

19 July 2005

## Inquiry Response

**Re:** BI-0135 (CT-0551) Dyess AFB and RBTI Litigation**Requester:** BRAC Commission (Arthur Beauchamp)**Commission Provided Background:** Attached memo was submitted to the BRAC. It outlines litigation filed by the Davis Mountains Trans-Pecos Heritage Association against the Air Force (Davis Mountains v. USAF).

The case centers on the adverse impacts to the community and organizations when B-1 Bombers use the Dyess LANCER Military Operation Area (MOA) and Instrument Route (IR) 178 (also know as the Realistic Bomber Training Initiative (RBTI)). The suit has resulted in a district court order issued on 29 Jun 05 imposing flying restriction on B-1s at LANCER and IR 178. The order reads: "\_no aircraft will fly lower than 500 ft AGL (Above Ground Level), AP/1B altitude in IR-178, and no lower than 12,000 ft MSL (Mean Sea Level) when utilizing Lancer MOA."

In reviewing the information, the training restrictions were suggested by Air Combat Command as temporary measures to the court until the litigation is resolved.\* The rationale being that it at least preserves the opportunity, even if limited, for use of the RBTI (reference: Additional Declaration of ACC Director of Air and Space Operations (Case No 03-10506) dated 5 Jan 05).

Given this litigation we request feedback on the following questions:

**\* ACC Clarification of Commission Background:** Air Combat Command suggested the training restrictions as temporary measures to the court until the supplemental environmental impact statement (SEIS) and record of decision are completed and the FAA issues any implementing orders.

**Questions:**

1. Given the importance of training ranges and IR routes to the military value of an installation was this litigation factored into the MCI for Dyess?

Response: This litigation was not factored into the MCI score for any Air Force base. There was no viable method to consider ongoing litigation in computation of the MCI score.

2. Why has the Air Force changed its training to 500 ft AGL when in the past it was 300 ft AGL? Was this caused by the above litigation?

Response: The Air Force didn't change its training to 500 ft AGL--it proposed lowering its training altitude to 300 ft AGL when it created the RBTI along an existing route. The Air Force voluntarily returned its training altitude to 500 ft AGL pending the outcome of a SEIS. The presiding judge accepted the temporary return to 500 ft AGL pending the outcome of the supplemental wingtip vortices analysis, completion of an SEIS and issuance of FAA decisions as directed by the court.

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3. Did an installation score higher for those ranges that allow for flying at 200 ft AGL (given the fact that the B-1 has the capability to fly at 200 ft AGL and in some cases this is required for B-1 testing).

Response: Installations were not scored on the altitude restrictions of instrument routes. The scoring methodology only considered the relative distance of entry and exit points to the subject installations. The greater the number of routes an installation had available within the prescribed distance of 300 nautical miles for the Bomber MCI, the better the installation's MCI score.

4. If the AF loses the suit and is permanently restricted to flying at 500 ft at the RBTI, how will this impact B-1 training? This is a particular concern given the fact that the AF recommends consolidating the B-1 fleet at Dyess.

Response: Currently, there is no permanent restriction issue pending in court. The 5th Circuit Court of Appeals ruled the original EIS analysis, which used wingtip vortices affects at high altitude extrapolated to 300 ft AGL, as insufficient. The Court therefore directed a new analysis at 300 ft AGL.

The Air Force is in the process of analyzing wingtip vortices at 300 ft AGL as part of the SEIS and will make an appropriate decision on RBTI use once the SEIS is complete. If the results support flight at 300 ft AGL, the Air Force will follow the normal process of obtaining FAA approval to use the RBTI as originally requested. None of the court's rulings require the Air Force to return to court for approval as part of this process.

If the results do not support operations at 300 ft AGL, the 500 ft restriction will most likely apply. The training requirement to fly at 300 ft AGL, however, can be accomplished at restricted ranges. Given that possibility, Dyess AFB still has access to closer low-altitude ranges and airspace than Ellsworth AFB. Even at 500 ft AGL, the RBTI is still valuable. See attachments for Dyess AFB and Ellsworth AFB for depiction of currently existing ranges.

5. Request the Air Force rescore the MCI for Dyess training range and IR capability with this restriction.

There is no impact to the MCI score for the Bomber MCI as a result of instrument route altitude restrictions. Altitudes were not factored into consideration of instrument routes when calculating MCI scores. As regards the volume of airspace, Dyess AFB has 2.3 times the volume of airspace

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as Ellsworth and is still the higher scoring installation of the two given the voluntary altitude restriction of 12,000' MSL placed on the Lancer Military Operating Area.

Approved

A handwritten signature in black ink, appearing to read 'D. L. JOHANSEN', with a long horizontal line extending to the right.

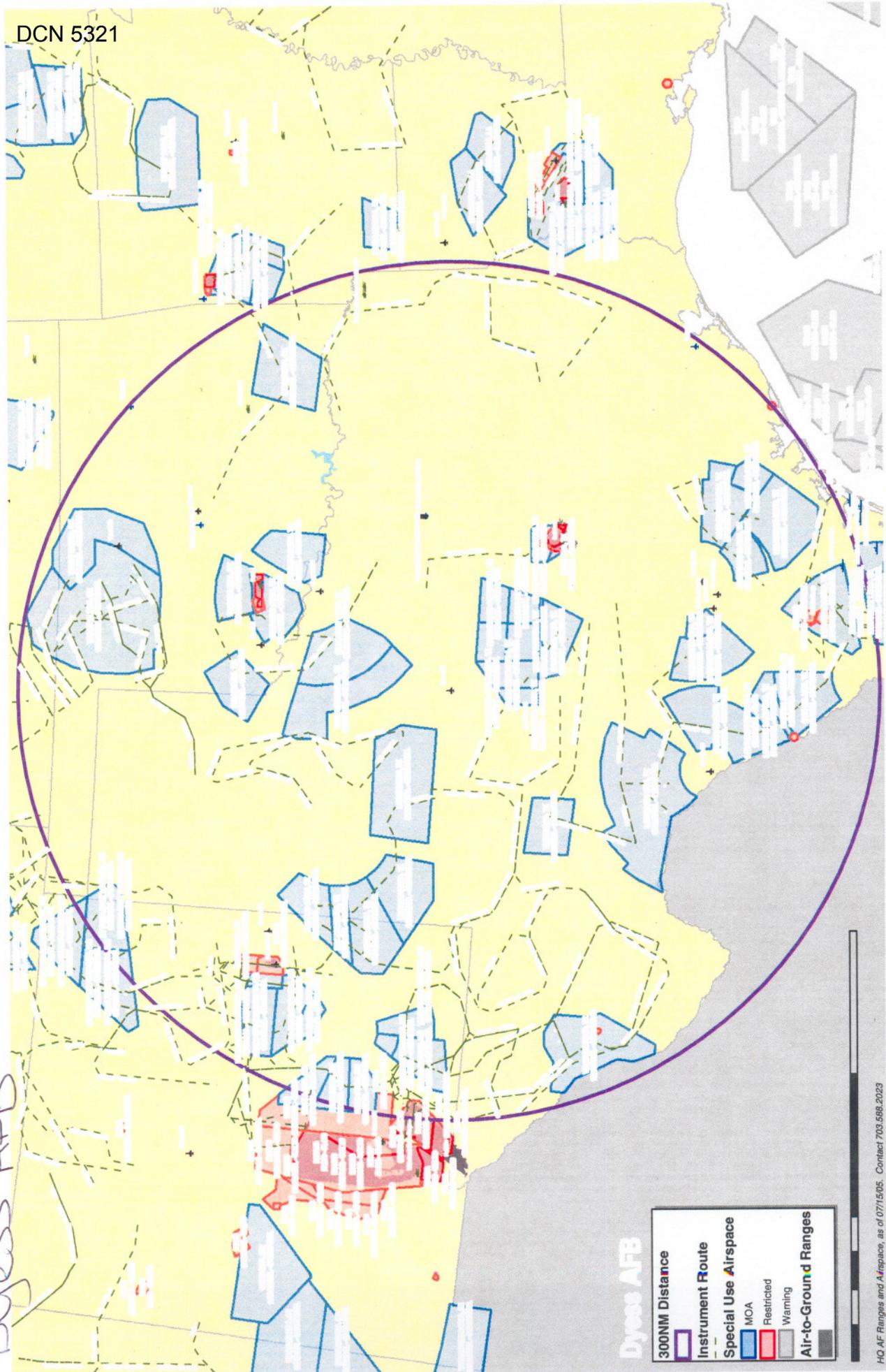
DAVID L. JOHANSEN, Lt Col, USAF  
Chief, Base Realignment and Closure Division

2 Attachments (11" X 17" formats)

1. Dyess - Airspace within 300NM
2. Ellsworth - Airspace within 300NM

DCN 5321

Dyess AFB



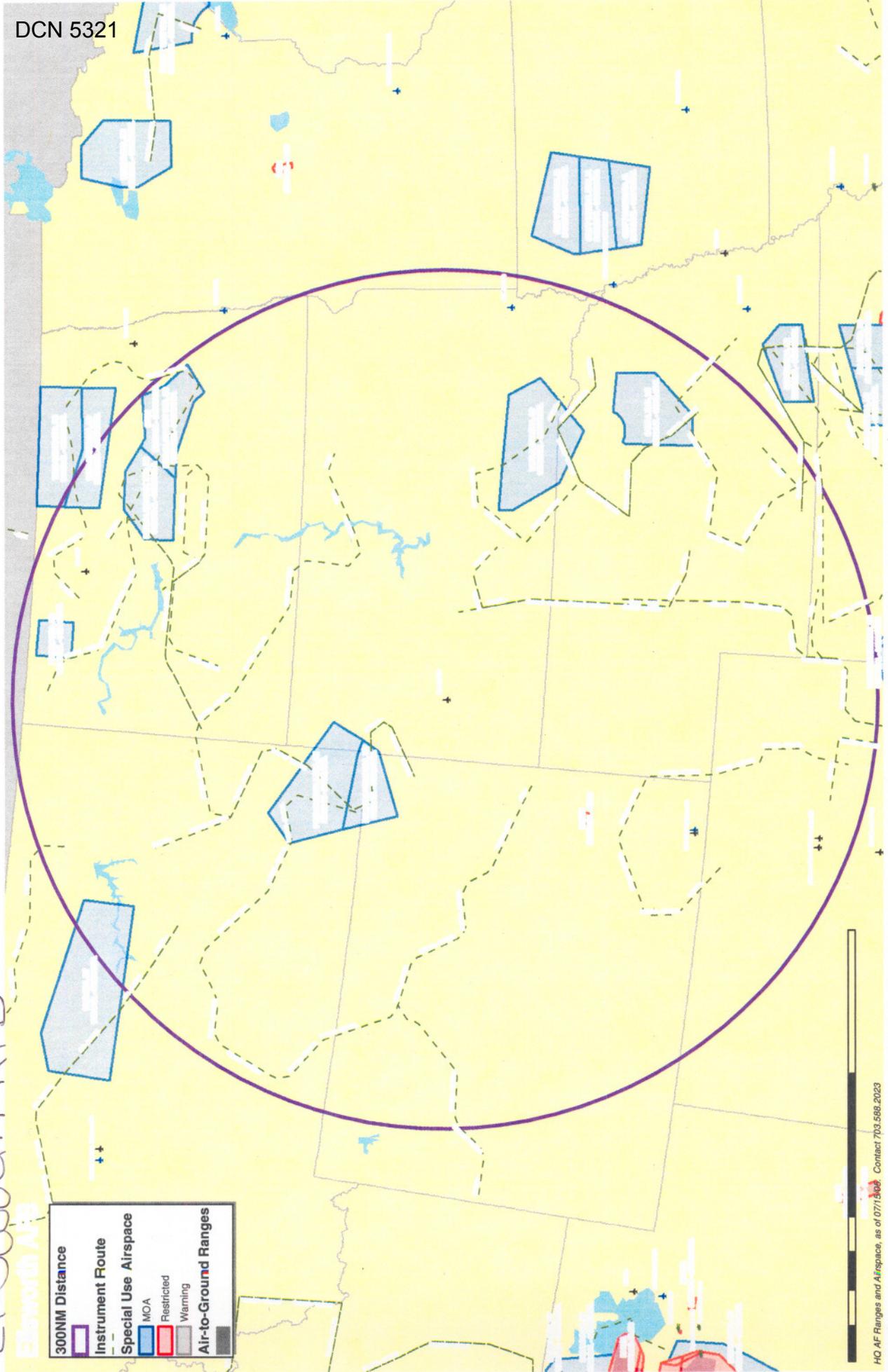
Dyess AFB

	300NM Distance
	Instrument Route
<b>Special Use Airspace</b>	
	MCA
	Restricted
	Warning
<b>Air-to-Ground Ranges</b>	

HO AF Ranges and Airspace, as of 07/15/05. Contact 703.568.2023

DCN 5321

Ellsworth AFB  
Ellsworth AFB



300NM Distance	Instrument Route	Special Use Airspace
MOA	Restricted	Warning
Air-to-Ground Ranges		

Scale bar: 0 to 100 NM

HQ AF Ranges and Airspace, as of 07/13/06 Contact 703.568.2023