

July 15, 1999  
Lt. Gen. Nicholas B. Kehoe III  
Inspector General  
United States Air Force  
1140 Air Force Pentagon  
Washington, DC 20330-1140

Dear Lt. Gen. Kehoe:

On behalf of Public Employees for Environmental Responsibility (PEER), I am writing to bring to your attention several serious concerns regarding the quality, or lack thereof, of environmental and cultural resources management of the Barry M. Goldwater Air Force Range (BMGR) in southwestern Arizona. Specifically, PEER is concerned that high-ranking military officials at Luke Air Force Base have shown a conscious disregard for, and in some instances have outright violated, federal environmental and historic preservation laws and regulations as well as Air Force operating instructions and base policies regarding resource management and coordination.

As a result of this official malfeasance, significant natural and cultural resources in this pristine Sonoran desert area, as well as public health and safety, are being put at undue risk, and the Air Force's ability to responsibly manage the public lands it "withdraws" for military uses is called into serious question. Therefore, PEER hereby submits this formal request that the Inspector General of the Air Force immediately initiate an investigation and performance review, as appropriate, of the following issues:

**1. Military officials at Luke AFB have violated federal environmental laws and Air Force rules and policies by improperly covering up or ignoring the environmental and cultural resource impacts of numerous accidental ordnance drops and crashes on sensitive BMGR lands.**

According to employee disclosures, Luke AFB Colonel David White, and his subordinate officers Lieutenant Colonel Isaacson and Major Garcia, have failed to properly coordinate and document errant ordnance and plane crash incidents with USAF environmental personnel in accordance with laws and operating instructions. Consider the following examples:

- On April 30, 1999, an Air Force A-10 attack aircraft accidentally dropped a 2,000-pound bomb which landed and exploded in a portion of the BMGR called Area A, an area supposedly designated as "safe" for public use. The errant explosion occurred less than one quarter of a mile from the intersection of two main public access roads in the area and created a

damage area with a diameter of approximately 6,000 feet. Despite base policy requiring immediate notification of the base's civilian natural and cultural resources staff, who are responsible for monitoring the Air Force's compliance with the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA) and the National Historic Preservation Act (NHPA) on the range and assessing the environmental and cultural impacts of such accidents, military officials at the base did not notify the environmental staff until at least four days after the accident. And then, the incident was reported to the environmental staff via a "sticky" note. Repeated requests by the environmental staff for additional information were ignored for months afterward.

Meanwhile, it remains entirely unclear how and whether this incident has been formally reported to the Department of Interior, and particularly, the Bureau of Land Management (BLM), which is slated to undertake management of public recreational use of Area A pursuant to a deal agreed to by USAF and DOI officials and contained in legislation currently pending in Congress. When members of BLM's National Scientific Advisory Board traveled to Luke AFB for a prior-arranged helicopter tour of Area A a short time after the accidental explosion, Colonel David White and other Luke officers flew the visitors to an entirely different part of the range to avoid any observation of the bomb crater, and then claimed they had gotten "lost."

- Air Force officials have repeatedly failed to make required reports under the Endangered Species Act when bombs have accidentally fallen on the protected habitat of the endangered Sonoran Pronghorn antelope in the range. Air Force jets have been involved in accidental ordnance drops or strafing on sensitive range lands that are important habitat of the endangered Sonoran Pronghorn antelope on at least 10 occasions in just the past two years. Despite mandatory provisions of the Biological Opinion for the Pronghorn, developed pursuant to Section 7 of the Endangered Species Act, that require the Air Force to notify the U.S. Fish and Wildlife Service of the ordnance incidents involving pronghorn habitat within 24-36 hours, base officials have taken weeks and even months to notify FWS after nearly every accident.
- Base officials have also purposely circumvented Air Force Operating Instructions with respect to environmental impact assessment and coordination after plane crashes. USAF Operating Instructions require that Air Force natural and cultural resource personnel on staff at the base be notified immediately and included in any immediate response plan in the event of a plane crash in any natural area associated with the range. This rule exists to ensure that any environmental and cultural resource impacts at a crash site are immediately assessed and that the resource impacts of response and clean-up efforts are minimized. Yet, when an Air Force plane went down on

BMGR lands this spring, Luke AFB officials ignored Operating Instructions and never notified the appropriate biologists and archeologists on staff. Even more recently, when a Marine jet crashed on BMGR land several weeks ago, Luke officials "let the Marines handle it," in violation of Air Force rules and over the protests of their own staff.

In light of the foregoing disclosures, PEER requests that the Inspector General undertake an immediate investigation of Colonel David L. White of Luke AFB and those under his command. PEER believes that such an investigation is necessary to determine whether and to what extent the actions and conduct of White and his subordinate officers in connection with ordnance accidents and crashes have violated the Endangered Species Act, Air Force Operating Instructions, and other rules, regulations and policies regarding environmental and resource coordination and management at BMGR.

**2. Luke AFB officials have circumvented environmental requirements and marginalized the base's professional environmental staff, undermining the Air Force's ability to manage its operation on the BMGR in an environmentally responsible fashion.**

- In direct violation of the National Environmental Policy Act (NEPA), Colonel White and USAF officials at the Pentagon made range renewal and land management responsibility decisions regarding prior to Legislative Environmental Impact Statement (LEIS) hearings and the closing of the LEIS public comment period. These decisions, involving continued "withdrawal" of BMGR lands for military use and a land exchange with BLM, now contained in the Defense Department's range renewal legislation pending in Congress, constitute new "federal action" for which no environmental assessments have ever been conducted.
- A Gila Bend Air Force Auxiliary Field Housing Demolition Environmental Assessment was also rushed through in violation of NEPA. Because the Air Force prides itself on giving excess housing to Native American reservations in South Dakota, for example, the USAF Native American liaison in Arizona, a real estate manager, and environmental staff all recommended to Colonel White that excess housing in Gila Bend be offered to Native Americans. Colonel White disregarded these recommendations and spent approximately one million dollars to demolish the houses instead of using the funds to move them to the nearby Tohono O'odham reservation, even though one reservation district was only 5 miles away.
- The BMGR is, conspicuously, the only major USAF base that has not completed an updated Integrated Natural Resources Management Plan (INRMP) within the mandated time frame required by the Sikes Act. When confronted by his own civilian environmental staff regarding his unwillingness to comply with the Sikes Act, Colonel White reportedly replied that the Sikes Act is "open to interpretation." White has since delayed and obstructed funding and preparation of an INRMP, until the Pentagon recently denied

"exemption" from the law in a "policy memo." Despite the Pentagon's rebuke, White has indicated that the INRMP for BMGR will not be completed until 2005.

- Attempts by Colonel White, Lieutenant Colonel Isaacson and Major Garcia, to circumvent NEPA and the Sikes Act have been met with resistance by civilian environmental professionals that have, in turn, resulted in threats of termination, intimidation, "gag-order" policies, and punitive involvement of the personnel office. Colonel White has interfered with research, management and compliance requirements and no longer allows civilian environmental staff to participate in meetings above "their level," thus undermining involvement by trained, experienced professionals, hindering effective resource management and compromising mission readiness. Not surprisingly, a Social Action Office "climate assessment" conducted during April 1998 within the Range Management Office, many employees complained on record that Colonel White, the commander of the range's resources staff, was anti-environment.
- Colonel White has made inappropriate public statements that weaken the professional credibility of the USAF and strongly suggests that the USAF is wrong agency to be managing valuable natural and cultural resources. For example, in a demonstration of his sensitivity toward and interest in the protection of endangered species on the range, White has reportedly made the comment, "Sonoran pronghorn for lunch?" He has shown similar insensitivity toward Native Americans, commenting recently, "Those poor people...How can they stand living here," in reference to a Tohono O'odham village. Perhaps the most obvious indication of White's commitment to managing the Air Force's use of pristine BMGR lands in an environmentally responsible fashion was revealed when he recently observed to the *Wall Street Journal*, "When you come out here and see this [land], your adrenaline starts pumping. You just want to drop some bombs."

The foregoing disclosures paint a troubling picture of environmental and cultural resource mis- management at Luke AFB. Moreover, given the obvious risk to the irreplaceable natural and cultural resources contained in the pristine Sonoran environment of the BMGR posed by irresponsible USAF range management, PEER further requests that the Inspector General recommend that the Department of Defense table its proposal to assume primary responsibility for natural and cultural resource management until the requested investigation and performance review have been completed and appropriate steps to address the resultant findings have been taken.

Thank you very much for your consideration of this request. Please do not hesitate to contact me to discuss this matter at 202-265-7337.

Cordially,

Jeffrey Ruch  
Executive Director, Public Employees for Environmental Responsibility