Environmental groups sue the FAA over SpaceX launch from Texas

Enlarge / SpaceX’s Starship launch site is located in coastal South Texas.

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Several environmental groups filed a lawsuit against the Federal Aviation Administration (FAA) on Monday, saying that the agency had not sufficiently regulated the launch of SpaceX’s Starship rocket from South Texas.

In the lawsuit, filed in federal court in Washington, DC, the groups say that the FAA failed to account for the damage caused by testing and launching the Starship rocket, which results in “intense heat, noise, and light that adversely affects surrounding habitat areas and communities, which included designated critical habitat for federally protected species as well as National Wildlife Refuge and State Park lands.”

During the initial launch of the Starship rocket, on April 20, the environmental organizations say the launch “scattered debris and ash over a large area,” including adjacent lands that provide a habitat for endangered species.

The lawsuit was filed by the Center for Biological Diversity, American Bird Conservancy, Surfrider Foundation, Save RGV, and the Carrizo/Comecrudo Nation of Texas. The organizations have

been active in opposing SpaceX's development of a rocket factory and launch site in the previously undeveloped area of South Texas near Boca Chica Beach, adjacent to the Rio Grande river and the Gulf of Mexico.

"The FAA does not comment on ongoing litigation matters," the agency said in response to a request for comment.

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At the heart of the lawsuit is a claim that the FAA should not have permitted Starship launch activities without the far greater environmental scrutiny of a full Environmental Impact Statement.

In June 2022, the FAA issued a "Final Programmatic Environmental Assessment" for the Starship and Super Heavy vehicles, stating a number of corrective actions SpaceX must undertake to mitigate the effect of its launch activities. However, by issuing this report, the FAA allowed its formal launch licensing process to proceed without necessitating a comprehensive Environmental Impact Statement, which could have taken years. The lawsuit says the FAA should be required to complete the Environmental Impact Statement process.

The FAA is responsible for protecting the health and safety of people on the ground during launch activities. In issuing its environmental assessment last year, the agency worked with the US Fish And Wildlife Service to ensure the protection of biodiversity around the South Texas launch site that SpaceX calls Starbase.

After the April 20 launch, the Fish and Wildlife Service said, "Impacts from the launch include numerous large concrete chunks, stainless steel sheets, metal, and other objects hurled thousands of feet away" from the pad, but it added that no wildlife were killed.

In a Twitter spaces event on Saturday night, SpaceX founder Elon Musk said the company was taking measures to prevent

similar occurrences from happening, including installing a large steel plate and a water deluge system beneath the rocket.

“The debris is really just basically sand and rock, so it’s not toxic at all or anything,” he said. “It’s just like a sandstorm, essentially. Basically a human-made sandstorm. But we don’t want to do that again.”

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