

JANUARY 21, 2021

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Harlingen, TX

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Mercedes,, TX

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Port Isabel, TX



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Brownsville, TX

JANUARY 21, 2021

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Donna, TX



JANUARY 21, 2021

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Brownsville, TX

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**Re: SpaceX proposal to conduct Starship/Super Heavy launch operations from the Boca Chica Launch Site in Cameron County, Texas.**

I urge the FAA to conduct a new EIS for the SpaceX Starship/Super Heavy operations currently underway at SpaceX's Boca Chica site. From the 2014 FEIS, the objective of SpaceX's operations are entirely different, the launch vehicle is entirely different, and the size and scope of SpaceX is entirely different, which potentially in the future may include off-shore launches via superheavy-class spaceports, Superheavy re-landing on the launch stand, and a resort.

An EIS is in the interest of the public's concern to impacts that include accessibility of public lands, public safety, environment, wildlife, habitat, cumulative analysis of impacts, the unique characteristics of the geographic area (e.g., proximity to historic or cultural resources, parks, prime farmlands, wetlands, wild and scenic rivers, ecologically critical areas, adverse impacts on endangered or threatened species or critical habitat; impacts that may be both beneficial and adverse. A significant impact may exist even if the Federal agency believes that on balance the impact will be beneficial; the degree to which the effects on the quality of the human environment are likely to be highly controversial; and whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance cannot be avoided by terming an action temporary or by breaking it down into component parts. An EIS most probably will more adequately address the differences and changes to SpaceX's operations. Ultimately, an EIS is needed to predict and mitigate anticipated consequences and prevent unintended consequences of SpaceX's proposals of the Starship program on the region of influence.

FAA should consider not just the "proposed project" and "no action" alternatives, but also other alternatives that include launches of Starship from an offshore platform or moving Starship launches to Cape Canaveral, for which the necessary infrastructure already exists and is situated further away from national wildlife refuge and/or state park land.

A new cumulative analysis needs to be conducted. A 3rd party launch failure analysis is needed due to the proximity of Port Isabel, Long Island Village and potentially three LNG export terminals (Annova LNG, Rio Grande LNG, Texas LNG) within 5 miles of the launch site. Public safety must be

the first and foremost consideration. Additionally, an analysis of the potential impacts to the proposed Jupiter LLC project, a crude upgrading, processing and export facility which includes an offshore loading facility 6 miles offshore. The cumulative analysis should also include impacts to climate change with regards to the value chain of SpaceX's operations (e.g. source of methane which is often fracked, condensing methane to liquid state, burning of fuels, etc.)

Considering the many changes since 2014, a 7 year period, and the scope of the Starship program, a new biological opinion is needed. The Starship is much larger, there will be more testing, more beach closures, and more traffic to SpaceX's facilities that are in an area where endangered wildlife is present. More closures of Boca Chica beach will result in increased inaccessibility to monitoring of endangered sea turtle nesting sites.

Since the Federal Aviation Administration already sent notice of preparing an EA, and if the FAA concludes a Finding of No Significant Impact (FONSI) we request that the agency identify relevant areas of environmental concern, verify that EA supports the agency's determination that the potential impacts will be insignificant, and most importantly, identify mitigation measures that will be sufficient to reduce potential impacts below applicable significance thresholds and has ensured commitments to implement these measures. In other words, a Mitigated FONSI should be issued by the responsible FAA official. Additionally, I request the FAA enforce and/or hold SpaceX accountable to their required mitigation. Not all original 29 conditions from the EIS of 2014 were adhered to by SpaceX.

(b) (6)

Palmview, TX



I am a permanent resident of South Padre Island and am very concerned about the way that the FAA is handling the Environmental Assessment process for the greatly expanded SpaceX project in the Lower Rio Grande Valley. Instead of simply allowing an EA, there should be a completely new Environmental Impact Statement process conducted due the significant changes that have already occurred in violation of the 2014 EIS.

The number of launches has increased, and more importantly, the size of the rocket engines and the amount of fuel the Starship/Superheavy will use compared to Falcon 9 and Falcon Heavy are completely incomparable. Additionally, that there is now a plan to drill natural gas wells and to liquefy and store the methane on site is predictive of what the future holds; continued changes with little oversight. How can such changes be considered so insignificant that there is only a need for an EA, rather than a completely new EIS?

The FAA should be highly concerned about the possibility of catastrophic explosions with the increase in rocket size, since there have already been several mishaps resulting in fires. Wouldn't the FAA prefer to take the responsible action of a complete open review that a new EIS would provide? Doesn't the FAA want to know the true scope of the project before the SpaceX administrators continue with their own changing visions? I do.

Another disturbing change is the number of hours that local roads and Boca Chica State Park are closed. These are public areas that are heavily used. Cameron County and the city of Brownsville are relatively low and moderate income areas of Texas; places where the citizenry relies on public open space. At the rate that the closures have increased over the past year, it is unclear what the closure rate (and the cost of clearing public areas) will be in the future.

Before there is any more development, there needs to be a new EIS in order for full public discussion of this new project. Six years ago, when the original EIS was written, the project was presented as one with minimal impact to the environment, one that would not present any public safety issues, and one that would not impede scientific research or recreational and fishing activities. All of this has changed without oversight.

There are alternatives. Starship/Superheavy could be launched from Cape Canaveral or even from off-shore platforms. This would address the serious public safety concerns as well as minimize impacts on the fragile LRGV environment. Only with a new EIS with full disclosure and public input, will these issues be resolved in a way for the FAA to maintain its integrity.

(b) (6)



January 22, 2021

U.S. Department of Transportation  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, DC 20591

*Transmitted via electronic mail to [spacexbocachica@icf.com](mailto:spacexbocachica@icf.com)*

RE: Public comment in conjunction with NEPA scoping of programmatic Environmental Assessment for SpaceX Starship / Super Heavy project

Dear Project Administrator,

On behalf of the Surfrider Foundation South Texas Chapter ("Surfrider"), please accept these comments as part of the NEPA scoping process on the proposal by SpaceX to construct and operate new launch facilities and conduct new launch and launch-related activities as associated with its Starship / Super Heavy Project ("Project"). The Surfrider Foundation is an environmental nonprofit dedicated to the protection and enjoyment of our coasts. Founded in 1984, Surfrider now maintains more than one million supporters and members, with more than 170 volunteer-led chapters and clubs in the U.S., including Surfrider Foundation South Texas.

The Surfrider Foundation South Texas Chapter was established in 2005 in response to a proposed plan to privatize a public beach park, Isla Blanca Park, into a casino, resort and marina on South Padre Island. Since that moment, Surfrider Foundation South Texas Chapter has been a driving force in pursuing the natural preservation of our beaches through influencing local policies and conducting many beach cleanups as well as a nationally recognized (through the Texas General Land Office and the American Shore and Beach Preservation Association) decade-long partnership with the City of



South Padre Island on the Dune Restoration Project. We were also instrumental in promoting and the achievement of the passage of State Constitutional Proposition 9 in 2009, which enshrined the core foundation of the Texas Open Beaches Act—the right of the public to individually and collectively access and use the beaches the seaward shore of the Gulf of Mexico—into the Texas Constitution.

Surfrider has serious concerns about the Project and the potential for the Project to result in significant adverse effects to the environment, and Surfrider appreciates the opportunity to share a summary of those concerns here.

#### **I. Reasonably Foreseeable Environmental Effects Necessitating Analysis via Environmental Impact Statement**

The Project as proposed consists of substantial infrastructure, project components, and operations impacts, the potential impacts from which most assuredly meet the test of reasonably foreseeable potentially significant impacts. The fully integrated Starship/Super Heavy launch vehicle will be approximately 400 feet tall and 30 feet in diameter – larger than the Statue of Liberty. Super Heavy will be equipped with up to 37 Raptor engines and Starship will employ up to six Raptor engines. The Raptor engines are powered by 10.1 million pounds of liquid oxygen and liquid methane, which operate by combustion to propel the rocket into space. The potential for significant visual and sound impacts to humans and wildlife (including wildlife in a nearby national wildlife refuge) from the vehicle itself, which is vastly larger than the current rockets launched at the site, and launch thereof, as well as for impacts associated with producing, transporting, storing, and burning these substantial fuel reserves, is quite likely and necessitates thorough review through an Environmental Impact Statement (“EIS”).

As outlined on the FAA project webpage, SpaceX's proposed new launch-related construction activity in the Project consists of expanding the solar farm, adding



infrastructure and facilities at the VLA, a liquid natural gas pretreatment system and a liquefier. At the VLA, SpaceX is proposing to construct a redundant launch pad and commodities, a redundant landing pad, two integration towers, tank structural test stands, and a desalination plant. Any one of these constructed facilities on their own, let alone combined, have the potential for significant adverse environmental effects. A desalination plant, for example, may have environmental impacts associated with its intake and waste discharge, with energy use and associated emissions, and thus such a project typically requires its own environmental review.

In addition to these concerns, in the instance of a catastrophic equipment failure, the potential for irreparable damage to the environment and hazards to the public would be tremendous, thus requiring analysis in an EIS. Equipment failure is reasonably foreseeable given that the prototype for the Starship rocket has already exploded at this very project site on May 29, 2020.<sup>1</sup>

Furthermore, Surfrider is concerned that the public use of the coast will be severely impacted by closures related to the Project, which would be inconsistent with provisions providing for public access as promulgated by the Texas Open Beaches Act (Texas Natural Resources Code: Title 2, Subtitle E, Chapter 61), including Section 61.132 regarding closure of beaches for space flight activities, and the Texas Bill of Rights Article 1, Section 33. Indeed, current SpaceX operations have already severely hampered public beach access. The Project site at Boca Chica has become more heavily utilized than was proposed for the previous [existing] project, as it has become a testing and proving facility with vastly expanded closure dates that has cut-off consistent and regular access to Boca Chica Beach. Surfrider believes this is an abuse of the public trust resources of Texas. In 2019, Highway 4 was closed a total of 100 hours or about 1% of the year. In 2020, this drastically jumped to 1,133 hours or 13% of the year. So far in 2021, SpaceX has closed Highway 4 the majority of days in January,

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<sup>1</sup> <https://www.theguardian.com/science/2020/may/29/spacex-starship-rocket-prototype-explodes-test>



and as SpaceX increases production and use of the Starship rocket, Surfrider is concerned that 2021 and beyond will see further significant increases in closures. The de facto closure of Boca Chica Beach violates the Texas Open Beaches Act and state constitution.

Lastly, it is reasonably foreseeable that there are connected actions that the Project will induce that would also have the potential for significant environmental effects, such as an increase in Project-serving development and infrastructure for employees, launch spectators, tourists, and/or transport. The desalination facility may result in connected actions or cumulative actions if the product water is sold to other users or purveyors, facilitating development, in which case those actions should also be appropriately analyzed.

## **II. Support for Analysis of the Project through an EIS**

NEPA ensures that federal agencies take a hard look at the environmental consequences of their actions before they act. See 42 U.S.C. §§ 4321, 4332(2)(C); 40 C.F.R. §§ 1501.2, 1502.5. NEPA requires federal agencies to prepare an Environmental Impact Statement (EIS), a thorough environmental review document, for all “major Federal actions significantly affecting the quality of the human environment.” 42 U.S.C. § 4332(C). An EIS is required if there is a “substantial possibility that the [proposed action] may have a significant impact on the environment.” *Friends of Back Bay v. U.S. Army Corps of Engineers*, 681 F.3d 581, 590 (4th Cir. 2012) (quoting *National Audubon Society v. Hoffman*, 132 F.3d 7, 17 (2d Cir. 1997)).

40 CFR 1501.3 outlines a rubric for assessing the appropriate level of NEPA review for a proposed project. If a project is expected to have significant effects, then an environmental impact statement (“EIS”) is the appropriate level of review. Further, in considering whether the effects of the proposed project are significant, “connected



actions” should also be considered. 40 CFR 1501.9(e) defines a connected action as having at least one of the following qualities: i) automatically trigger other actions that may require EISs; ii) Cannot or will not proceed unless other actions are taken previously or simultaneously; or, iii) are interdependent parts of a larger action and depend on the larger action for their justification.

NEPA requires connected, cumulative, and similar actions to be considered together in a single EIS. 40 C.F.R. § 1508.25. Connected actions are those that are closely related and should therefore be discussed in the same EIS. 40 C.F.R. § 1508.25(1).

An agency may not impermissibly segment or tier NEPA review, and it may not rely upon outdated or inapposite information from former environmental review performed for a different project. As proposed, the Project would cause vastly greater environmental impacts than SpaceX’s current launches and operations, which must be analyzed as a new project. The dangerous process of curtailing review could overlook the potential disruptions to human and natural environment, habitat fragmentation, public safety risks, coastal resource damages, and recreational opportunity loss.

As outlined in the above section, Surfrider asserts that the Project, connected actions such as ongoing beach closures, and cumulative actions can be reasonably expected to result in significant effects, and these effects must be appropriately and fully analyzed in an EIS.

### **III. Alternatives of the Project**

Regarding alternatives of the Project, with loss of public access being a connected action associated with implementation of the Project, Surfrider suggests that an alternative of the Project be considered that does not infringe upon the public’s constitutional right to access the coast. Using SpaceX’s current operations as an



example, what was originally purported as a maximum of a once-a-month launch event with up to 2 days of closure on either side of the day, we are now experiencing a “stacking” of closure days with primary and secondary days that are announced and can quickly add up to weeks at a time. This is coupled with an inadequate public notification process that quite frankly is so confusing as to what is approved and what is not, that it encourages potential beach users to just give up and go somewhere else.

Compliance with beach access laws may potentially be accomplished by implementing the project in such a way that eliminates closure of Highway 4, or minimizes closure of Highway 4 to the public during space launches to only a set number of hours per year, in short intervals, further limiting these closure hours to periods of low use (i.e. limiting closure to dark hours such as one hour after sunset and one hour before sunrise), with closure periods only occurring infrequently, following a fixed schedule, with adequate public notice.

#### **IV. Summary**

Due to the potential for these significant environmental effects, Surfrider strongly believes that further analysis of the Project in the form of an EIS is required to adequately consider the host of potential negative environmental impacts associated with construction, facilities, and operation of the Project.

Thank you again for the opportunity to comment.

Sincerely,

**(b) (6)**

Surfrider Foundation South Texas Chapter



TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

January 22, 2021

Federal Aviation Administration  
Commercial Space Transportation  
800 Independence Avenue SW  
Washington, DC 20591  
spacexbocachica@icf.com

**Re: Comments regarding the Scope of Issues for the Environmental Assessment (EA)  
SpaceX Starship/Super Heavy Project  
Boca Chica Beach, Cameron County, Texas**

Dear Sir or Madam:

Thank you for the opportunity to comment on the preparation of an EA for the proposed SpaceX Starship/Super Heavy launch operation at Boca Chica Beach, Cameron County, Texas. As a state agency, the Texas General Land Office (GLO) is responsible for:

- 1) managing state-owned land, including state-owned submerged land, dedicated to the Permanent School Fund (PSF);
- 2) implementing and enforcing the Texas Open Beaches Act, Texas Natural Resources Code (TNRC) Ch. 61, which protects the public's right to access and enjoy Gulf beaches in our state;
- 3) enforcing the Dune Protection Act, TNRC Ch. 63, which ensures the protection of the dunes along the Gulf of Mexico;
- 4) oil spill response and prevention; and
- 5) the continued implementation of the Coastal Management Program (CMP) and determining whether federal actions are consistent with the CMP.

Given these responsibilities, the GLO has the following recommendations for evaluation in the Environmental Assessment.

*Evaluation of Potential Impacts to State-owned Land*

Impacts to coastal natural resources and uses of public land that limit public access are factors the GLO considers in the management of state-owned submerged land. The GLO requests that any impacts to natural resources on state-owned land, including state-owned submerged land, be identified and reviewed for environmental impacts caused by testing and launch activities. Secondary impacts such as increased noise, light pollution, and air and water quality impacts on the land and surrounding habitats due to construction and increased vehicular traffic should also be reviewed. The GLO also recommends that the EA address the extent of mitigation necessary to compensate for these impacts. In addition, the GLO requests that the EA evaluate the effects of and mitigation for limitations on public use of state-owned land in terms of access for



scientific research as well as the impacts of limited access to recreational activities such as fishing.

#### *Evaluation of Impacts to Critical Dunes*

The GLO recommends that the EA include a licensed survey of all construction proposed near the vertical launch area, identifying the location of all proposed construction activities and the distance between the proposed construction and mean high tide, the vegetation line, the Dune Protection Line, and the landward limit of the beachfront construction area; the location of proposed and existing structures; and the size of the proposed project area, including proposed roadways and parking areas, for evaluation of potential impacts to access to the public beach and adverse effects to critical dunes, and to determine the need for local permits. In addition to a licensed survey, the GLO requests a grading and layout plan identifying all elevations, existing elevation contours of the project area, and proposed contours for final grade. This information is necessary so the GLO can determine the extent that the critical dune area may be affected by proposed construction activities.

#### *Evaluation of Significant Unavoidable Adverse Impacts and Measures to Avoid, Minimize, and Mitigate Effects of the Proposal*

The GLO recommends that a study to evaluate the need for a comprehensive mitigation plan, including a detailed description of the methods that will be used to avoid, minimize, mitigate, and/or compensate for any adverse effects on dunes or dune vegetation be included in the EA. Critical dunes and dune vegetation as defined by TNRC Chapter 63 exist directly adjacent to the vertical launch area. If dunes or dune vegetation are damaged during construction activities, or due to fire or accidents after construction is completed, from static fire tests, rocket launches, and prototype testing of the Starship/Super Heavy, mitigation would be required. The GLO also requests a study to quantify the direct and indirect loss of coastal natural resource areas consisting of wetlands, tidal flats, emergent high marsh, scrub shrub, mangroves and to identify any reintroduction and restoration measures for said resources. A current habitat characterization of the project area should be included in the EA since launch failures or testing activities may result in explosive anomalies, spreading debris as well as fires that remove or alter habitat. The GLO also requests a Cumulative Impact Assessment of the Boca Chica Launch Site to identify the combined, incremental effects of human activity that may pose a threat to the environment from current and future operations.

#### *Evaluation of and Alternatives to Extensive Closures of the Public Beach and State-owned Land*

The GLO recommends that the EA include a detailed assessment of how increased testing operations that require closure of State Highway 4 will impact the public's ability to use and access the public beach at Boca Chica. Alternatives to and mitigation for continuous requests of primary and backup closure dates and closure cancellations that would cause less of an impact to the public's ability to access and use the public beach and adjacent coastal public lands should be evaluated. An option is to count closure hours as the time State Highway 4 and Boca Chica Beach are publicly scheduled to be closed, unless notice of different hours or a cancellation is given at least 48 hours before the closure is scheduled to begin. The impacts of projected closure hours to access should be evaluated based on scheduled and announced closure, not actual closure, due to frequent schedule changes with inadequate notice to the public and the remote location of Boca Chica Beach. In addition, an evaluation of options for providing adequate notice

to accommodate activities associated with public beach access and road closures should be considered. Metrics to determine how closure hours will be tracked should be evaluated, agreed upon, and provided to the public so there is improved predictability in accounting for daily and cumulative public beach closure hours. The GLO also requests that the EA identify and evaluate the effects on scientific research and recreational use limitations on state-owned submerged land and assess methods of mitigating these effects.

#### *Access by Resource Agencies and Research Organizations*

The GLO recommends that the EA evaluate methods for Texas resource agencies and associated research and other environmental groups to access the public beach and state-owned land to ensure that they can fulfill their obligations during times of limited access and ongoing closures. Resource agencies need to access the Boca Chica area for a number of reasons when it is closed, including addressing emergencies, performing research, and accessing state land. For example, the GLO is charged with Oil Spill Response and Prevention, which entails containment, clean up, and mitigation of oil spills. The EA should include an analysis of the effects of the proposed action on GLO's ability to respond to oil spill emergencies and evaluate procedures for emergency oil spill response during closures. The EA should also evaluate alternatives that would ensure access is provided to the public beach and state-owned land in emergencies that occur during scheduled closures and that would allow research projects to continue during periods with repeated closures.

#### *Protection of Coastal Natural Resource Areas*

The GLO is charged with the continued implementation of the Coastal Management Program (CMP) and determining whether federal actions are consistent with the CMP goals and enforceable policies under 31 Texas Administrative Code (TAC) Ch. 501. This includes the protection of coastal natural resource areas (CNRAs). The GLO requests that the EA identify which CNRAs may be affected by the increased launch and testing operations and planned expansion at the site. Additionally, the EA should identify, evaluate, and document any impacts to CNRAs in the area. CNRAs in Texas include the following: coastal barriers, coastal wetlands, hard substrate reefs, submerged lands, tidal sand or mud flats, waters under tidal influence, coastal historic areas, critical dune areas, coastal preserves, critical erosion areas, oyster reefs, submerged aquatic vegetation, waters of the Gulf of Mexico, coastal shore areas, and Gulf beaches. The EA should also address the impacts of and mitigation for the increased closures for space operations and the required closure of State Highway 4, including impacts to the public's ability to recreationally use and access adjacent coastal preserves such as the Boca Chica State Park and the National Wildlife Refuge as well as National Historic Landmarks in the area. Further, the environmental effects of any space operations in the waters of the Gulf of Mexico should be evaluated. The enforceable policies for the Coastal Management Program under 31 TAC Ch. 501 with regard to the effects to CNRAs should also be considered and addressed, particularly as they relate to development in critical areas, discharge of wastewaters to coastal waters, construction of waterfront facilities and other structures on submerged lands, construction on the beach/dune system, and development within protected areas.

Thank you for the opportunity to comment. If you have any questions, please direct them to [jesse.solis@glo.texas.gov](mailto:jesse.solis@glo.texas.gov).

Sincerely,

(b) (6)

Senior Deputy Director  
Coastal Protection  
Texas General Land Office



## **The U.S. Shorebird Conservation Partnership**

*Building Collaborative Action for Shorebird Conservation*

Mr. Brian Rushforth, Chief of Staff  
Office of Commercial Space Transportation  
Federal Aviation Administration  
[brian.rushforth@faa.gov](mailto:brian.rushforth@faa.gov)

20 January 2021

Dear Mr. Rushforth,

On behalf of the U.S. Shorebird Conservation Partnership's Council, I am writing to express our deep concerns about the impacts of the SpaceX launch pad, debris field, contaminant layering, construction terminal, and mission expansion on wildlife, the Lower Rio Grande Valley National Wildlife Refuge, and state lands at Boca Chica, Texas.

The U.S. Shorebird Conservation Partnership (USSCP) and its Council is a collective of individuals and organizations who are expert in the long-term conservation of the Western Hemisphere's shorebirds. USSCP representatives have extensive experience in shorebird conservation and include federal agencies, state agencies and non-governmental organizations. We work collaboratively to address shorebird conservation issues and propose solutions. Accordingly, we are concerned about the considerable loss of habitat, direct mortality (take), and contamination of wetland sediments vital to migratory shorebirds and other wildlife near the SpaceX launch site at Boca Chica. Our members have been to the Boca Chica flats along State Highway 4 from Brownsville to the beach and know firsthand the value of this unique ecosystem to shorebirds and other wildlife.

Recognizing the great richness and abundance of wildlife species in the region, the Lower Rio Grande National Wildlife Refuge was established in 1979 with the expressed purpose to protect this biodiversity. This purpose aligns well with the overarching goal of the National Wildlife Refuge System — "to conserve a diversity of fish, wildlife, and plants and their habitats for the benefit of current and future generations. By fulfilling this goal, the Refuge System can maintain the biological integrity, diversity, and environmental health of each refuge with a focus on native species, as provided in 601 FW 3, and contribute to the conservation and, where

appropriate, restoration of representative ecosystems and ecological processes in the United States, as directed by the Improvement Act” (Refuge Management Part 601: National Wildlife Refuge System Improvement Act, 1997: Division of Conservation, Planning and Policy).

At least 30 species of shorebirds have been recorded in the Boca Chica basin of the Lower Rio Grande Valley National Wildlife Refuge by professional biologists and volunteer observers, which represent nearly 60% of the shorebird species found in all of North America and illustrate the biological diversity that the refuge was designated to protect. Many of the species observed on the Refuge rely on the site for winter habitat, and others depend on this unique area as a critical stopover site during migration from Central and South America to their breeding grounds in northern North America. Shorebirds from multiple flyways converge on the Boca Chica wetlands during the nonbreeding season. Red Knots and Piping Plovers, which are listed under the U.S. Endangered Species Act, use the site during migration and winter. The saline shorelines near the current SpaceX site provide nesting habitat for Wilson’s and Snowy Plovers, species of Greatest Conservation Concern in the U.S.

We believe strongly that the mission of the Lower Rio Grande National Wildlife Refuge and the health of shorebirds and other wildlife dependent on the Refuge is being significantly compromised by the activities of the SpaceX testing and launching site, which is embedded on a private land in-holding surrounded by Refuge lands. We are particularly alarmed about the level of contamination anticipated from fuels, gasses, and toxic debris laid out across the Refuge. This launch-base area pollution could have long-term, ecosystem-wide impacts on all life of Boca Chica and near-shore Gulf of Mexico environments. It would have been difficult to choose a more biodiverse area surrounded by public lands accessible to state and U.S. citizens than the SpaceX site to undertake environmentally impactful activities.

We concur with statements provided by other concerned groups that the activities now proposed by SpaceX far exceed those authorized in the 2014 Record of Decision (ROD) and will have more significant impacts to wildlife and Refuge lands. There is evidence that conditions and requirements identified in the 2014 ROD and subsequent permits have not been met. SpaceX is currently exceeding the number of road closures allowed in the current ROD/permit, and more are planned. Without use of the road, Refuge staff and volunteers cannot conduct surveys and management activities, such as rescuing cold-stunned turtles. The unprecedented number of public closures has also denied the public access to state and federal lands. Road activity by SpaceX personnel and contractors has increased significantly

above what was permitted, which affects wildlife directly through road mortality and indirectly by avoidance of the road area. Lights from the SpaceX facility are on 24 hours a day and can negatively affect the behavior of sea turtles and migrating birds.

We recommend a new Environmental Impact Statement (EIS) be prepared to evaluate the effects on sensitive flora and fauna for SpaceX activities that were not previously identified in the 2014 ROD. For example, the development of the Starship has led to unanticipated impacts that have included explosions, debris, and brush fires, all of which impact wildlife. The Texas Parks and Wildlife Department and the U.S. Fish and Wildlife Service should review the EIS and all documents associated with permitting. Until a rigorous EIS is completed, the FAA should halt all expansion of SpaceX's footprint and testing activities and ensure monitoring plans are being conducted and results transmitted to appropriate agencies and other stakeholders.

Thank you for the opportunity to comment.

Sincerely,

(b) (6)

Vice Chair

U.S. Shorebird Conservation Partnership Council

cc: Edward Boling, Associate Director for NEPA Compliance  
[edward\\_a\\_boling@ceq.eop.gov](mailto:edward_a_boling@ceq.eop.gov)