



July 27, 2020

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Daniel Murray  
Manager, Safety Authorization Division, (ASA-100)  
Office of Commercial Space Transportation  
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Dear Mr. Murry,

Thank you for your July 17 reply to our letter requesting the FAA do a new Environmental Impact Statement (EIS) for the SpaceX facility at Boca Chica, Texas.

In the third paragraph of your letter you state, “Under our NEPA policies, applicants have the right to choose whether to conduct an Environmental Assessment (EA) under FAA oversight or work with the FAA to initiate the EIS process.” This is not true. It is the agency that makes that decision, and I refer you to FAA policy (emphasis added).

“Chapter 3: Levels of National Environmental Policy Act Review 3-1. Three Levels of National Environmental Policy Act Review. **Once the FAA determines that NEPA applies to a proposed action, it needs to decide on the appropriate level of review.** The three levels of NEPA review are Categorical Exclusion (CATEX), Environmental Assessment (EA), and Environmental Impact Statement (EIS). Each of the three levels of review is briefly described in the following paragraphs.”

[https://www.faa.gov/documentLibrary/media/Order/FAA\\_Order\\_1050\\_1F.pdf](https://www.faa.gov/documentLibrary/media/Order/FAA_Order_1050_1F.pdf)

We find it disturbing that an FAA official in your position is apparently unaware of who has the authority to decide on the level of NEPA review. Given that SpaceX’s entire plan has changed, that even now they are proceeding with the development, fabrication, assembly, testing and eventual launching of the largest orbital rocket ever built (Starship and Heavy Booster), there will be many significant impacts. An EIS is not only warranted but required, including public input and participation. I am attaching a 6/29/20 letter from Brian Rushforth stating that an EIS is in fact being initiated. Was that decision walked back?

Regarding your statements that the conditions of the 2014 Record of Decision and Biological Opinion are being complied with, I would very much appreciate your sending me electronic copies of the 2015-2019 annual reports to USFWS that you refer to. I am still gathering information and want to be as well informed as possible.

[www.friendsofthewildlifecorridor.org](http://www.friendsofthewildlifecorridor.org)

I look forward to your reply.

Sincerely,

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