of the property, the City of Key West is obligated to keep and utilize the property for parks and recreation activities, consistent with its 1999 application for the property. The property may only be sold, leased, or otherwise disposed to another eligible government agency; however, this is subject to approval by the United States Secretary of the Interior. The Federal Lands to Parks program does allow for situations where the property is transferred because the receiving entity does not wish to maintain the property as public parks and recreation. In such situations, the property may be:

1. Transferred back to the federal government, at the discretion of the Department of the Interior and the General Services Administration.
2. Replaced with another suitable property with the same or greater value and recreational utility. (this option is preferred as it would maintain or increase state or local park and recreation opportunities.)
3. Changed to another federal public benefit conveyance program that is suitable to the proposed new use(s), if eligible and accepted by the other public benefit conveyance program, such as for education, public health, emergency management, or law enforcement.
4. Purchased at fair market value.

Additionally, the site is dedicated a Conservation easement as part of an agreement with the South Florida Water Management District. This agreement and associated maintenance will need to be included in any sale or lease.

Environmental Considerations:

The Site has undergone prior environmental mediation, and contaminants have been removed from soil. However, there are concerns about potential lead paint in the buildings. Further, protected species such as the bald eagle have been noted in previous documents and is a consideration during site development. Lastly, portions of the site include mangroves which are being planted as part of the city's agreement with the South Florida Water Management District to provide for mitigation as part of its stormwater system. Further, as protected species may be on site, which includes Eastern Indigo Snake, Stock Island Tree Snail and Keys Tree Cactus, any development proposal must refer proposal to US Fish and Wildlife Service for review.

The following details the findings of the review based on documents readily available or provided by the City of Key West.

1. Identify the parcels, determine ownership and obtain lease information.



The City of Key West owns most of the site in question.

1. Parcel ID: 00066230-000000
2. Parcel ID: 00065940-000000
3. Parcel ID: 00065960-000000

A portion of the overall site, is owned by the US Naval Air Station.

4. Parcel ID: 00066230-000100

No current lease has been identified for the parcels in question.

2. Identify all agreements and easements. Identify roles.

Information regarding utility and other easements are pending the results of the City's Surveyor's work.

Conservation Easement with the South Florida Water Management District

The City entered into an agreement with the South Florida Water Management District to provide a conservation easement on April 12, 2007. This consent agreement was designed to address a variety of environmental remediation actions resulting from the historical use of the property. The Hawk Missile Mitigation project included the removal of fill material to re-create wetlands, hydrologic improvements to improve tidal flushing, and planting of mangroves to accelerate re-vegetation. The majority of excavation at the Hawk Missile Mitigation site was completed in May 2008 and mangrove planting was complete by October 2008. A total of 800 red mangroves were planted over the 10,050 square foot mangrove planting area during May 2008. Due to excessive mortality, these mangrove plants were replaced in October 2008. An Impact Assessment and Mitigation Plan prepared by the City and incorporated into the SFWMD Consent Agreement by reference detailed the extent of restoration actions to be completed and long-term monitoring requirements.



On January 10, 2017, staff from SFWMD Environmental Compliance met on the project site with staff from the City of Key West and the project consultant (Terramar Environmental Services). The purpose of the meeting was to review and discuss the lack of appropriate wetland vegetation cover in portions of the mitigation area. A revised Hawk Missile Mitigation Site Mitigation Plan was reviewed that provided for additional mangrove planting and small-scale hydrologic improvements.

The resulting revised Hawk Missile Mitigation Site Mitigation Plan was implemented on March 8-12, 2019. The project included excavation of flushing channels and fill berms as detailed in the mitigation plan, and planting of a total of 440 red and black mangrove trees. Monitoring of the results of this mitigation requires a yearly report beginning in March 2020. Future reporting and thresholds are noted below:

Third Annual	March 2022	80% survivorship of planted mangroves for three consecutive years
Fourth Annual	March 2023	80% survivorship of planted mangroves for three consecutive years
Fifth Annual (Final)	March 2024	80% survivorship of planted mangroves for three consecutive years

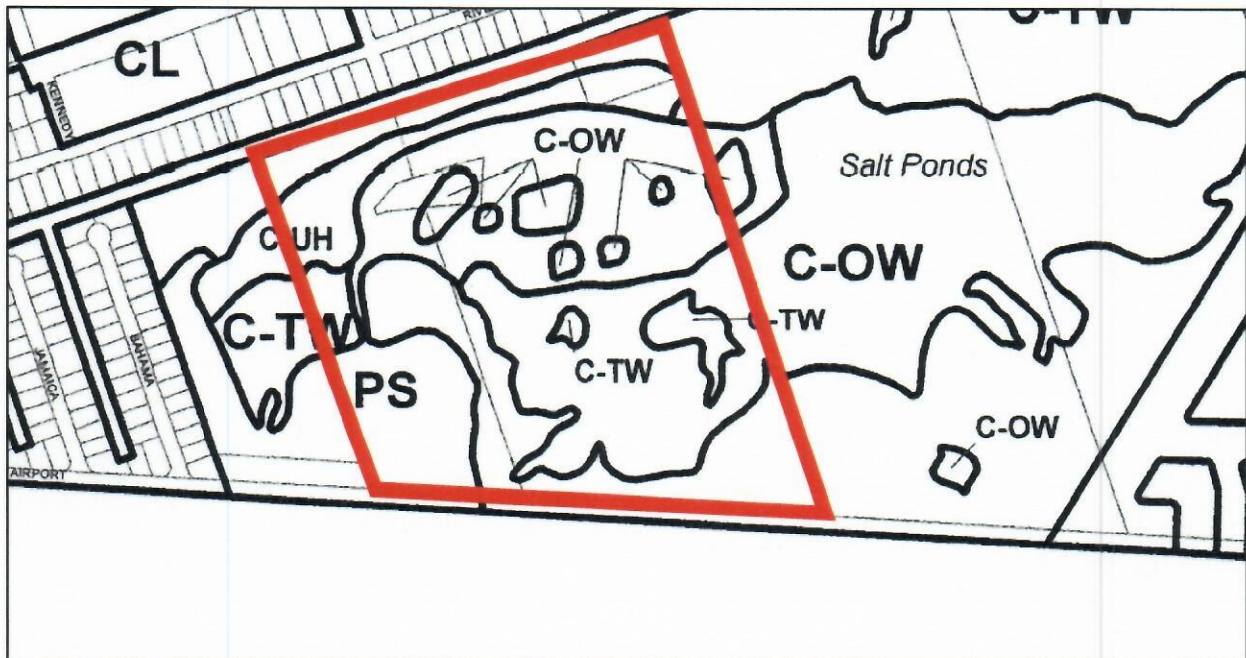
3. Identify all maintenance agreements with all parties.

The City of Key West has an existing agreement with the South Florida Water Management District to conduct mitigation activities, as part of its stormwater system, in the planting and maintenance of

mangroves in the HAWK Missile Site. Inclusive of the conservation easement, this maintenance includes provisions that require the city to manage the preserve area in perpetuity for nuisance and exotic plant species. The total cover of nuisance and exotic plant species shall not exceed 5% cover between maintenance events. Monitoring requirements may be reinstated if the wetlands are not adequately managed and maintained.

No other maintenance agreements were identified during this review based on the information provided.

4. Identify zoning restrictions and allowances.



Conservation zoning:

The majority of the Hawk Missile Site is currently zoned Conservation. No distinction in the code provided for C-TW versus C-OW or C-UH as affected in the above map. All development within the Conservation zone are conditional uses given the nature of the site. Conditional uses are based on the mean high-water mark in the area, as follows:

1. Above the mean high-water mark:
 - a. Fishing piers, docks and related boardwalks not exceeding a width of five feet
 - b. Facilities for watercraft
2. Below the mean high-water mark:
 - a. Boardwalks not exceeding a width of five feet which shall be elevated in order to reduce adverse impacts on hydrologic functions of wetlands.
 - b. Water-related facilities as follows:

- i. Hiking trails not exceeding a width of four feet to avoid adverse impacts on upland habitats and those portions traversing waterways shall be elevated in order to reduce adverse impacts on hydrologic functions.
 - ii. Picnic areas.
 - iii. Observation towers which shall be elevated in order to reduce adverse impacts on hydrologic functions of wetlands.
3. Public and private utilities are permitted where such facilities are essential to the public health, safety and welfare.

All uses not specifically or provisionally provided for as a conditional use are prohibited in the Conservation district.

Prior to any development within a Conservation district, all state or federal agencies having jurisdiction shall have granted requisite permits, including but not limited to dredge and fill permits.

Applicants for a conditional use must demonstrate that the proposed uses and facilities identified in this section are compliant with all applicable criteria and relevant mitigative measures for conditional use approval, including but not limited to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The design of proposed conditional use facilities shall be required to apply mitigative measures to prevent and/or minimize adverse impacts on natural systems, including but not limited to habitats, water quality, and the physical and biological functions of wetlands.

Residential development at a maximum density of 10 units an acre is permitted under the Conservation zone, provided certain conditions are met.

Public and Semipublic Services District (PS)

A portion of the site, approximately the southern half of parcel 00066230-000000, is zoned as Public and Semipublic Services district (PS).

Uses permitted in the public and semipublic services district (PS) are as follows:

(1)Community centers, clubs and lodges.(2)Educational institutions and day care.(3)Golf course facilities.(4)Hospitals and supportive care facilities.(5)Nursing homes, rest homes and convalescent homes.(6)Parks and recreation, active and passive.(7)Business and professional offices.(8)Medical services.(9)Parking lots and vehicular storage facilities.(10)Veterinary medical services with or without outside kennels.(11)Government operated transit facilities.(12)Governmental administration buildings.(13)Essential public services and facilities inclusive of, but not limited to, drainage facilities, and emergency services; i.e., staging areas responsive to declared emergency, with the exception of shelters for the homeless, which are regulated as a conditional use.(14)Non-recreational open spaces.(15)Temporary storage, for less than six (6) months, of construction materials and debris generated by storms or other natural disasters.(16)Other similar activities such as uses critical to government function, uses for essential public services, uses to serve social and cultural needs not otherwise listed.(17)Government maintenance facilities and garages.

Conditional uses in the public and semipublic services district (PS) are as follows:



- (1) Emergency shelters for the homeless, and shelters for temporarily housing the homeless,
- (2) Cemeteries., (3) Cultural and civic activities, inclusive of museums, theatres and stadiums.,
- (4) Protective services., (5) Public and private utilities., (6) Funeral homes and crematoriums., (7) Marinas.,
- (8) Restaurants and food service facilities associated with recreational activities., (9) Solid waste and recycling transfer and storage facilities.

In the public and semipublic services district (PS), all uses not specifically or provisionally provided for are prohibited.

Conservation Easement:

Portions of the HAWK Missile Site was set aside as a Conservation Easement in April 2007, as a result of an agreement with the South Florida Water Management District (SFWMD) to address the maintenance of the City’s stormwater system. The easement as provided for in City Resolution 07-115 is provided below.



Within the Conservation Easement area, except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements the following uses are prohibited:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
3. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a SFWMD approved maintenance plan;



4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;
5. Surface use except for purposes that permit the land or water area to remain in its natural or enhanced condition;
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;
7. Acts or uses detrimental to such aforementioned retention of land or water areas;
8. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance.

Passive activities as detailed below may be permitted upon written approval by the SFWMD, notwithstanding any other provisions of the Quitclaim Deed or the City or City ordinances.

1. The City may conduct limited land clearing for the purpose of constructing such pervious facilities as docks, boardwalks or mulched walking trails. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:
 - a. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;
 - b. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;
 - c. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;
 - d. All work shall be subject to all applicable federal, state, District or local permitting requirements.

Active vs. Passive Recreation

Recreational activities can be defined as being active or passive. Generally, existing covenants and regulations provide for passive recreational activities and generally prohibit active recreation on in the HAWK Missile Site.

Active recreation refers to a structured individual or team activity that requires the use of special facilities, courses, fields, or equipment. Soccer fields such as that proposed by the Key West International Airport is considered active recreation.

What are Examples of Active Recreational Activities?

- Baseball • Football
- Soccer • Golf
- Hockey • Tennis
- Skiing • Skateboarding

Passive recreation refers to recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreational activities place minimal stress on a site's resources; as a result, they can provide ecosystem service benefits and are highly compatible with natural resource protection.

Proposed boardwalks such as those to connect to Little Hamaca Park are considered passive recreation.

What are Examples of Passive Recreational Activities?

- Hunting • Camping • Hiking • Wildlife viewing
- Observing and photographing nature • Picnicking • Walking • Bird watching
- Historic and archaeological exploration • Swimming • Cross-country skiing • Bicycling
- Running/jogging • Climbing • Horseback riding • Fishing

No Hazard to Air Navigation

No portion or alteration to the site can be conducted without a determination of no hazard to air navigation as issued by the Federal Aviation Administration, in accordance with Title 14, Code of Federal Regulations (CFR), Part 77, entitled “Objects Affecting Navigable Airspace,” or under the authority of the Federal Aviation Act of 1958, as amended.

Americans with Disability Act

All site development must comply with the Americans with Disabilities Act.

5. Identify process to lease, assign, or sell property to eligible governmental agency.

The property in question is currently deeded to the City of Key West. Under the terms of the transfer of the property, the City of Key West is obligated to keep and utilize the property for parks and recreation activities, consistent with its 1999 application for the property. The property may only be sold, leased, or otherwise disposed to another eligible government agency; however, this is subject to approval by the United States Secretary of the Interior. In this case, the terms and conditions for use and maintenance of the property as a public park or public recreation facility as provided for in the 1999 application and 2002 Quitclaim Deed. All provisions of the Quitclaim Deed as covenanted runs with the property and must be included in any process to lease, assign, or sell the property.

The 1999 application notes the intent to ensure that “the Hawk Missile site will be maintained in its natural state.” The application also mentions future uses of canoe rentals, extension of the existing boardwalk and adapting the buildings to an interpretative center for military history, and marine and natural history presentations. Such uses on the site, whether initiated by Key West or via a concession agreement, will likely be deemed consistent with the 1999 application provided all other conditions are met.

Given the existing covenants in place, any action to lease, assign, or sell property to an eligible governmental agency will require that a detailed program be submitted to the Secretary of the Interior for approval. This can be done via the Federal Lands to Parks office for the Southeast, which has jurisdiction over sites located in Florida.

Concessions:

Concession agreements for recreational facilities and services compatible with the property are also allowed. However, prior to the finalization of a concession agreement, concurrence to the agreement must be obtained in writing from the Secretary of the Interior.

It is likely that in order to be approved, any concession agreement will need to maintain the public accessibility of the park without conditions or restrictions on access.

Additional Lands to Parks Options:

The Federal Lands to Parks program does allow for situations where the property is transferred because the receiving entity does not wish to maintain the property as public parks and recreation. In such situations, the property may be:

1. Transferred back to the federal government, at the discretion of the Department of the Interior and the General Services Administration.
2. Replaced with another suitable property with the same or greater value and recreational utility. (his option is preferred as it would maintain or increase state or local park and recreation opportunities.)
3. Changed to another federal public benefit conveyance program that is suitable to the proposed new use(s), if eligible and accepted by the other public benefit conveyance program, such as for education, public health, emergency management, or law enforcement.
4. Purchased at fair market value.

South Florida Water Management District:

The City's agreement with the South Florida Water Management District (SFWMD) provides for a Conservation Easement. Should any activity be planned in the easement, approval must be obtained from the SFWMD.

Revenues Generated:

In cases of lease, while the property may generate revenue, funds generated on this property may not be expended for non-recreation purposes, and further, the Quitclaim Deed providing for the transfer of the property to the City conditions the transfer such that all revenues on the property must be first utilized for the development, operation, and maintenance of property in accordance with the program of utilization as detailed in the City 1999 Federal Lands to Parks application. After those conditions are satisfied, the City may then expend any revenue generated on the property on other recreational sites operated by the City.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)

As part of the transfer process in the Federal Lands to Parks program deeding the HAWK Missile Site to the City of Key West, the federal government performed soils testing in the area, with action taken in identified areas of concern as detailed in the 2002 Quitclaim Deed's appendices. However, it was found that lead paint was stored at some of the structures and assumed that these structures contain lead paint. These buildings were not checked nor rehabilitated at the time as they were not housing or intended to be housing. Additionally, no information is currently available on a desktop review that would indicate the status of the paint on the building, whether it is still there or if it has chipped into the soil. Therefore, while remedial action has been taken on the soil, subsequent uses for any building that may have lead

paint potentially obliges the City to conduct the appropriate review and associated remedial actions if warranted.

Endangered Species Habitats (FEMA List)

Certain parcels of land within the City of Key West were designated by the Courts as having the potential habitat for as many as three endangered species of animals or plants: Eastern Indigo Snake, Stock Island Tree Snail and Keys Tree Cactus. Once known as the "FEMA List," development permits for these parcels may require local review for endangered species habitat before permits may be issued. The HAWK Missile Site's 4 parcels are on this list, and subject to review.

If development would affect such habitat, the City is required to refer the proposal to the United States Fish and Wildlife Service for review and approval.



6. Identify reporting requirements.

Secretary of the Interior

The City, as a condition of the transfer, is required to submit a biennial report to the Secretary of the Interior a report detailing the use of the property for the preceding two years, including information in regards to the programming originally proposed and or/amended as approved. Ten reports are due at a minimum; however, this may be extended at the discretion of the Secretary of the Interior. This report was first due on April 1, 2004. Currently, additional reports are due on April 1, 2022 and April 1, 2024.

South Florida Water Management District

The City is subject to a separate reporting requirement regarding the status of the mangroves planted as part of the system for the City’s stormwater mitigation. This annual reporting includes an annual update to the Baseline Mitigation Monitoring Report, and is needed through March 2024.

Third Annual	March 2022	80% survivorship of planted mangroves for three consecutive years
Fourth Annual	March 2023	80% survivorship of planted mangroves for three consecutive years
Fifth Annual (Final)	March 2024	80% survivorship of planted mangroves for three consecutive years

7. Identify any environmental concerns and reporting requirements.

1. *Wetlands*

A majority of the site is wetlands, with a portion of the site dedicated as a conservation easement with reporting requirements per agreement with the South Florida Water Management District, through 2024. Planned improvements may be subject to review and approval of the Florida Department of Environmental Protection, the South Florida Water Management District, and the US Army Corp of Engineers, in addition to any reporting needed to the U.S. Department of the Interior. Specifically, improvements that may have an effect on hydrological functions will be required to undergo full reviews; these can include reviews ranging from verifying that boardwalk pathways are raised to any wildlife disturbance as a result of activity.

2. *Fauna - Reporting*

Ongoing monitoring events needed for compliance with agreements with the South Florida Water Management District include fish and wildlife observations for Hawk Missile site. The following as reported previously by the City is part of an ongoing compilation of cumulative observations through the monitoring program since observations of fish and wildlife can be limited during any one monitoring event. The City continues to have this reporting requirements as part of its general annual reporting.

Common Name	Scientific Name	Comments
<i>Fish</i>		
Mosquito fish	<i>Gambusia spp.</i>	Common at culverts
Silver mullet	<i>Mugil gyrans</i>	Observed at culverts
Striped mojarra	<i>Diapterus plumieri</i>	Common in Salt Ponds
<i>Birds</i>		
White Ibis	<i>Eudocimus albus</i>	Foraging, resting



Green-backed heron	<i>Butorides striata</i>	Foraging, resting
Great Egret	<i>Ardea alba</i>	Foraging, resting
Reddish Egret	<i>Egretta rufescens</i>	Foraging, resting
Osprey	<i>Pandion halieatus</i>	Foraging overhead
Reptiles		
Mangrove water snake	<i>Nerodia fasciata</i>	In red mangrove areas

None of the above species are considered threatened or endangered. However, in prior documents, the City noted the existence of other species such as the bald eagle, which is protected.

It should be noted that the White-crowned Pigeon, which is protected by the U.S. Migratory Bird Treaty Act and as a State-designated Threatened species, has been located in neighboring Little Hamaca Park, and while not noted in prior City reports, should be examined further.

Endangered Species Habitats (FEMA List)

As previously noted, certain parcels of land within the City of Key West were designated by the Courts as having the potential habitat for as many as three endangered species of animals or plants: Eastern Indigo Snake, Stock Island Tree Snail and Keys Tree Cactus. If development would affect such habitat, the City is required to refer the proposal to the United States Fish and Wildlife Service for review and approval.

3. *Prior Contamination*

At the time of transfer from the Department of the Interior to the City of Key West, an environmental baseline survey (EBS) was conducted on the property, evaluating soil and water in 13 subzones. During the course of this EBS evaluation, areas with contaminants above set thresholds were identified; this included removal of soil in subzone 9. This area underwent mitigation treatment before the grant was completed. It was determined at the time that no further action was necessary for the other subzones. However, it was noted in the report that some of the buildings on site may contain lead paint, as canisters of lead paint were found. The prior evaluation determined that as the site was not housing nor to be used for housing, no further remediation at the time was warranted.

4. *FAA*

The site is not within the Runway Protection Zone (RPZ) of the Key West International Airport. However, it is in the proximity of the airport, and any structures or focal points for public assembly, such as fields, will have to undergo review.

8. Identify allowable recreational activities including lease and enterprise opportunities.

Recreational activities including concessions and enterprise opportunities that are permissible under the code include water-based activities, such as kayaking and other watercraft; education; hiking and nature pathways, including observation towers; and picnic areas. Utilities to support these activities are permitted.



Activities permitted are subject to the provision that they be developed so as to not adversely affect the hydrological functions of the wetlands.

Prior reports and recommendations for the site indicated a desire for soccer fields and basketball courts, among other recreational facilities. Under the existing code, these are not permitted. Further, should the code be amended to provide for these as conditional uses, the nature of the area as an environmentally sensitive site poses issues for the development of soccer fields or paved basketball courts.

As the existing buildings are grandfathered into the old code, adaptive reuse of existing buildings may allow for education on history of the site. This will be permissible as a park use under the Federal lands to Parks program; however, the City may need to amend its code to provide for such activities if it not located in the PS zone of the site.

The City is allowed to generate revenue off activities on the property. However, all revenue generated must first be spent on the operational and maintenance needs of the property before being allowed for other uses. Practically applied, the City should maintain any such revenue generated in a separate, trackable account. The City may be required to submit this information as part of its reporting to the Department of the Interior.

9. Identify value of Hawk Missile Site.

This is pending the results of the City of Key West's appraisal. The City has hired an appraiser to complete this task. Monroe County, which operates Key West International Airport, has offered \$600,000 for the site.

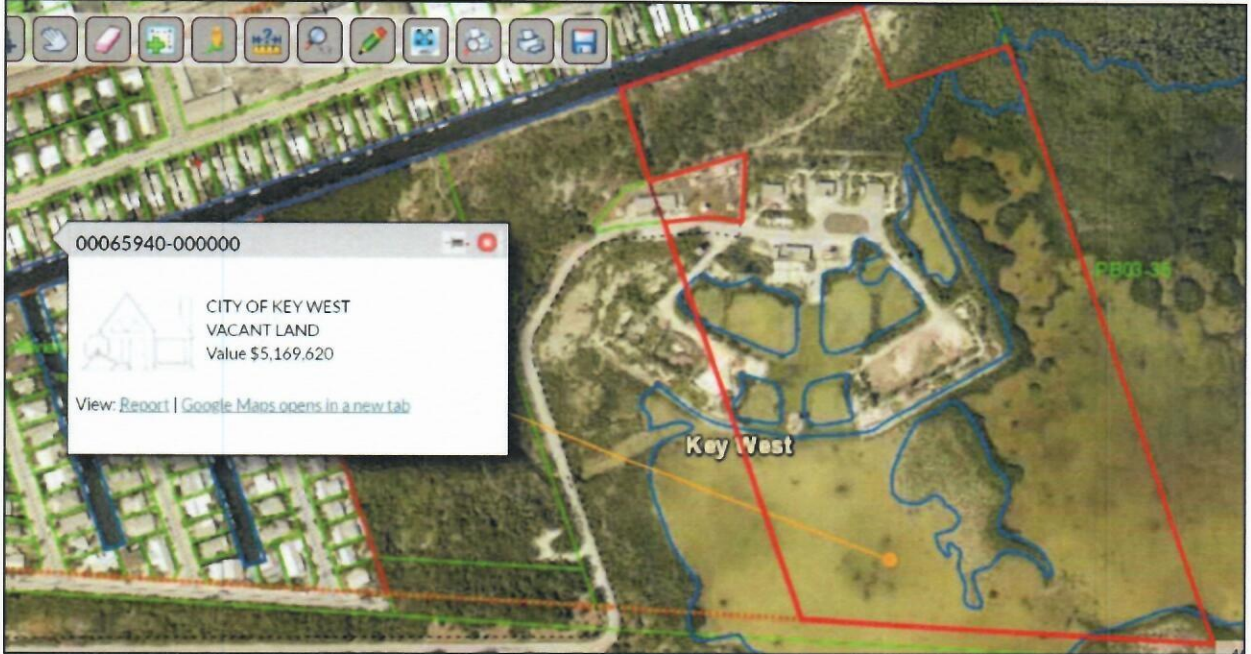
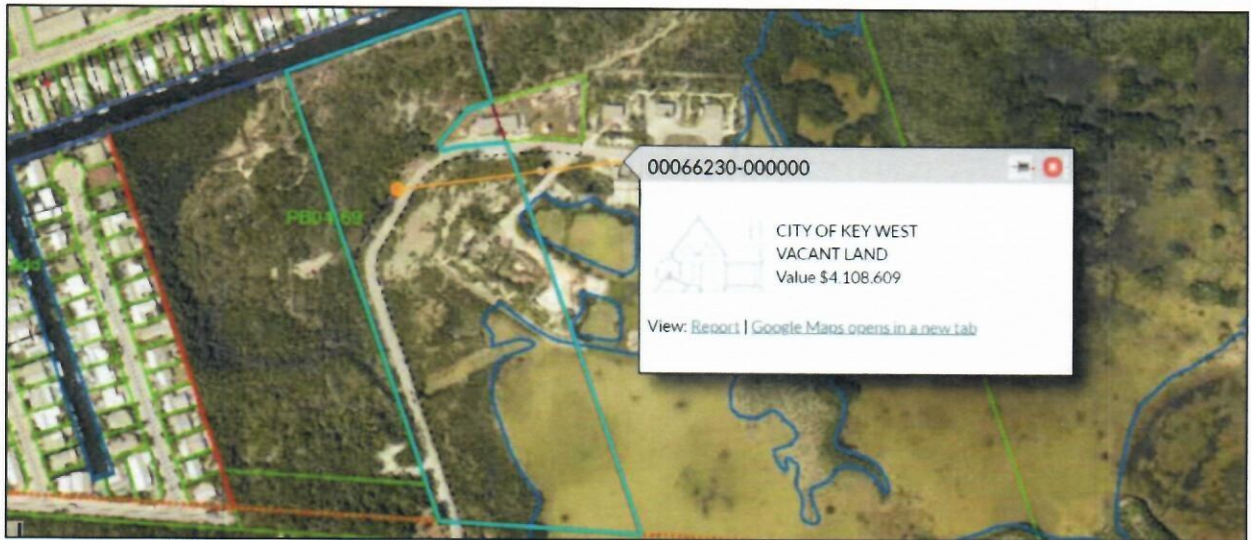
The Monroe County Property Appraiser assesses the site with a total value of \$ 9,811,367 (2017 dollars) as follows:

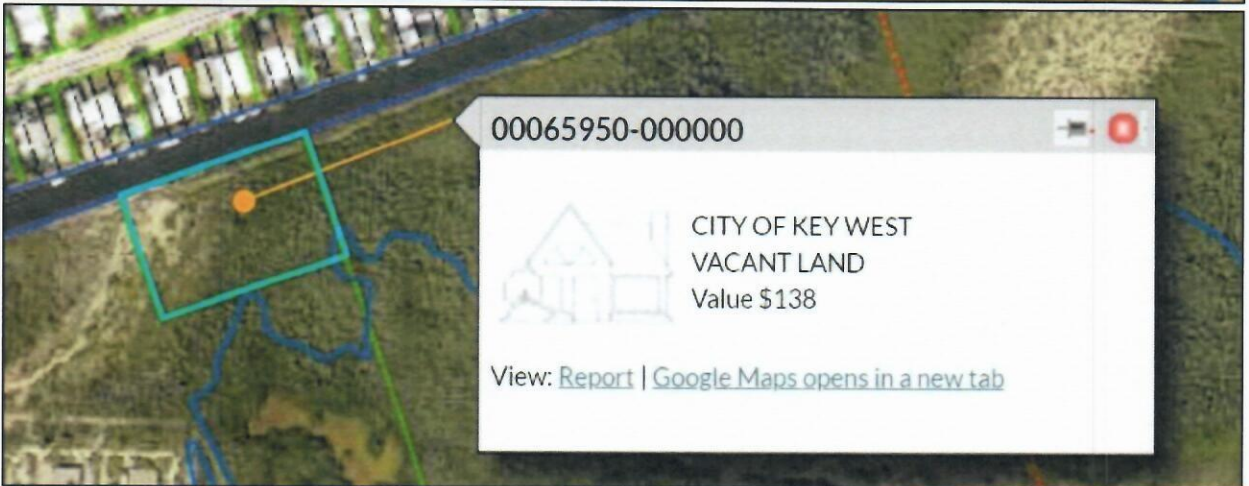
Parcel ID: 00066230-000000, Value: \$4,108,609

Parcel ID: 00065940-000000, Value: \$5,169,620

Parcel ID: 00066230-000100, Value: \$533,000

Parcel ID: 00065960-000000 , Value: \$138







10. Identify any potential or unforeseen roadblocks or hurdles to developing or selling HAWK Missile Site.

Program and Sale Approvals:

If there is development different from the intended program as posited by the City in its 1999 Federal Lands to Park program or, if the City intends to effect the sale of the HAWK Missile Site, this is dependent on approval by the United States Department of the Interior. Likewise, concession agreements are subject to approval. There is no guarantee that action may be approved.

Species:

Discovery of other species not previously known as of this report may provide for additional considerations of site protection, as noted elsewhere in this report.

Environmental:

Site is subject to review as wetlands, by Florida Department of Environmental Protection. Property as designated by courts is a potential **Endangered Species habitat**, and any development needs to be sent to the US Fish and Wildlife Service for review.

An environmental site assessment may be necessary for this site to reconfirm and may yield needs for remediation, particularly with lead paint in the buildings. A Phase I Environmental Site Assessment (ESA) may be completed prior to any transaction. A Phase I ESA is used to satisfy the requirements of CERCLA's (Comprehensive Environmental Response, Compensation and Liability Act) innocent land owner defense when it is completed prior to the closure of a real estate transaction.

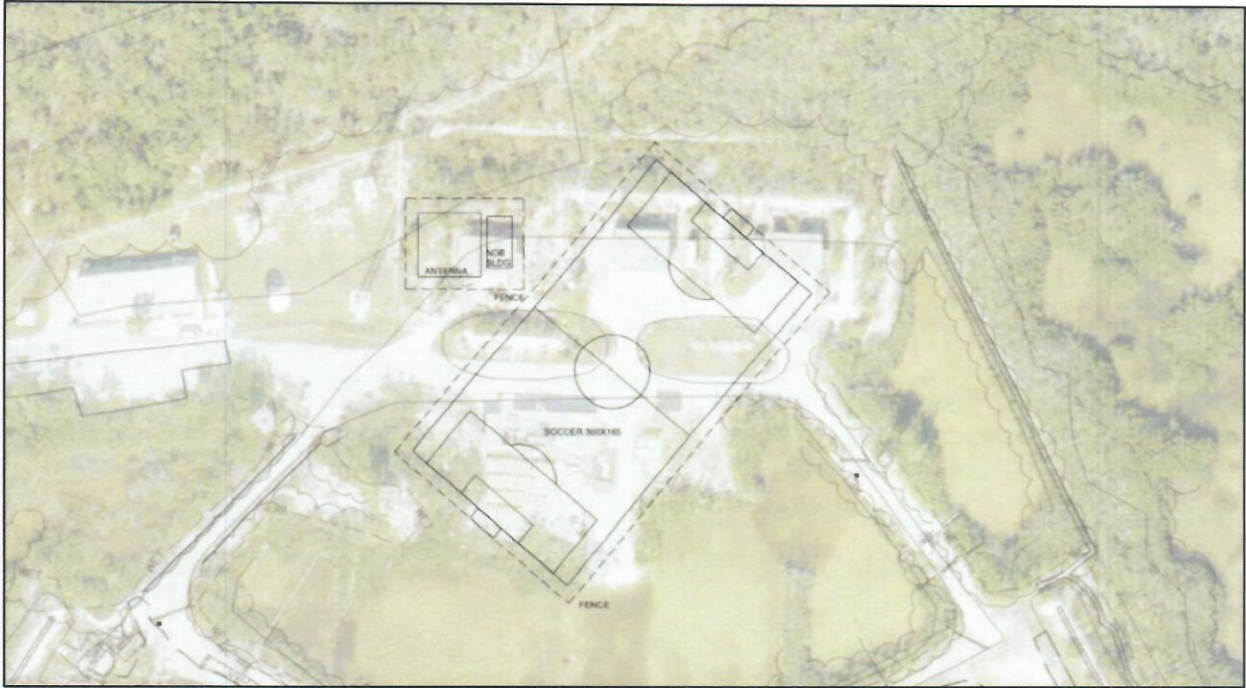
The results of a Phase I ESA may indicate the need for further assessment to determine if a regulated environmental condition exists. Soil and groundwater sampling is conducted during the Phase II in order to determine actual site conditions.

Each Phase II ESA is designed to help our clients make informed decisions regarding their involvement with a property. If contamination is found during the phased site assessment process, the project may proceed to site characterization and remediation, if necessary. ERMI strives to provide clear communications regarding discharge notification and risk management options when impacts are identified.

Key West International Airport proposal:

The Key West International Airport proposal provides for active recreation along with wetlands mitigation. This action may be done via sale or lease, provided the approvals are met. The proposal calls for a soccer field, and what looks to be a non-directional beacon or antenna proposed on the site. Non-directional beacons as a use is not Parks and Recreation and is subject to approval, as it deviates from the original 1999 application for usage of the property. Site accessibility is also an issue. Prior plans notes that people can walk to the site; however, given the distance along government road, this is not likely, and

alternatives, such as pedestrian/bicycle bridges over the canals, may need to be explored to effect actual utility of the site.



As presented, the following are issues with the plan:

- As presented overlaps with conservation easement
- Active Recreation not permitted on this portion of the site.
- Maintenance of fields and potential for runoffs with fertilizers, etc. may be issues.
- FAA may prohibit lighting on field, which reduces utility.
- Consideration of access for facility is needed (i.e. roadways, parking).
- May need restroom facilities.

Given the inconsistency of the use with existing zoning, the Key West International Airport proposed use for the HAWK Missile site will need revisions before the City can move forward with any requests to the US Department of the Interior and other agencies for review.