

LETTER OF AGREEMENT
BETWEEN
THE 412th TEST WING (TW)
EDWARDS AIR FORCE BASE CA
AND
GUARDIAN HELICOPTERS, INC
TO
TRANSIT RESTRICTED AREA R-2515

I
SCOPE

Whereas, R-2515 has been so designated by the FAA and set aside for the use and benefit of the Commander, 412 TW, Edwards AFB CA, in the accomplishment of its mission of testing various aircraft, missiles, and other aeronautical devices and aerospace vehicles; and

Whereas, the user has requested the use of the R-2515 on an regular basis under the sponsorship of the 412 TW Edwards AFB; and

Whereas, the user understands that entering into this Agreement does not exempt them from the Code of Federal Regulations, Title 14 (14 CFR) and it is the user's responsibility to request and obtain waivers of 14 CFR from the FAA; and

Whereas, the user understands that the degree of exposure of the United States to any liability is a material consideration of this Agreement; and

Whereas, the user agrees to comply with all operating and scheduling instructions.

Now, therefore, this Agreement is made and entered into by and between the 412 TW and the user and through their duly authorized representatives and who agree as follows:

II
DEFINITIONS

For the purposes of this Agreement, the following definitions apply:

412th Test Wing: Commander or designated representative.

412 OSS/OSOS Current Operations Scheduling: scheduling agency for R-2515.

412 OSS/OSOA Airspace Management Office: airspace agency for R-2515.

ASU: Airspace for Special Use (e.g. West Range, Alpha Corridor, etc.).

FAA: Federal Aviation Administration.

JCF (Joshua Control Facility): FAA's Combined Control Facility at Edwards AFB CA. They provided terminal and enroute Air Traffic Control services.

Participating Aircraft: Participating aircraft in R-2515 are aircraft under the command of, or sponsored by, the Navy, Air Force, or Army members of the R-2508 Joint Policy and Planning Board (JPPB), and civilian aircraft under letter of agreement whose flights have agreed to operate under Visual Flight rules using the concept of "See and Avoid."

R-2515: Restricted area surrounding and above Edwards AFB, officially approved and designated by the FAA, identified in the Federal Register, shown on aeronautical charts as R-2515, and set aside for use by 412 TW in the accomplishment of its mission.

SPORT: 412 TW Military Radar Unit which provides command and control (C2) services to participating traffic in R-2515.

United States Installation: includes, but is not limited to, all DoD and civilian facilities and United States controlled airspace (e.g. R-2515).

United States Personnel: includes military and civilian personnel of the United States acting within the scope of their employment and authorized users of the United States controlled airspace, and heirs, successors, executors, administrators, and assigns of such personnel.

User: the party or company entering the agreement, or designated representative.

III

HOLD HARMLESS AGREEMENT

In the event the user is a separate contractor with the Government and is using the government's property pursuant to and within the scope of its performance objectives under such separate contract, then the user's obligation to release, indemnify the Government, its agencies or employees, as the case may be, for any such damage to or loss or destruction of said property shall be as stated in such separate contract.

FOR AND IN CONSIDERATION OF THE 412 TW AUTHORIZATION FOR THE SHARED USE OF THE R-2515 FOR THE LIMITED PURPOSES AND SUBJECT TO THE RESTRICTIONS HEREINAFTER DELINEATED, THE USER ACKNOWLEDGES THAT THE ABOVE DEFINED RESTRICTED AREA IS A HIGH RISK AREA IN WHICH AIRCRAFT, MISSILES, ROCKETS, AEROSPACE VEHICLES, AND OTHER AERONAUTICAL DEVICES, WHICH ARE IN EXPERIMENTAL STAGES AND

FREQUENTLY UNPREDICTABLE, AND, AT TIMES, BEYOND CONTROL OF THE OPERATOR, ARE TESTED AND AGREES TO RELEASE FOREVER THE UNITED STATES, ITS AGENCIES, AND UNITED STATES PERSONNEL FROM EVERY LIABILITY ARISING OUT OF THE USE, UNDER THIS AGREEMENT, OF ANY UNITED STATES INSTALLATION, SUPPLY OR SERVICE WITHIN R-2515 BY THE USER. THE USER WILL DEFEND, PAY, OR SETTLE, SUBJECT TO APPROVAL OF THE UNITED STATES, EVERY CLAIM OR SUIT AGAINST THE UNITED STATES, ITS AGENCIES, AND UNITED STATES PERSONNEL BY AGENTS OR EMPLOYEES OF THE USER, OR PERSONS CLAIMING THROUGH THEM, OR BY THIRD PARTIES AND WILL HOLD THE UNITED STATES, ITS AGENCIES, AND UNITED STATES PERSONNEL HARMLESS AGAINST EVERY SUCH CLAIM OR SUIT, INCLUDING ATTORNEY FEES, COSTS, AND EXPENSES CAUSED BY OR INVOLVING THE USER AND ARISING OUT OF THE SHARED USE, UNDER THIS AGREEMENT, OF ANY UNITED STATES INSTALLATION, SUPPLIES OR SERVICES WITHIN R-2515. EXCEPTION: DEATH, INJURY, LOSS, OR DAMAGE TO PERSONS OR PROPERTY RESULTING SOLELY FROM THE WILLFUL MISCONDUCT OF UNITED STATES PERSONNEL.

IV GENERAL

Civil Use, under this Agreement, is restricted to the user, or duly contracted personnel in accordance with Attachment 1.

The 412th Test Wing Public Affairs (412 TW/PA) is the public release authority for imagery acquired on the installation. If the aircraft intends to use imagery, the user will identify the type of imagery to be used and the areas they intend to image. No imagery flights will be allowed without approval of all entities in the area to be imaged. If imaging occurs during a short notice active pursuit, the user will notify 412 TW/PA within 24 hours and prior to releasing the footage to outside agencies. If any imagery of Edwards Air Force Base's facilities is captured within the scope of the mission, the imagery must be turned over to the 412th Public Affairs Office for a Security and Policy review.

All 412 TW support, under this Agreement, that is normally considered reimbursable must be negotiated in advance, on a case-by-case basis, with the 412 TW/TMGB, Bid and Proposal Division (661) 275-9079.

V PROCEDURES

All users are required to receive an annual R-2508 and R-2515 airspace briefing prior to flying within R-2515. Users, and user contracted aircraft operators, shall comply with procedures outlined in the briefing, local operating instructions, and this Agreement. The R-2515 airspace briefing and applicable references can be obtained from the R-2515 public website: <https://www.edwards.af.mil/Home/R-2515-Airspace/>.

R-2515 is continuously active. The Edwards' Tower, Airfield, and SPORT are open in accordance with the IFR Supplement. Operations in R-2515 will be under SPORT control when

the SPORT facility is operational. When SPORT is not operational, R-2515 will be under JCF control. The authority of SPORT or JCF to approve or disapprove requests for entry is final. All directions to evacuate the area or comply with any of the requirements or restrictions thereby imposed are mandatory. Aircraft shall contact SPORT on 132.75 MHZ or JCF on 133.65 respectively, or suitable substitute, prior to operating within R-2515.

The pilot of the aircraft will be responsible for maintaining VFR, operate using the principle of "See and Avoid", remain within assigned airspace, and remain clear of the airspace boundary. Responsibility for safety of flight remains with the pilot of the aircraft.

This Agreement does not constitute blanket approval for transit of R-2515. Airspace availability and activation is predicated on the Daily Schedule. Each flight must be coordinated, approved, and scheduled in accordance with Edwards Air Force Base 11-115, "*Scheduling Procedures for Aircraft and Air/Ground Support*." The 412 TW Commander reserves the right to suspend clearance or withdraw authorization for the duration of hazardous testing or in the interest of protecting life and property of all concerned.

To schedule access to R-2515, the user must email the scheduling office (412OSS.OSOS.ROC@us.af.mil) and provide the following information (the following is an example):

Date:	12/17 – 12/20
Time:	0800-1800L
Callsign:	N12345
Type Aircraft:	C-XXX
Altitude:	200' AGL
Departing:	KXXX
Returning:	KXXX

VI ADMINISTRATION

This LOA will be reviewed annually to determine the need for revision/modification. This LOA may be terminated by any party thirty days after written notice to the other.

Amendments to this agreement may be proposed by either party and shall be effective upon receipt of written approval by all parties. Coordinate requested changes via email with the R-2515 Airspace Management office at 412OSS.OSO.R-2515AirspaceMgr@us.af.mil.

APPROVED:


JEFFERY TEUBNER
Guardian Helicopters

Date

4/25/19

For CHRISTOPHER J. SPINELLI, Colonel, USAF
Commander, 412th Operations Group



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 412TH TEST WING (AFMC)
EDWARDS AIR FORCE BASE, CALIFORNIA**

R-2515 Airspace Request

Below is a list of required information needed to coordinate your airspace request. Aerial survey/imaging/photography or any other type of data collection request within R-2515 requires a minimum of 14 duty days advanced coordination. All aircrew associated with this requested operation are required to receive an R-2515 Airspace Users briefing from the R-2515 Airspace Manager prior to conducting operations.

Requester: Guardian Helicopters

Point of Contact: Jeffery Teubner

E-mail: jteubner@flyghi.com

Mailing Address: 16425 Hart Street

Telephone: 818-442-9904 Cell 818-621-3794

Purpose: Fly to and from California City Correctional Facility (see route map below)

California City Correctional Facility: N 35 09 17.16 W 117 51 30.87

Required Altitudes: SFC - 1000' AGL

Callsign and Type Aircraft: N711GH / UH-1H

Type/specifications of imagery or data collection equipment **that will be used, if appropriate:** (User is not authorized to film or collect data outside the parameters outlined above.) **Not authorized.**

