



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

5275 Leesburg Pike, MS: IRTM  
Falls Church, VA 22041



July 19, 2023

Ms. Mary Branch  
Save RGV  
2005 Rodeo Drive  
Austin, TX 78727

REF: DOI-FWS-2023-003457

Dear Ms. Branch:

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated March 21, 2023 and assigned tracking number FWS-2023-003467. Please refer to tracking number in communications regarding this request. You requested the following:

*Save RGV, a Texas Non-Profit Corporation, would like to request a detailed report and final assessment concerning alleged wildlife disturbance, trauma, fatalities, incinerations, both real and highly possible, resulting from the February 9, 2023 of reported 31 raptor engine test firing at the Space X Technologies facilities immediately adjacent to the Lower Rio Grande National Wildlife Refuge at the Boca Chica, Cameron County, TX launch pad at approximately 3:13 p.m. CST. The video link here, captured at a time just prior to ignition and running through the following 3 minutes, reveals significant populations of bird startle, disturbance and disorientation, following immediate engulfment in black smoke, fire, and vapor. <https://www.youtube.com/watch?v=2kG4AbAcia0&t=24019s> Your relied upon expert knowledge of wildlife at this migratory and year round bird ecosystem is needed to determine impacts to the wildlife from this specific test fire, as well as your assessment of ongoing future space flight testing such as this, including but not limited to static fires, suborbital and orbital launches, as well as anomalies. Our understanding of this event was that 68 acres of habitat was burned during this test fire. Please provide you're a corroborative or disputed report on this fire event. We know the beach did not reopen for four (4) hours after this event and by then it was dark. We want to know exactly what happened. Further, we would like a report of the registered and metered decibel reading taken at the time of ignition for the full 6-9 seconds of ignition, at or near the launch pad where the ensuing wildlife disturbance occurred and at what distance(s) this was registered. The 'unconfirmed' reports from FWS at the Alamo, TX office and the Corpus Christi, TX office stated via email (see PDF attachment) that a decibel reading of 110db was registered three (3) miles away. This indicates that a high probability that a much higher reading occurred at the epicenter of the ignition source, also verifiable from the wildlife reaction. The noise modeling assessments in the FAA's Final EA FONSI/ROD Appendix B, pages 4-11 (also attached) show the decibel level at the launch pad to be 140db. I have attached a decibel chart for comparison, from various sources, that attest to 110 db causing hearing loss. If 3 miles away, 110 db was registered, it stands to reason a much higher level, per the FAA's assessments occurred at the source. However,*

*140 db is what a jet engine registers, and the reported 31 total raptor engines that fired on this date, conclusively and logically, would exceed this level. Additionally, per the same EA, the predicted heat plume from the raptors will exceed 212 degrees Fahrenheit within .3 miles. We ask for your monitored and predicted determinations based on this occurrence, including burned, incinerated, habitat and wildlife. Based on this data of sound and heat, it may be highly probable that the FAA Final EA under reported the db levels for the Super Heavy and the Service underestimated the impacts to the area as well. In which case a full, new EIS must be done, which will prompt a new Biological Opinion from the Service. For your consideration, some national db charts indicate 180 db is a rocket launch. It is not stated what type of rocket, or the number of engines, fuel, etc., however we do know that this rocket will be the largest ever built and test fired, and when fully loaded and stacked will have 43 Raptor engines. Animals have a much lower threshold to noise and can suffer fractures and deafness at much lower levels. We ask for your full evaluations and suppositions based on science, evidence submitted here, and your staff of experts. Surely, the Service has biological data relevant to these types of activities.*

*Therefore, I would like to request FWS assessment and full report of the damage to wildlife. If no bodies of evidence were found, we want your documented statements as such, as well as your assessment of the probability of their startled flight elsewhere, and at what probable range, where they dropped to perish. It is more than birds that live here, and therefore, we would also like to request the full range of habitat and wildlife impact, again, both real and probable, based on this event and ongoing similar events at this facility. However, it is hard to believe that there were no bodies of evidence, and not just birds, but other wildlife that inhabit this area. The heat, noise, vibrations, all need to be assessed and included in your reports. It is important that FWS be honest and transparent to the public. This is our beach, our refuge, our wildlife and natural resources and our world that are being compromised. Continued testing, firing, launching needs to be baseline monitored, ongoing monitored, mitigated and reported to the public.*

## **Response**

We writing to respond to your request. We have identified twenty-two documents (83 pages) responsive to your request which are being released to you in their entirety.

## **Mediation/Dispute Resolution**

If after contacting us as described below, you need further information or assistance with your request, you may wish to seek dispute resolution services from the Department's FOIA Public Liaison, Natasha Jones by email at [doifoiapublicliaison@sol.doi.gov](mailto:doifoiapublicliaison@sol.doi.gov).

If you need further information or assistance after contacting the Department's FOIA Public Liaison, you may wish to seek dispute resolution services from the Office of Government Information Services (OGIS). The 2007 FOIA amendments created the OGIS to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)

Web: <https://www.archives.gov/ogis>

Telephone: 202-741-5770

Fax: 202-741-5769

Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

### **Conclusion**

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

This is our final response and closes your request DOI-FWS-2023-003457. If you have any questions about our response to your request, you may contact me by email at [monika\\_malnowicz@fws.gov](mailto:monika_malnowicz@fws.gov), or by mail at U.S. Fish and Wildlife Service; ATTN: FOIA Office; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

Sincerely,

Monika Malnowicz  
FWS FOIA Coordinator