

SpaceX status after April 20, ~~2023~~2023, Launch Failure

BACKGROUND

- SpaceX received a Federal Aviation Administration (FAA) license in 2014 to launch satellites from Boca Chica, Texas and- mission creep turned to building, testing, and launching rockets for Mars expeditions. In 2020, FAA requested SpaceX stop activities not covered in the 2014 license.
- FAA ~~drafted~~prepared a ~~Draft~~ Programmatic Environmental Assessment pursuant to the National Environmental Policy Act and reinitiated section 7 Endangered Species Act consultation. ~~This which~~ resulted in a Biological Opinion issued in ~~March~~ May 2022.
- FAA issued a license to SpaceX April 2023 ~~which and it~~ was used for a launch on April 20 that resulted in an anomaly/mishap where much of the launch pad was pulverized and expelled into the landscape and Gulf and the vehicle was detonated in the atmosphere about 20 miles out over the Gulf.

CURRENT STATUS

- SpaceX's continued site development has incurred trespass violations on Fish and Wildlife Service (Service) lands. SpaceX has increased requests for rights-of-way (ROW) across FWS Service lands for infrastructure.
- Refuges ~~is are~~ working with ~~DDepartment of OJ~~Department of Justice on a settlement ~~and of~~ right of way easement issues.
- SpaceX kept the State Highway and the site closed for 3 days after the anomaly to ensure the area was made safe prior to allowing the public access. for safeing activities. Assessment of impacts ~~sens seems to show~~indicates that effects may extended outside the areas ~~consulted on for section 7 Endangered Species Act~~SA covered under the Section 7 consultation with FAA and section 106 National Historic Preservation ActHPA. ~~Also,~~
- SpaceX is contemplating additional project components to dampen noise, vibration, dust, and flames with water. ~~We the Service~~ sent a letter to FAA recommending ~~reinitiation~~reinitiation of section 7. ~~FAA has stated and are told~~ a new Biological Assessment is being in preparapreparation to cover addition of a deluge system and the steam cloud produced during a launch or test.
- Texas Parks and Wildlife Department (TPWD), the Service-FWS and other agencies have agreed debris cleanup should not begin until after the migratory bird nesting season has ended. SpaceX rRecovery of important rocket components are allowed with a biological monitor present and egress and ingress paths approvedhave been reviewed by TPWD and the ServiceFWS.
- ~~FWS-The Service has sent recommendation several~~ letters ~~tasking that~~ SpaceX ~~ealling for prepararecommending~~ a Habitat Conservation Plan for their ongoing hovercraft operation across South Bay and for planned housing construction near Massey Way, ~~both portions of the operation neither arc not~~ covered by the FAA license ~~and or~~ consultation. ~~We-The Service~~ believes the hovercraft harms piping plovers and red knots and their critical habitats. Additionally, the Service believes the housing project and that housing near Massey way could potentially harm orand harasses ocelots.
- The Center for Biological Diversity, American Bird Conservancy, Surfrider Foundation Save RGV, and Carrizon/Comecrudo Nation of Texas filed suit against FAA on May 1, 2023, alleging FAA violated the National Environmental Policy Act in issuing the April license. Our solicitor thinks it likely FWS couldwill be enjoined ~~over~~ ESA.

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