

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Office of Commercial Space Transportation

Adoption of the Environmental Impact Statement

And

Record of Decision

For

Authorizing Changes to the Falcon Launch Program for Vandenberg

Space Force Base, California

October 2025

Introduction and Background

The Department of the Air Force (DAF) acted as the lead agency, and the Federal Aviation Administration and United States Coast Guard (USCG) were cooperating agencies, in the preparation of the Final Environmental Impact Statement (Final EIS) to analyze the potential environmental impacts of allowing Space Explorations Technologies Corporation (SpaceX) to redevelop Space Launch Complex (SLC) 6 to support Falcon 9 and Falcon Heavy operations, increase the annual Falcon launch and landing cadence at SLC-4, and establish Falcon 9 and Falcon Heavy operations at SLC-6.

SpaceX is required to obtain a license from the FAA to operate from SLC-6 and increase the annual launch and landing cadence at SLC-4. Based on its independent review and consideration of the EIS, the FAA issues this Record of Decision (ROD) concurring with and formally adopting the analysis of impacts and findings in the EIS. The EIS supports the FAA's issuance of licenses for Falcon operations at Vandenberg Space Force Base (VSFB), along with potential license renewals and modifications, within the scope of operations analyzed in the EIS. If in a license application to the FAA, SpaceX makes changes to its proposed operations that fall outside of the scope of the EIS, additional environmental review would be required prior to the FAA issuing a license associated with such an application.

The ROD includes:

- A description of the project proposed by SpaceX;
- A description of all alternatives considered, and which alternatives are considered to be environmentally preferable;
- A summary of potential environmental impacts associated with the selected alternative;
- Mitigation measures that SpaceX will be required to implement as a condition of a license, which are designed to avoid or minimize environmental harm;
- Mitigation monitoring program; and
- The FAA's findings and determinations.

The ROD also discloses the federal, state, and local actions needed before the project may be implemented and identifies the FAA's preferred and the environmentally preferable alternatives, and the alternative selected by the FAA for implementation.

The DAF signed the Final EIS and associated ROD on October 10, 2025. On behalf of the DAF, the Environmental Protection Agency (EPA) will publish the Notice of Availability for the Final EIS for Authorizing Changes to the Falcon Launch Program at Vandenberg Space Force Base, California in the *Federal Register* when government operations resume. The EPA is not currently publishing the weekly Notice of Availability in the *Federal Register* due to the lapse in appropriations¹ The Final EIS documents the analysis of environmental consequences associated with redeveloping SLC-6 to support Falcon 9 and Falcon Heavy operations under alternative design configurations, increasing the annual Falcon launch and landing cadence at SLC-4, establishing Falcon 9 and Falcon Heavy operations at SLC-6, and the No Action Alternative. The FAA reached its own conclusions from the analysis presented in the EIS and assumes responsibility for its environmental decisions and any applicable mitigation measures associated with the issuance of this ROD. The EIS and ROD were prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA; 42 United States Code [U.S.C.] § 4321 et

¹ Paragraph 7-1.2(j) of FAA Order 1050.1F requires the FAA to wait a minimum of 30 days after the Environmental Protection Agency issues a Notice of Availability in the *Federal Register* for an agency's EIS before making a decision on the proposed action and issuing a ROD. This provision attributes the source of this requirement to 40 CFR § 1506.10, a regulation in the now-rescinded Council on Environmental Quality (CEQ) NEPA-implementing regulations. See n. 2. As such, it is no longer required for the FAA to adhere to this provision.

seq.); the Department of Defense (DOD) NEPA Implementing Procedures; the DAF Policy for Implementation of NEPA; and FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*.^{2,3,4}

For more information concerning the contents of this ROD or the Final EIS please contact:

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Purpose and Need

The purpose of the Proposed Action is to increase the space launch mission capability of the U.S. DOD, National Aeronautics and Space Administration (NASA), and other federal and commercial customers, and to enhance the resilience and capacity of the nation's space launch infrastructure, while promoting a robust and competitive national space industry. As directed by U.S. policy (10 U.S.C. § 2273, "Policy regarding assured access to space: national security payloads"; see also Executive Order 14335, *Enabling Competition in the Commercial Space Industry* (Aug. 13, 2025)), the U.S. seeks to provide greater launch and landing capabilities and infrastructure to support national security objectives, including deploying satellites and other space assets that enable intelligence, reconnaissance, and global security

² On January 20, 2025, President Trump issued Executive Order (EO) Number (No.) 14154, *Unleashing American Energy*, which revoked EO 11991, *Relating to Protection and Enhancement of Environmental Quality* (May 24, 1977), and instructed the Chair of the Council on Environmental Quality (CEQ) to rescind its NEPA-implementing regulations. The CEQ published an interim final rule on February 25, 2025, announcing the removal of its NEPA-implementing regulations effective April 11, 2025.

³ On July 3, 2025, FAA published a Notice in the *Federal Register* rescinding FAA Order 1050.1F and issuing FAA Order 1050.1G to align with amendments to NEPA and to reflect CEQ's February 25, 2025 interim final rule (see n. 2). Because the preparation of this EIS was already underway when FAA revised FAA Order 1050.1, and because this revision does not change the analysis of environmental effects for this proposed action, the EIS and this corresponding ROD continues to reference FAA Order 1050.1F.

⁴ FAA Order 1050.1F requires agency NEPA documents to contain an analysis of the Proposed Action's impacts as they relate to Environmental Justice, as well as the Proposed Action's overall "Cumulative Impacts." With respect to Environmental Justice, it is no longer the policy of the federal government to conduct an environmental justice analysis and it is no longer a legal requirement to do so, pursuant to Executive Order 14,173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*. With respect to "Cumulative Impacts," the underlying basis for its inclusion in FAA Order 1050.1F was its inclusion in the Council for Environmental Quality's now-rescinded NEPA-implementing regulations. As explained by CEQ in its February 19, 2025 memorandum, *Implementation of the National Environmental Policy Act*, NEPA, as amended, does not employ the term "cumulative effects" or "cumulative impacts." CEQ instead directs agencies to consider "'reasonably foreseeable' effects, regardless of whether or not those effects might be characterized as 'cumulative,'" consistent with NEPA. 42 U.S.C. § 4332(2)(C)(i). See also *Seven Cnty. Infrastructure Coal. v. Eagle Cnty., Colo.*, 605 U.S. ___, 145 S. Ct. 1497 (2025). In accordance with this direction, the FAA will no longer characterize effects as "cumulative" in its NEPA-related documents.

operations. The U.S. aims to promote a hybrid space architecture that diversifies access to space, reduces dependency on singular systems, and ensures rapid reconstitution capabilities.

The Proposed Action is needed to meet current and near-term U.S. Government space launch requirements from the Western Range, specifically for medium and heavy-lift launches to polar, geostationary, and other orbits less reliably available elsewhere, without compromising current launch capabilities. The Proposed Action is also needed to expand launch capacity by returning heavy-lift launch capability to the Western Range. Finally, the Proposed Action is needed to fulfill (in part) 10 U.S.C. § 2276(a), “Commercial space launch cooperation,” authorizing the Secretary of Defense to:

- Maximize the use of the capacity of the space transportation infrastructure of the DOD by the private sector in the U.S.;
- Maximize the effectiveness and efficiency of the space transportation infrastructure of the DOD;
- Reduce the cost of services provided by the DOD related to space transportation infrastructure and launch support facilities and space recovery support facilities;
- Encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the DOD; and
- Foster cooperation between DOD and covered entities.

The public’s interest in commercial space, as identified in the National Space Policy,⁵ largely intersects with the government interests identified, including greater mission capability for space exploration, and advancing reliable and affordable access to space, which in turn advances the scientific and national security benefits of the U.S. space program as a whole.

Proposed Action

The Proposed Action is described in detail in Chapter 2 of the Final EIS and is summarized in this ROD. The Proposed Action is for the DAF to authorize an increase in the annual Falcon launch cadence at VSFB through launch and landing operations at SLC-4 and SLC-6, including C&D activities at SLC-6 for Falcon 9 and Falcon Heavy launch vehicles to support future U.S. Government and commercial launch service

⁵ <https://trumpwhitehouse.archives.gov/wp-content/uploads/2020/12/National-Space-Policy.pdf>

needs. The DAF would also authorize an increase in Falcon 9 launches from SLC-4. No modification of SLC-4 is proposed. The overall launch cadence for Falcon 9 and Falcon Heavy at both SLCs, combined, would increase from 50 to up to 100 launches per year. Under the Proposed Action, the DAF would authorize SpaceX to modify the existing HIF near SLC-6 to support launch operations at SLC-6, construct a road with rails between the launch pad and the HIF to move launch vehicles to the pad, and construct two new landing zones adjacent to SLC-6 to support the landing of first stage Falcon boosters launching from SLC-6.

Federal Action

The FAA's federal action is issuance or modification of a license for Falcon 9 and Falcon Heavy operations to increase the annual Falcon launch and landing cadence at SLC-4 and establish Falcon 9 and Falcon Heavy operations at SLC-6, along with potential renewals and modifications to licenses within the scope of operations analyzed in the Final EIS. In addition, the FAA's federal action also includes the issuance of associated temporary airspace closures.

Alternatives to the Proposed Action

The DAF identified a range of reasonable alternatives. The scope of alternatives the DAF considered derives from the actions proposed by SpaceX and the purpose of and need for the federal action in connection with SpaceX's proposal. The alternatives identified that did not meet the purpose and need, as well as those that were not technically, operationally, or economically prudent or feasible, were excluded from detailed consideration in the Final EIS. See Section 2.4 of the Final EIS for an overview of these eliminated alternatives.

The Final EIS provides a detailed evaluation of the Proposed Action (preferred alternative), the No Action Alternative, and Alternative 1. The No Action Alternative and Alternative 1 are described in detail in Sections 2.2 and 2.3 of the Final EIS and are briefly summarized below.

No Action Alternative

Under the No Action Alternative, the DAF would not authorize any Falcon 9 or Falcon Heavy launches or landing operations at, or modifications to, SLC-6, nor would the DAF authorize additional Falcon 9 launches from SLC-4. The FAA would not license Falcon operations at SLC-6 or an increase in Falcon 9 launches at SLC-4. Falcon 9 launches and landings would continue at SLC-4 as currently authorized. No Action effects analysis considers potential effects associated with reasonably foreseeable actions

without consideration of the Proposed Action, because these actions would still occur under the No Action Alternative. Under the No Action Alternative, there would be no new effects on the environmental impact categories analyzed in this EIS compared to those analyzed in the 2024 Final Environmental Assessment, which most notably assessed an increase of Falcon 9 operations at VSFb from 36 to 50 launches annually (2024 EA). The No Action Alternative provides the basis for comparing the environmental consequences of the Proposed Action.

Alternative 1

Under Alternative 1, the DAF would implement the Proposed Action as described above, but rather than modifying the existing HIF, the DAF would authorize SpaceX to construct a new approximately 62,000 ft² hangar north of the launch pad to support Falcon 9 and Falcon Heavy integration and processing. Approximately 40,000 cubic yards of fill would be required and would be sourced locally (on VSFb as well as the local region around VSFb). Approximately 244,000 ft² of additional impervious area would be added to construct this alternative. Existing stormwater infrastructure is expected to be adequate to support this additional impervious area but would be confirmed during final design of the site. SpaceX would construct a road and rail system from the hangar to the launch pad to transport Falcon. The SLC-6 fence would be relocated and vehicular access from Luner Road to N Road would be removed. The existing HIF would remain.

Selected Alternative and Summary of Necessary Permits and Approvals

The DAF has selected the preferred alternative, which includes the FAA's issuance of a license to SpaceX to support Falcon 9 and Falcon Heavy operations at SLC-6 and increase the annual Falcon launch and landing cadence at SLC-4. The requirements for obtaining and possessing a launch license are described in 14 CFR parts 400–450. The completion of the environmental review process does not guarantee that the FAA would issue a license to SpaceX for Falcon 9 and Falcon Heavy operations at SLC-4 and SLC-6. The Proposed Action must also meet FAA safety, risk, and indemnification requirements.

Acquisition of permits and approvals under other laws would be required prior to construction and operation, including:

- Under Section 7 of the Endangered Species Act (ESA), the DAF determined the proposed action may affect federally listed species and submitted a Biological Assessment detailing the effects of the program to U.S. Fish and Wildlife Service (USFWS) on April 9, 2025. On August 21, 2025, the

USFWS issued a biological opinion (BO). The National Marine Fisheries Service issued a Section 7 Letter of Concurrence for VSFB launch program activities on April 17, 2024.

- Under Section 106 of the National Historic Preservation Act (NHPA), the DAF engaged with the California State Historic Preservation Office (SHPO) and the Santa Ynez Band of Chumash Indians. The SHPO concurred with the DAF's finding of no historic properties affected on February 6, 2025. As of September 25, 2025, the Sant Ynez Band of Chumash Indians has not identified any adverse effects.
- Under the Coastal Zone Management Act (CZMA), the DAF determined that proposed action activities would be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the California Coastal Management Program (CCMP) and submitted a Consistency Determination (CD) to the California Coastal Commission (CCC) for concurrence on June 13, 2025. On August 14, 2025, the CCC objected. Under the CZMA and its implementing regulations, a federal agency may proceed with the proposed action over a CCC objection if it finds the Proposed Action is fully consistent with the enforceable policies of California's approved coastal management plan, see 15 CFR § 930.43(d)(2). Per 15 CFR § 930.43(e), the DAF intends to notify the CCC that the actions will proceed as described in the CD.
- Under the Clean Air Act, the DAF conducted a General Conformity Rule (GCR) Applicability Analysis to ensure the Proposed Action would not interfere with the ability of California to achieve National Ambient Air Quality Standards (NAAQS) and the State Implementation Plan (SIP). The GCR Applicability Analysis (net change in annual emissions analysis) results for the worst-case year (highest net change in emissions) are depicted in Table 3.3-11 of the Final EIS and determined that the proposed action would have no greater than *de minimis* impacts on any NAAQS in any of the three regions of influence for the project. Therefore, the DAF concluded that the Proposed Action complies with the requirements of the GCR regulations and conforms to the applicable SIP based on none of the annual net changes in estimated emissions associated with the Proposed Action are above the GCR *de minimis* values established in 40 CFR § 93.153 (b).
- Under the California Air Quality Act, SpaceX would be required to obtain a permit from the Santa Barbara Air Pollution Control District (SBCAPCD). SpaceX currently conducts operations at VSFB and recovery operations in California waters under a permit from this agency.

- Section 402 of the Clean Water Act (CWA) addresses water pollution by regulating point sources that discharge pollutants into Waters of the U.S. SpaceX would be required to obtain a NPDES permit from the Central Coast Regional Water Quality Control Board (RWQCB) for operations at SLC-6.
- Marine mammals in U.S. waters are protected under the Marine Mammal Protection Act (MMPA). In April 2024, NMFS issued regulations and a Letter of Authorization to the DAF, which govern unintentional taking of marine mammals incidental to launches and supporting activities. The LOA allows specified launch programs to unintentionally take small numbers of marine mammals, limited to Level B harassment (behavioral harassment) as defined in the MMPA. On January 7, 2025, NMFS concurred that any marine mammal take from sonic booms impacting coastal mainland California in southeastern Santa Barbara and Ventura Counties was not likely to exceed the number of authorized takes in the LOA and determined that modifying the LOA was not warranted.

Preferred Alternative

In determining the preferred alternative, the FAA considered the economic and environmental impacts of the Proposed Action, Alternative 1, and the No Action Alternative. The FAA evaluated the environmental impacts of redevelopment of SLC-6, Falcon Heavy operations, and increased annual Falcon launch and landing cadence at VSFB in the context of the stated purpose and need for the project. Based on all of these considerations, the FAA determined that the Proposed Action, as modified to incorporate the avoidance, minimization, and mitigation measures described below and in Chapter 3 of the Final EIS, constitutes the FAA's preferred alternative.

Environmentally Preferable Alternative

The environmentally preferable alternative in the Final EIS is the No Action Alternative, because there would be no redevelopment of SLC-6 and no increase in the overall annual Falcon launch cadence. Continuation of the existing site conditions would result in few, if any, additional environmental impacts. However, the No Action Alternative is not the FAA's preferred alternative because it does not meet the purpose and need of the project.

Public and Agency Involvement

The DAF provided opportunities for the public to give input on the proposed project through the public scoping period held in December 2024 through January 2025, and again during the public comment period for the Draft EIS from May 23 to July 7, 2025. The DAF worked closely with the cooperating agencies and consulting agencies in the preparation of the EIS.

Scoping for the development of the EIS began with the publication of the Notice of Intent (NOI) in the *Federal Register* on December 13, 2024 (89 FR 100986). In the NOI, the DAF invited the participation of federal, state, and local agencies, Native American tribes, environmental groups, citizens, and other interested parties to assist in determining the scope and significant issues to be evaluated in the EIS. The NOI was published in area newspapers (Lompoc Record, Los Angeles Times, Ojai Valley News, Santa Barbara Independent, Santa Maria Times, and Ventura County Star) and on the EIS website a minimum of 15 days prior to the meetings. Three in-person meetings and one virtual scoping meeting were held at the following dates, times, and locations:

- January 14, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), Veterans of Foreign Wars Post 1679, Ventura, CA.
- January 15, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), Westside Neighborhood Center, Santa Barbara, CA.
- January 16, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), Dick DeWees Community Center, Lompoc, CA.
- January 23, 2025 (6:00 p.m.– 7:00 p.m. Pacific Time), virtual.

Public review and comment on the Draft EIS was initiated with publication of the Notice of Availability (NOA) in the *Federal Register* on May 23, 2025 (90 FR 22093). The NOA described the Proposed Action, provided the public hearing dates and times, informed the public on how to obtain a copy of the Draft EIS, and initiated the public comment period. The DAF also announced the availability of the Draft EIS and the public meeting date in area newspapers (Lompoc Record, Los Angeles Times, Ojai Valley News, Santa Barbara Independent, Santa Maria Times, and Ventura County Star) and on the EIS project website. The Draft EIS was posted on the project website on May 23, 2025. The DAF sent notification

letters and e-mails containing public meeting dates and times and links to the Draft EIS to individuals; federal, state, and local agencies; elected officials; various interest groups that were part of the mailing list compiled during the scoping period; and American Indian tribes. Hard copies of the Draft EIS were made available at public libraries and other information repositories.

The Draft EIS 45-day public comment period was initiated with the NOA on May 23, 2025. The DAF held three in-person hearings and one virtual public meeting at the following dates, times, and locations:

- June 10, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), Four Points by Sheraton/Ventura Harbor Resort, 1050 Schooner Dr., Ventura, CA 93001.
- June 11, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), Santa Barbara Museum of Natural History, 2559 Puesta del Sol, Santa Barbara, CA 93105.
- June 12, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), Hilton Garden Inn, 1201 North H St., Lompoc, CA 934436.
- June 18, 2025 (5:00 p.m.–8:00 p.m. Pacific Time), virtual.

Appendix E of the Final EIS contains all responses to comments submitted during the public comment period. The DAF, in coordination with FAA and USCG, responded to all substantive comments and included in the Final EIS any necessary changes or edits resulting from the comments received.

Due to lapse in appropriations, the EPA is not publishing EIS notices in the Federal Register. The DAF will publish in the EPA's weekly Notice of Availability in the Federal Register when government operations resume. An electronic version of the Final EIS was posted on the FAA website:

https://www.faa.gov/space/environmental/nepa_docs#edp.

In addition, copies of the Final EIS were sent to persons and agencies on the distribution list. A paper copy and an electronic version of the Final EIS were available for review in Ventura, CA (Avenue Library, E.P. Foster Library), Santa Barbara, CA (Santa Barbara Public Library), Santa Maria, CA (Santa Maria Public Library), Oxnard, CA (South Oxnard Branch Library), Ojai, CA (Ojai Library), Lompoc, CA (Lompoc Public Library, Vandenberg Space Force Base Library), and the project website:

<https://vsfbfalconlauncheis.com/> .

Summary of the Environmental Consequences of the Proposed Action (Preferred Alternative)

The Final EIS analyzed the environmental impacts of redevelopment of SLC-6 to support Falcon 9 and Falcon Heavy operations, increasing the annual Falcon launch and landing cadence at SLC-4, and establishing Falcon 9 and Falcon Heavy operations at SLC-6. There would be unavoidable impacts related to Terrestrial Biological Resources (vegetation clearing) and Section 4(f) resources (Jalama Beach closures). Nevertheless, all practicable means to minimize harm to these resources were considered. Resource areas that require avoidance or minimization measures to avoid or reduce impacts include Terrestrial Biological Resources and Marine Biological Resources. The Final EIS also describes measures that would be implemented to avoid, minimize, and/or mitigate environmental impacts; these measures are summarized below in the Mitigation Summary section.

The following sections summarize the impact analysis for each applicable environmental impact category. This ROD hereby incorporates the Final EIS by reference and is based on the potential impacts discussed therein. The FAA has determined the analysis of impacts presented in the Final EIS represents the best available information regarding the potential impacts associated with the FAA's regulatory responsibilities as described in this ROD.

Chapter 3 of the Final EIS describes the affected environment and regulatory setting and identifies the environmental impact categories that are not analyzed in detail and thus not discussed further in this ROD: Land Use and Aesthetics; Visual Effects, Light Emissions, and Visual Resources/Visual Character; Geological Resources; Protection of Children from Environmental Health Risks and Safety; Farmlands; Natural Resources; and Wild and Scenic Rivers. Please refer to Chapters 3 of the final EIS for a full discussion of the determination for each environmental impact category.

Air Quality (EIS Section 3.3)

FAA Order 1050.1F, Exhibit 4-1, provides the FAA's significance threshold for air quality: "[t]he action would cause pollutant concentrations to exceed one or more of the National Ambient Air Quality Standards (NAAQS), as established by the EPA under the Clean Air Act (CAA), for any of the time periods analyzed, or to increase the frequency or severity of any such existing violations."

The Proposed Action would occur within three counties in California: Santa Barbara, Ventura, and Los Angeles. Construction would take place in Santa Barbara County, while operations would occur within all

three counties. It was determined that the portion of Los Angeles County where the action would occur encompasses five nonattainment areas and two maintenance areas. Therefore, the air quality impact assessment is summarized separately for each county to ensure that each nonattainment or maintenance area is evaluated separately. Construction under the Proposed Action would result in the temporary addition of pollutants to the local airshed in Santa Barbara County. Implementation of the Proposed Action would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, architectural coatings, and asphalt pavement application. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil. Operations, which would increase under the Proposed Action with an increased launch and landing cadence, would generate criteria pollutant and hazardous air pollutants emissions from mobile sources, including vehicle trips from passenger vehicles and heavy-duty trucks, marine vessels, booster launches and landings, launch vehicle processing, and off-road equipment used for maintenance. .

For nitrogen oxide emissions, the DAF had made an initial conformity determination that the Proposed Action will comply with the General Conformity Rule as set forth in the South Coast Air Quality Management District (SCAQMD) Rule 1901, with the determination subject to the outcome of the 30-day comment period required by the CAA which began on May 23, 2025, and ended on June 23, 2025. The Draft EIS also contained this initial determination. Following the comment period, however, it was determined that the Proposed Action would not only conform to the State Implementation Plan (SIP), but also produce net emissions below *de minimis* levels within the SCAQMD and therefore did not require use of the NO_x set-aside budget previously established in the SCAQMD's 2016 Air Quality Management Plan (AQMP). The SCAQMD had previously provided a set-aside account allowance based on overly conservative assumptions found in earlier NEPA documents supporting Falcon operations at VSFB. Specifically, the previous air quality assessment from the 2024 EA was based on overly conservative assumptions on tugboat routing, operational times, and engine load factors that have since been demonstrated to be unrealistic. Therefore, the Proposed Action would conform to the latest approved AQMP and SIP as the emissions from the Proposed Action are below *de minimis* levels within the SCAQMD. The Proposed Action would not result in any new or additional exceedances of the National Ambient Air Quality Standards (NAAQS) or impede the projected attainment of the NAAQS.

Airspace closures associated with commercial space operations would result in additional aircraft emissions mainly from aircraft being re-routed and expending more fuel, including CO₂. Minimal, if any, additional emissions would be generated from aircraft departure delays because the FAA has rarely, if

ever, received reportable departure delays associated with launches at VSFB. Therefore, these emissions increases are not expected to result in an exceedance of a NAAQS for any criteria pollutant and are not expected to result in significant air quality impacts.

The net annual emissions of criteria air pollutants from the Proposed Action within Santa Barbara, Ventura, and Los Angeles Counties would not exceed *de minimis* thresholds and therefore would not exceed the FAA's significance threshold.

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on air quality.

Climate (EIS Section 3.3)⁶

The FAA has not established a significance threshold for climate, nor has the FAA identified specific factors to consider in making a significance determination for GHG emissions. Table 3.3-10 in the Final EIS presents estimates of annual GHG emissions that would occur from the Proposed Action. The estimated total CO₂-equivalent (e) emissions from the Proposed Action is 58,162.88 metric tons. When accounting for the baseline emissions reflected in the 2024 EA, the Proposed Action would result in an additional 11,806.88 metric tons of CO₂e per year. The annual emissions of the Proposed Action represent just 0.0157% of California's total annual emissions.

In addition, airspace closures associated with commercial space operations would result in additional aircraft emissions mainly from aircraft being re-routed and expending more fuel. These temporary increases in aircraft emissions could increase to a maximum of 100 times per year. However, the amount of time that affected aircraft spend being re-routed would be short-term and the number of aircraft that would be impacted per launch would not be expected to produce additional emissions that

⁶ Consistent with FAA Order 1050.1F, the FAA retains climate as an impact category in its analysis, but it does not include an evaluation of social cost of carbon or a monetization of impacts of greenhouse gas emissions, in accordance with Executive Order 14154, *Unleashing American Energy*, and Office of Management and Budget guidance (OMB memorandum M-25-27, dated May 5, 2025). The Final EIS contains a discussion of greenhouse gas emissions of each of the alternatives in its Air Quality chapter; the FAA relies on this information in determining the Proposed Action's effects as it relates to climate.

would have a notable impact on climate. Therefore, airspace closures associated with the Proposed Action are not expected to result in significant air quality impacts.

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on the climate.

Biological Resources (including Fish, Wildlife, and Plants)

FAA Order 1050.1F, Exhibit 4-1, provides the FAA's significance threshold for biological resources: "[T]he U.S. Fish and Wildlife Service or the National Marine Fisheries Service determines that the action would be likely to jeopardize the continued existence of a federally listed threatened or endangered species, or would result in the destruction or adverse modification of federally designated critical habitat."

The FAA has not established a significance threshold for non-listed species, and 1050.1F, Exhibit 4-1 instead provides the following factors to consider: "the action would have the potential for a long-term or permanent loss of unlisted plant or wildlife species, i.e., extirpation of the species from a large project area; adverse impacts to special status species or their habitats; substantial loss, reduction, degradation, disturbance, or fragmentation of native species' habitats or their populations; or adverse impacts on a species' reproductive success rates, non-natural mortality, or ability to sustain the minimum populations levels required for population maintenance."

Terrestrial/Freshwater Biological Resources (EIS Section 3.5)

Vegetation present within the construction area would be removed, resulting in less than 20 acres of native vegetation. Native vegetation would be avoided to the extent feasible while meeting construction and fire safety requirements. Wildlife present within the C&D areas would also be at risk of injury and noise exposure. However, the DAF would implement environmental protection measures (EPMs) to minimize the risk of injury to any wildlife species (refer to Section 3.2.5 and Appendix B of the EIS for the list of EPMs). Rocket engine noise and sonic booms during launch and landing operations are the project's primary stressors to sensitive species. However, there are factors that reduce these stressors. For example, vegetation management (i.e., mowing) at VSFB, which is conducted as part of the routine current VSFB management activities, reduces wildlife presence above ground in these areas. In addition, very little sound is transmitted between the air-water interface; thus, in-air sound would not have a significant effect on submerged animals.

Per Section 7 of the Endangered Species Act (ESA), the DAF consulted the U.S. Fish and Wildlife Service (USFWS) to address potential effects to ESA-listed species from Falcon launch operations at VSFB. The USFWS issued a BO on August 21, 2025 (see Appendix B of the EIS). The BO identifies Reasonable and Prudent Measures (RPMs) and associated Terms and Conditions (T&Cs) that implement the RPMs that the USFWS believes are necessary and appropriate to minimize the impacts of the anticipated incidental take of listed species. The RPMs and T&Cs are non-discretionary. The DAF (specifically the U.S. Space Force) is responsible for ensuring the RPMs and T&Cs are implemented.

Marine Biological Resources (EIS Section 3.6)

The Proposed Action may also have impacts on marine species, including ESA-listed fish, turtles, cetaceans, and pinnipeds, as well as marine mammals protected by the Marine Mammal Protection Act (MMPA). As noted above, very little sound is transmitted between the air-water interface; thus, in-air sound would not have a significant effect on submerged animals. Per Section 7 of the ESA, the DAF consulted the National Marine Fisheries Service (NMFS) to address potential effects to ESA-listed species from Falcon launch operations at VSFB. The DAF determined the action would not adversely affect ESA-listed species under NMFS jurisdiction. NMFS concurred with the DAF's effect determination on April 17, 2024 (see Appendix C of the EIS).

Pinnipeds at haulouts along the mainland coastline at VSFB, southeastern Santa Barbara, Ventura, northwestern Los Angeles Counties, and on the northern Channel Islands (NCI) would be disrupted by noise and visual disturbance associated with Falcon launches and landings up to 100 times per year under the Proposed Action. Through decades of monitoring and collaboration with NMFS, there are generally no substantial behavioral disruptions or anything more than temporary affects to the number of pinnipeds hauled out on VSFB and the Northern Channel Islands. Under the MMPA, NMFS issued a Final Rule for taking marine mammals incidental to launches from VSFB. The Letter of Authorization (LOA) allows launch programs to unintentionally take small numbers of marine mammals by "Level B Harassment" (i.e., behavioral disruption) during launches (refer to Appendix C of the EIS for a copy of the LOA). The Proposed Action would not result in exceedance of take thresholds as identified in the LOA. The DAF is required to comply with the listed conditions in the LOA and address NMFS concerns regarding marine mammals.

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on Biological Resources.

Coastal Resources (EIS Section 3.9)

The FAA has not established a significance threshold for non-listed species and 1050.1F, Exhibit 4-1 instead provides the following factors to consider: “the action would have the potential to be inconsistent with the relevant state coastal zone management plan; impact a coastal barrier resources system unit (and the degree to which the resource would be impacted); pose an impact to coral reef ecosystems (and the degree to which the ecosystem would be affected); cause an unacceptable risk to human safety or property; or cause adverse impacts to the coastal environment that cannot be satisfactorily mitigated.”

VSFB property is statutorily excluded from the coastal zone. Downrange landings would occur outside of state waters, and would not occur within intertidal areas, salt marshes, estuaries, or coral reefs. The Proposed Action does not include any coastal construction nor seafloor disturbing activities. However, some effects from launch and landing (e.g., noise, public access restrictions) would occur within the California Coastal Zone. In addition, increased impervious surfaces could increase stormwater runoff; however, post-construction best management practices (BMPs) and stormwater management would minimize any potential effect. Based on the DAF’s review of the CZMA and California’s approved Coastal Management Plan, the DAF has determined that the Proposed Action is consistent with the enforceable policies of the California coastal management program, pursuant to the requirements of the CZMA. The DAF submitted a Consistency Determination (CD) on June 13, 2025, and requested concurrence from the CCC. On August 14, 2025, the California Coastal Commission voted unanimously to object to the DAF’s CD. Under the CZMA and its implementing regulations, the DAF may proceed with the proposed action over a CCC objection if it finds the Proposed Action is fully consistent with the enforceable policies of California’s approved coastal management plan. See 15 CFR § 930.43(d)(1)-(2). The DAF will notify the CCC that it intends to proceed over the objection as required by 15 CFR § 930.43(e). Based on the DAF’s review of the Proposed Action’s compliance with the CZMA, the DAF has determined that the Proposed Action is consistent with the enforceable policies of the CCMP, pursuant to the requirements of the CZMA.

Based on the FAA’s independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on Coastal Resources.

Department of Transportation Act, Section 4(f) (EIS Section 3.10)

FAA Order 1050.1F, Exhibit 4-1, provides the FAA's significance threshold for Department of Transportation Act, Section 4(f) resources: "The action involves more than a minimal physical use of a Section 4(f) resource or constitutes a 'constructive use' based on an FAA determination that the aviation project would substantially impair the Section 4(f) resource. Resources that are protected by Section 4(f) are publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance; and publicly or privately owned land from an historic site of national, state, or local significance. Substantial impairment occurs when the activities, features, or attributes of the resource that contribute to its significance or enjoyment are substantially diminished."

Because there would be no physical use of any 4(f) properties, only constructive use is being determined. Constructive use occurs when the impacts of a project on a Section 4(f) resource are so severe that the activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Impacts on Jalama Beach County Park would result from occasional, temporary evacuation of the public during launch and landing events. Surf Beach and County of Santa Barbara Ocean Beach Park would only be closed up to 12 times per year during landing events. While some impacts on Jalama Beach County Park are unavoidable due to mission requirements, evacuations would not be issued for more than 12 launches. Given the formal evacuation agreement in place between the DAF and Santa Barbara County and the temporary nature of the closures, implementation of the Proposed Action would not substantially diminish the protected activities, features, or attributes of any Section 4(f) resources and therefore would not result in substantial impairment of the properties. There is no reasonable potential for launch-related noise to impair the majority of the Section 4(f) resources within the region of influence because a quiet setting is not part of the significant attributes or features qualifying these properties for protection under Section 4(f). Although launch trajectories overfly the Channel Islands National Park, impacts would not be significant to the point of impairing the activities, features, or attributes that qualify the Channel Island National Park for protection under Section 4(f).

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on Section 4(f) resources.

Hazardous Materials, Solid Waste, and Pollution Prevention (EIS Section 3.15)

The FAA has not established a significance threshold for hazardous materials, solid waste, and pollution prevention and 1050.1F, Exhibit 4-1 instead provides the following factors to consider: “the action would have the potential to violate applicable federal, state, tribal, or local laws or regulations regarding hazardous materials and/or solid waste management; involve a contaminated site (including but not limited to a site listed on the National Priorities List). Contaminated sites may encompass relatively large areas. However, not all of the grounds within the boundaries of a contaminated site are contaminated, which leaves space for siting a facility on non-contaminated land within the boundaries of a contaminated site. An EIS is not necessarily required. Paragraph 6- 2.3.a of [1050.1F] allows for mitigating impacts below significant levels (e.g., modifying an action to site it on non-contaminated grounds within a contaminated site). Therefore, if appropriately mitigated, actions within the boundaries of a contaminated site would not have significant impacts; produce an appreciably different quantity or type of hazardous waste; generate an appreciably different quantity or type of solid waste or use a different method of collection or disposal and/or would exceed local capacity; or adversely affect human health and the environment.”

Compliance with all pertinent federal, state, and local laws and regulations, and applicable DAF and Space Launch Delta 30 plans, would govern all actions (i.e., C&D activities and launch and landing operations) associated with implementing the Proposed Action and would minimize the potential for significant impacts. Launch support operations would use a small amount of products containing hazardous materials, including petroleum, oil, and lubricants (POLs), paints, solvents, oils, lubricants, acids, batteries, and chemicals. SpaceX would also generate a small number of waste tires each year through “roll-on-roll-off” operations and other pad support equipment during routine launch support. Payload processing would generate a small amount of empty containers, spent solvents, waste oil, spill cleanup materials (if used), and lead-acid batteries. Loading and unloading operations would take place over appropriately designed and sized containment basins, with spill prevention and emergency response procedures in place. Proper handling practices of liquid fuels would adhere to applicable federal regulations for liquid fuels and limit the risk of hazardous material releases due to leaking storage tanks, tanker trucks, delivery lines, or other infrastructure. The relatively small amounts of hazardous materials needed and the waste generated by the Proposed Action would have little to no impact on waste processing capacity. EPMs would be implemented during implementation of the Proposed Action to avoid and reduce potential effects due to hazardous materials. Therefore, the

Proposed Action would not have a significant impact due to using and generating hazardous materials and hazardous wastes.

Solid waste generated during demolition would primarily include concrete, asphalt, and metal, much of which is recyclable. Construction wastes would include packing materials, scrap materials, and miscellaneous waste generated by onsite construction workers. Contractors would be responsible for the disposal or recycling of all waste generated during the scope of the C&D activities. During launch operations and facilities maintenance, solid waste would be disposed of routinely. Solid waste would be collected in on-site refuse containers and transported to the Santa Maria Transfer Station for waste disposal, diversion, and recycling. During C&D at SLC-6, sewage would be collected in temporary on-site portable toilets subject to spill-prevention EPMs and serviced by a commercial contractor. Before implementing the Proposed Action, the contractor would prepare a hazardous material Spill Prevention and Response Plan. Compliance with all applicable federal, state, local laws, and regulations, applicable DAF plans and policies, and EPMs, would govern all aspects of the Proposed Action, and would avoid or minimize potential impacts related to solid waste or pollution prevention.

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on solid waste management.

Historical, Architectural, Archeological, and Cultural Resources (EIS Section 3.8)

The FAA has not established a significance threshold for historical, architectural, archeological, and cultural resources and 1050.1F, Exhibit 4-1 instead provides the following factors to consider: "The action would result in a finding of Adverse Effect through the Section 106 process."

The DAF considered the Proposed Action's potential impacts on prehistoric and historic sites, structures, artifacts, and any other physical or traditional evidence of human activity considered relevant to a particular culture or community for scientific, traditional, religious, or other reasons. Cultural resources include archaeological resources, historic architectural resources, and Native American sacred sites and traditional cultural properties. The only historic building located on VSFB that is not associated with launch complexes or supporting infrastructure is the former USCG Lifeboat Rescue Station. The centerpiece of the Colonial Revival style complex is the wood-frame three-story Administrative Barracks built in 1936. The building, which sports a substantial number of single-pane glass windows, has been subjected to many years of launches and boost-back landings at SLC-4 as well as launches conducted at

nearby SLC-6 with no reported or observed effect. Accordingly, there would be no effect on any National Register of Historic Places eligible resources in the built environment at VSFB from launch noise.

Built environment and archaeological resources could be subject to sonic booms of up to 4 and 5 psf. Specifically, the 2 psf and greater sonic boom impacts on the NCI which may reach as much as 5 psf over a very narrow portion of land on the NCI. However, a large portion of the NCI would be exposed to an overpressure no more than of 2–3 psf. Sonic booms are dependent on launch trajectory, inclination, and atmospheric conditions. The Proposed Action is not expected to result in a repeated alignment of the sonic boom overpressure footprint within specific areas and the duration of the overpressure effects are estimated to last less than one second per sonic boom. Previous studies, experimental analysis and observations of archaeological sites located on VSFB have provided good evidence that archaeological sites consisting of only surface artifacts or buried archaeological material do not have the potential to be affected by rocket engine noise exceeding 120 dB and sonic booms exceeding 2 psf. The DAF engaged with the California State Historic Preservation Office (SHPO) and Santa Ynez Band of Chumash Indians (SYBCI) over potentially affected historic properties. The SHPO concurred with the DAF's finding of no historic properties affected on February 6, 2025. The SYBCI responded on January 21, 2025, that the Tribe has concerns the Proposed Action would affect a perceived traditional cultural landscape and therefore requested a site visit. The Installation Tribal Liaison Officer (ITLO) responded on January 21, 2025, requesting the Tribe schedule a site visit. As of October 3, 2025, the Tribe had not scheduled a site visit or identified any perceived potential effects. The ITLO will continue open communication with the Tribe to gather comments and address any perceived potential effects.

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on cultural resources.

Noise and Noise-Compatible Land Use (EIS Section 3.4)

FAA Order 1050.1F, Exhibit 4-1, provides the FAA's significance threshold for Department of Transportation Act, Section 4(f) resources: "the action would increase noise by DNL [Day-Night Average Sound Level] 1.5 dB or more for a noise sensitive area that is exposed to noise at or above the DNL 65 dB noise exposure level, or that will be exposed at or above the DNL 65 dB level due to a DNL 1.5 dB or greater increase, when compared to the no action alternative for the same timeframe. For example, an increase from DNL 65.5 dB to 67 dB is considered a significant impact, as is an increase from DNL 63.5 dB to 65 dB."

C&D activities would temporarily increase noise levels at SLC-6. These activities are far removed from any human sensitive receptors. Sound levels decay with increasing distance. Noise from the C&D activities would be entirely limited to within the VSFB boundary, with the exception of explosives which would be used to aid in the removal of one existing structure. This would result in a short impulsive sound, similar to those experienced during first stage landing events at SLC-4. Therefore, C&D activities at SLC-6 would not have a significant impact on the acoustic environment.

Launch and landing operations create engine noise and sonic booms. Noise levels would not exceed the Occupational Safety and Health Administration's (OSHA) thresholds for daily noise exposure limits. Residents within the area surrounding VSFB would likely hear launch engine noise and sonic booms during return landings at VSFB. Noise-induced structural vibration during launches and landings caused by rocket engine noise and sonic booms may cause annoyance to building occupants in and around Lompoc, CA. In southeastern Santa Barbara, Ventura, and northwestern Los Angeles Counties, residents would likely hear occasional sonic booms, which would vary in impact location and levels depending on mission trajectories and weather conditions, and may cause annoyance because of induced secondary vibrations, or "rattle" of objects within buildings.

Falcon 9 and Falcon Heavy launches and landings at SLC-4 and SLC-6 have the potential to cause damage to some structures depending on the overpressure levels the structures are exposed to as well as the construction quality and condition of the structures. Damage associated with noise and vibrations may occur to lightweight or brittle structural elements in poor condition, such as windows and plaster that are pre-cracked, prestressed, older and weakened, or poorly mounted; however, damage to windows and plaster in good condition and structural damage to buildings is not expected. Launches typically generate sonic booms over water which are not expected to damage structures. Booms in some areas may rarely exceed 4 pounds per square foot (psf). Damage to structures is unlikely below 2 psf, and more likely at 4 psf and above. Overall, while 4 psf sonic booms are more likely to cause damage compared to 2 psf, the extent of damage still depends on other factors, including the construction quality and maintenance of the structures.

A Community Noise Equivalent Level (CNEL)⁷ exceeding 65 A-weighted decibels (dBA; A-weighting is an adjustment applied to sound measurement to reflect how a noise is perceived by the human ear) is generally considered unacceptable for a residential neighborhood and is used to define the area of

⁷ CNEL may be used in lieu of DNL for FAA actions needing approval in California. Appendix B, B-1 of FAA Order 1050.1F.

potentially significant noise impacts on communities. CNEL was estimated for projected launch, landing, and static fire test operations at SLC-4 and SLC-6. These estimates were made for each operation type (i.e., Falcon 9 launches, landings, and static fire tests at SLC-4 and SLC-6 and Falcon Heavy launches, landings, and static fire tests at SLC-6) and the results indicated that none of the operation types alone are expected to cause adverse community noise exposure using the CNEL 65 dBA threshold. In addition, when CNEL was assessed for the proposed maximum cadence which includes all combinations of these operation types assuming an almost equal distribution between night and day activities, noise exposure was still estimated to be less than CNEL 65 dBA in populated areas east of the VSFB property line. The CNEL 65 dBA contour is located entirely within the VSFB property and does not include residential land use. Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on noise and noise-compatible land use.

The C-weighted Day-Night Average Sound Level (CDNL) is similar to CNEL but computed with C-weighting, which has more emphasis placed on low frequencies below 1,000 hertz (Hz). This metric is used as a cumulative measure of noise events having lower frequency content and higher levels (e.g., sonic booms, large caliber weapons, and blast noise events). The cumulative sonic boom levels were estimated for the projected annual Falcon 9 and Falcon Heavy landing operations at SLC-4 and SLC-6. Conservatively estimating that all operations occurred at night, the maximum CDNL was estimated at 58.0 dBC. Since the FAA uses CDNL 60 dBC (equivalent to DNL 65 dbA) as the significance threshold for determining land use compatibility, the cumulative sonic boom levels from Falcon 9 and Falcon Heavy landing operations would be below the threshold for acceptable land use.

Socioeconomics (EIS Section 3.12)

The FAA has not established a significance threshold for socioeconomics and children's environmental health and safety risks, and 1050.1F, Exhibit 4-1 instead provides the following factors to consider: "The action would have the potential to: disrupt or divide the physical arrangement of an established community; cause extensive relocation when sufficient replacement housing is unavailable; cause extensive relocation of community businesses that would cause severe economic hardship for affected communities; disrupt local traffic patterns and substantially reduce the levels of service of roads serving

an airport and its surrounding communities; or produce a substantial change in the community tax base;.”⁸

Launching and landing operations under the Proposed Action would result in moderate but positive economic benefits from increased demand in the existing workforce, higher revenues, and increased per capita income. SpaceX would continue to use its existing workforce for launching and landing activities. Ongoing commercial space activities at VSFB would continue to be an important economic generator for the local region and nearby counties. Recreational and commercial vessels transit and operate offshore of VSFB and may be affected by short-term warning areas during launches and landings, but these temporary closures of these areas for security and safety do not limit commercial or recreational fishing vessel access to or use of adjacent areas. Areas would be closed for the duration of the activity and reopened at the completion of the activity. Based on the FAA’s independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on the demand for local housing, the need for social services and support facilities, or socioeconomic health of the area as a whole.

Water Resources (including Wetlands, Floodplains, Surface Waters, Groundwater,) (EIS Section 3.7)

FAA Order 1050.1F, Exhibit 4-1, provides the FAA’s significance threshold for water resources (including wetlands, floodplains, surface waters, and groundwater): “The action would adversely affect a wetland’s function to protect the quality or quantity of municipal water supplies, including surface waters and sole source and other aquifers; substantially alter the hydrology needed to sustain the affected wetland system’s values and functions or those of a wetland to which it is connected; substantially reduce the affected wetland’s ability to retain floodwaters or storm runoff, thereby threatening public health, safety or welfare (the term welfare includes cultural, recreational, and scientific resources or property important to the public); adversely affect the maintenance of natural systems supporting wildlife and fish habitat or economically important timber, food, or fiber resources of the affected or surrounding wetlands; promote development of secondary activities or services that would cause the circumstances listed above to occur; be inconsistent with applicable state wetland strategies; cause notable adverse

⁸ FAA Order 1050.1F directs the agency to consider a Proposed Action’s potential to “induce substantial economic growth in an area, either directly or indirectly” as a factor in its assessment of the proposed project’s socioeconomic impacts. However, consistent with the Supreme Court’s recent decision in Seven County Infrastructure Coalition v. Eagle County, Colorado, 605 U.S. ____ (2025), the FAA will no longer consider a proposed project’s potential to induce growth (i.e. proliferate separate projects) in its assessments of socioeconomic impacts. Therefore, the FAA has removed this factor from this list and does not rely on this factor in assessing the Proposed Action.

impacts on natural and beneficial floodplain values; exceed groundwater quality standards established by federal, state, local, and tribal regulatory agencies; or contaminate an aquifer used for public water supply such that public health may be adversely affected.”

Potential impacts associated with C&D activities and operations on surface water, ground water, and jurisdictional wetlands are evaluated for the Proposed Action in the EIS. Specifically, considered in this analysis is activity-related introduction of regulated pollutants into surface water or groundwater resources, and potential effects on floodplains. EPMs would ensure that adequate sediment and erosion control BMPs are implemented to minimize or prevent any loss of surface soils. In compliance with Section 402 of the Clean Water Act (CWA), SpaceX would also obtain coverage under the National Pollutant Discharge Elimination System Construction General Permit and prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). Wastewater discharges would continue to follow the conditions of the Regional Water Quality Control Board letter for Enrollment in the General Waiver of Waste Discharge Requirements. Water use to support the increased launch cadence would not have detectable impacts on the San Antonio Creek basin.

Two surface water drainages occur at SLC-6. Under the Proposed Action, impacts on flow within the north drainage during construction could be avoided by completing any modifications to the drainage during the dry season and restoring drainage function prior to the onset of winter rains. Approximately 0.02 acres (ac) of the north drainage would be affected, which is currently impermeable concrete v-ditches and culverts. Since any disturbance would be temporary and the site has little ecological value, impacts on the north drainage would not be significant.

Approximately 0.01 ac of the south drainage, which is currently riprap line, would be temporarily disturbed. Impacts on the south drainage could be avoided by boring under the drainage, suspending the pipeline over the drainage, or completing construction during the dry season and restoring drainage function prior to the onset of winter rains. Because any disturbance would be temporary and it has little ecological value, impacts on the south drainage would not be significant.

A seep that occurs south of N Road would be filled in to construct the proposed landing zones and related infrastructure. Siting alternatives that avoid wetland impacts are not feasible and would not meet the purpose of and need for the Proposed Action. With the implementation of BMPs, no significant impacts on wetlands are anticipated.

Based on the FAA’s independent review and evaluation, the FAA concludes that the Proposed Action would not have significant impacts on water resources.

Mitigation and Monitoring Summary

Pursuant to the permits and approvals applicable to this Proposed Action (see “Selected Alternative and Summary of Necessary Permits and Approvals” section above), and consistent with Paragraph 7-2.3 of FAA Order 1050.1F, the DAF has assumed full responsibility and committed to implementing or monitoring SpaceX’s compliance with the mitigation measures listed below. The FAA finds that all practicable means to minimize environmental harm from the selected alternative have been adopted. Measures described in the following sections include stipulations required by USFWS, NMFS, and SCAQMD, as well as EPMs that must be implemented during redevelopment of SLC-6 to support Falcon 9 and Falcon Heavy operations and increasing the annual Falcon launch and landing cadence at VSF.

Air Quality

The SBCAPCD and CARB require the EPMs described below to decrease emissions, as applicable to the Proposed Action.

- Any portable equipment powered by an internal combustion engine with a rated horsepower of 50 brake horsepower or greater used for this project shall be registered in the California State-wide Portable Equipment Registration Program or have a valid SBCAPCD Permit to Operate.
- Ultra-low sulfur diesel fuel (15 parts per million by volume) will be used for all diesel equipment.
- CARB-developed idling regulations will be followed for trucks during loading and unloading.
- When feasible, equipment will be powered with federally mandated “clean” diesel engines.
- The size of the engine in equipment and number of pieces of equipment operating simultaneously for the project should be minimized.
- Engines should be maintained in tune per manufacturer or operator’s specification.
- USEPA or CARB-certified diesel catalytic converters, diesel oxidation catalysts, and diesel particulate filters may be installed on all diesel equipment.
- SpaceX shall adhere to the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation (CARB 2024) for fleet management and fuel selection.
- CARB diesel will be the only fuel combusted in the engines while in California Coastal Waters.

Biological Resources

USFWS BO

As noted above, the DAF consulted the USFWS and NMFS to address potential effects to ESA-listed species from Falcon launch operations at VSF. NMFS concurred with the DAF's determination that the action is not likely to adversely affect ESA-listed species under NMFS's purview. Regarding species under USFWS's purview, the USFWS issued a BO that concluded the action would result in incidental take of California red-legged frog, western snowy plover, and California least tern. The BO contains non-discretionary T&Cs and reporting requirements. The DAF (Space Force) is responsible for ensuring the following T&Cs are implemented:

- Lighting plans for SLC-4 and SLC-6 launch complexes must reduce the potential for artificial lighting on the landscape with the intention to reduce scatter into natural, undeveloped areas to the maximum degree possible incorporating the recommendations provided to SpaceX by IMEG Corporation.
- To adequately monitor potential effects from the proposed project, the DAF must ensure the monitoring included in the description of the action in the BO continues for five years following full implementation of the action (completion of construction of SLC-6 and full maturity of the launch program at SLC-4 and SLC-6). Following these five years, the DAF, developed in coordination with the USFWS, must implement a monitoring plan to continue detecting and tracking take of listed species from the proposed project.
- The DAF must monitor vibrations from three Falcon Heavy launches and boostbacks to determine magnitude, frequency, and distance. Results of the monitoring must be presented in units for understanding ecological effects of vibration on California red-legged frog.

The DAF must submit a final report within 90 days following completion of the proposed construction of the SLC-6 project and provide an annual report by February 15 for each fiscal year (October through September) that activities are conducted pursuant to the BO to the USFWS's Ventura Fish and Wildlife Office via electronic mail. The reports must describe all activities that were conducted under the BO, including activities and conservation measures that were described in the proposed action and required under the T&Cs, and discuss any problems that were encountered in implementing conservation measures or T&Cs and any other pertinent information. The report(s) must also include the following information:

- Documentation of any impacts of the proposed activities on southern sea otters, California red-legged frog, western snowy plover, and California least tern; results of biological surveys and observation records; documentation of the number of individuals of any life stage of California red-legged frog, western snowy plover, and California least tern injured or killed; the date, time, and location of any form of take; approximate size and age of those individuals taken; and a description of relocation sites or rehabilitation outcomes for captured individuals.
- Results from all monitoring described within the BO.
- The DAF must submit federally listed species observations over the course of the project to the California Natural Diversity Database.

The DAF has also committed to implementing the following avoidance and minimization measures in order to protect and minimize effects on terrestrial biological resources:

- The DAF will ensure that SpaceX implements the following measures at SLC-4 and SLC-6: (1) the site-specific Stormwater Pollution Prevention Plan; (2) the Best Management Practices within the latest California Stormwater Quality Association's Stormwater Best Management Practices Handbook; (3) collect any rocket propellant seen floating in the retention basin using absorbent pads prior to discharge to the spray field; and (4) the procedures in VSFB's Hazardous Materials Emergency Response Plan in the event of a hazardous materials spill.
- The DAF will continue to conduct southern sea otter population surveys at the current levels to monitor the densities and distribution of southern sea otters along VSFB's coastline.
- Prior to construction activities at SLC-6, any California red-legged frogs will be removed by a USFWS Approved Biologist from an exclusion area within the project site and relocated, to the nearest suitable habitat location at least 500 feet away to decrease the likelihood of recapture through the process described below.
- SpaceX, under direction of a Qualified Biologist, will ensure the exclusion area is encircled with a minimum 3-foot-high silt fencing, anchored with metal T-posts, and buried along the bottom edge to the best extent possible to prevent terrestrial wildlife, including California red-legged frogs, from entering the site.
- Following completion of the installation of exclusion fencing, USFWS Approved Biologists would conduct a pre-project survey of the exclusion area for wildlife and special-status species,

including California red-legged frog. All California red-legged frogs captured will be transported to the nearest suitable habitat outside of the exclusion area and released by a USFWS Approved Biologist. The USFWS Approved Biologist will repeat these surveys following any precipitation event greater than 0.2 inches during a 24-hour period.

- Any open holes or trenches will be covered with plywood or metal sheets and/or supplied with an escape ramp if left overnight to minimize the risk of entrapment of California red-legged frogs or other wildlife.
- No overnight staging of equipment or supplies will occur within 0.10 miles of aquatic habitat. Measures would be implemented that prevent California red-legged frog from accessing the staging area (e.g., drift fence barrier installed).
- SpaceX will maintain exhaust ducts at SLC-6 to minimize standing water when operationally feasible, as verified by the DAF, to help minimize the potential to attract California red-legged frogs to SLC-6.
- SpaceX will continue to remove nonnative, invasive predators captured incidentally during the monitoring efforts described below (e.g., American bullfrogs).
- SpaceX will continue to implement long-term monitoring of population and distribution trends associated with California red-legged frog populations within Jalama Creek, Honda Creek, Bear Creek, and the Santa Ynez River, as described below:
 - SpaceX will ensure that quarterly night surveys for California red-legged frog and spring tadpole surveys are conducted in lower Honda Creek, Bear Creek, the Santa Ynez River, and Jalama Creek to compare baseline California red-legged frog detection rate and occupancy data collected over the past 10 years and assess if there are any changes in California red-legged frog habitat occupancy, breeding behavior (calling), and breeding success (egg mass and tadpole densities). Data analysis will incorporate past and future habitat assessments to account for variables including but not limited to observed variation in extent of wetted habitat, quantified predator removal, and climatic factors. Within-site population trends will be assessed in relation to intensity of launch impacts experienced at each site to evaluate whether proximity to launch sites is related to occupancy, breeding behavior (calling), and breeding success (egg masses and tadpole densities). The surveys will record and measure the following:

- California red-legged frog detection density following the same survey methods conducted previously at these sites and throughout VSFB (MSRS 2024a); California red-legged frog locations and breeding evidence (e.g., calling, egg masses); environmental data during surveys (temperature, wind speed, humidity, and dewpoint) to determine if environmental factors are affecting California red-legged frog detection or calling rates; annual habitat assessments to measure flow rates, stream morphology, depths, quantify suitable occupied habitat and sediment to determine if any changes in California red-legged frog metrics are associated with other environmental factors, such as drought; and locations and densities of co-occurring anurans, including bullfrogs and Baja California tree frogs (*Pseudacris regilla*).
- SpaceX will continue to perform passive bioacoustics monitoring (Wildlife Acoustics Song-Meter 4 or similar technology) and will establish frog calling behavior baseline within each impacted breeding feature (Jalama Creek, Honda Creek, Bear Creek, and Santa Ynez River) and a control site at Arroyo Quemado for purposes of signal characteristic comparison. California red-legged frog calling behavior baseline will include applicable call characteristics (e.g., changes in signal rate, call frequency, amplitude, call timing, call duration, etc.). SpaceX will ensure that bioacoustic monitoring conducted is designed to best address confounding factors to appropriately characterize impacts of launch, static fire, and landing events on calling behavior. The California red-legged frog call characteristics described above will be analyzed from the sites on VSFB and Arroyo Quemado to determine if there are any differences that may be due to launch-related causes. The results will be analyzed in conjunction with long term population data to ensure that any observed changes in signal characteristics are not resulting in observable declines in population.
- SpaceX will discontinue monitoring after 5 years from initiation of monitoring, which began with the 2023–2024 breeding season.
- The DAF will continue to implement long-term monitoring of annual population and distribution trends associated with western snowy plover along Surf Beach.
- SpaceX will perform acoustic monitoring (rocket engine noise and sonic boom) at South Surf Beach during the first three Falcon Heavy missions to validate noise model predictions.

- SpaceX will perform geospatial analysis annually to identify declines in the western snowy plover population, nesting activity, and reproductive success that may result from cumulative effects of multiple Falcon launches and landings from SLC-4 and SLC-6. SpaceX will discontinue this analysis after 5 years from initiation, which began with the 2024 western snowy plover breeding season.
- SpaceX will use motion triggered video cameras during the breeding season (March 1 through September 30) to determine nest fates and potential impacts to nests during the first three Falcon Heavy launches and landings.
- SpaceX will monitor active nests at South Surf Beach with motion triggered video cameras during the breeding season at whichever of the following is greater within the modeled 4 psf zone during the first three Falcon Heavy launches and landings to assess potential novel effects that may result from frequent launching: (i) 10 percent of active western snowy plover nests, or (ii) four active western snowy plover nests. SpaceX will monitor at whichever of the following is greater within the modeled 3 to 4 psf zone: (iii) 10 percent of active western snowy plover nests, or (iv) two active western snowy plover nests. SpaceX will monitor at whichever of the following is greater within the modeled 2 to 3 psf zone: (v) 5 percent of active western snowy plover nests, or (vi) four active western snowy plover nests.
 - Cameras will be placed in a manner to minimize disturbance to nesting plovers; this will be determined in the field based on the best judgment of a Permitted Biologist. SpaceX will employ camera technology that is capable of long-term recording and time marking the moment of disturbance events. SpaceX will review western snowy plover nest camera recordings as soon as possible after the Falcon Heavy launch/landing events.
- The DAF will continue to implement long-term monitoring of annual population and distribution trends associated with California least tern.
- SpaceX will perform statistical analysis annually to identify declines in the California least tern population, nesting activity, and reproductive success that may result from cumulative effects of multiple Falcon launches and landings from SLC-4 and SLC-6. SpaceX will discontinue this analysis after 5 years from initiation, which began with the 2024 California least tern breeding season.

- SpaceX will perform acoustic monitoring (rocket engine noise and sonic boom) during the first three Falcon Heavy missions at the Purisima Point California least tern colony to validate noise model predictions.
- Motion triggered video cameras will be used during the breeding season (typically April 15 to August 15) to determine nest fates and potential impacts to nests during the first three Falcon Heavy launches and landings to reduce disturbance associated with human activity within breeding habitat.
- SpaceX will monitor during the first three Falcon Heavy launches and landings at whichever of the following is greater within the Purisima Point colony: (i) 10 percent of active California least tern nests, or (ii) four active California least tern nests. Cameras will be placed in a manner to minimize disturbance to nesting terns; this will be determined in the field based on the best judgment of a Permitted Biologist. SpaceX will employ camera technology that is capable of long-term recording and time marking the moment of disturbance events. SpaceX will review California least tern nest camera recordings as soon as possible following the Falcon Heavy launch/landing events.

Marine Biological Resource EPMs

To reduce the risk of injury or mortality of ESA-listed species in the marine environment, the following EPMs will continue to be implemented during first stage and fairing recovery operations:

- The DAF will ensure that all personnel associated with vessel support operations are instructed about marine species and any critical habitat protected under the ESA that could be present in the proposed landing area. Personnel will be advised of the civil and criminal penalties for harming, harassing, or killing ESA-listed species.
- Support vessels will maintain a minimum distance of 150 ft from sea turtles and a minimum distance of 300 ft from all other ESA-listed species. If the distance ever becomes less, the vessel will reduce speed and shift the engine to neutral. Engines would not be re-engaged until the animal(s) are clear of the area.
- Support vessels will maintain an average speed of 10 knots or less.

- Support vessels will attempt to remain parallel to an ESA-listed species' course when sighted while the watercraft is underway (e.g., bow-riding) and avoid excessive speed or abrupt changes in direction until the animal(s) has left the area.
- The DAF will immediately report any collision(s), injuries, or mortalities to ESA-listed species to the appropriate NMFS contact.
- To offset the impacts from unrecoverable debris in state waters, SpaceX will continue to make an annual contribution to the California Lost Fishing Gear Recovery Project. For every pound of unrecovered debris in state waters, SpaceX would make a compensatory donation of \$20.00.
- Vessels will enter the harbor, to the extent possible, only when the tide is too high for pinnipeds to haul-out on the rocks. The vessel will reduce speed to 1.5 to 2 knots once the vessel is within 3 mi of the harbor. The vessel will enter the harbor stern first, approaching the wharf and mooring dolphins at less than 0.75 knots.
- Vessels using the harbor will follow a predetermined route that limits crossing kelp beds.
- No vessels will anchor within kelp beds or hard-bottom habitat outside of the dredge footprint, and no vessel anchors within the dredge footprint will be placed in kelp or hard bottom habitat.
- Activities that could result in the startling of wildlife in the vicinity of the harbor will be allowed so long as they are initiated before dusk and not interrupted by long periods of quiet (in excess of 30 minutes). If such activities cease temporarily during the night, they will not be reinitiated until dawn.
- Starting-up of activities (either initially or if activities have ceased for more than 30 minutes) will include a gradual increase in noise levels if pinnipeds are in the area.
- The restrictions on access to the intertidal area will be included in the personnel orientations provided at project startup and for new employees.
- The tug vessels and barge will be periodically cleaned as necessary to avoid impacts related to the transfer of non-native invasive pests and vegetation to VSFB Harbor.

NMFS LOA

The DAF has consulted NMFS under the MMPA to address potential effects to marine mammals from Falcon launch operations at VSBF. NMFS issued an LOA that contains mitigation, monitoring, and reporting requirements that the DAF must implement.

- The DAF must provide pupping information to launch proponents at the earliest possible stage in the launch planning process and direct launch proponents to, if practicable, avoid scheduling launches during pupping seasons on VSBF from March 1 to April 30 and on the Northern Channel Islands from June 1- July 31. If practicable, rocket launches predicted to produce a sonic boom on the Northern Channel Islands >3 pounds per square foot (psf) from June 1 – July 31 will be scheduled to coincide with tides in excess of +1.0 ft (0.3 m), with an objective to do so at least 50 percent of the time.
- At VSBF, the DAF must conduct marine mammal monitoring and take acoustic measurements for rockets (existing and new) launched from new facilities, and for larger or louder rockets (including those with new launch proponents) than those that have been previously launched from VSBF during their first three launches and for the first three launches from any new facilities during March through July.
 - This monitoring must be conducted during harbor seal pupping season or when higher numbers of California sea lions are present.
 - Monitoring must begin at least 72 hours prior to launch and continue through at least 48 hours after launch.
 - Follow-up pup surveys are required for all monitoring conducted during harbor seal pupping season.
 - Time-lapse video recordings must be used during daylight launches to capture the reactions of pinnipeds.
- Sonic boom modeling (commercially available modeling software [PCBoom or an acceptable substitute) would continue to be completed prior to each launch to verify and estimate the overpressure levels and footprint.
- Semi-monthly surveys (two surveys per month) would continue to be conducted to monitor the abundance, distribution, and status of pinnipeds at VSBF. Whenever possible, these surveys will

be timed to coincide with the lowest afternoon tides of each month when the greatest numbers of animals are usually hauled out.

- Marine mammal monitoring and acoustic measurements will be conducted at the NCI if the sonic boom model indicates that pressures from a boom will reach or exceed 7 psf from January 1, through February 28, 5 psf from March 1 through July 31, or 7 psf from August 1 through September 30. No monitoring is required on NCI from October 1 through December 31. The monitoring methods are described in the LOA included in Appendix B.
- The DAF will continue to submit report detailing results of the monitoring program, to the Office of Protected Resources, NMFS, and the West Coast Regional Administrator, NMFS, in compliance with the requirements of the current LOA.
- Discoveries of injured or dead marine mammals, irrespective of cause, would be reported to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. Specific protocol would be followed depending on the cause of the event, if cause is unknown, and whether injury or death was relatively recent.

Coastal Resources

Qualified SpaceX personnel or contractor staff would oversee fulfilling the following EPMs:

- Post-construction BMPs and stormwater management would minimize any potential effect to impervious surfaces and stormwater runoff.

Hazardous Materials, Solid Waste, and Pollution Prevention

Qualified SpaceX personnel or contractor staff would oversee fulfilling the following EPMs:

- Proper disposal of hazardous waste would be accomplished through identification, characterization, sampling (if necessary), and analysis of wastes generated.
- All hazardous materials would be properly identified and used in accordance with manufacturers' specifications to avoid accidental exposure to or release of hazardous materials required to operate and maintain equipment.
- All equipment would be properly maintained and free of leaks during operation and maintenance activities. All necessary equipment, maintenance and repairs would be performed in pre-designated controlled, paved areas to minimize risks from accidental spillage or release.

- SpaceX would ensure employees and contractor staff are trained in proper prevention and cleanup procedures.
- SpaceX would store liquids, petroleum products, and hazardous materials in approved containers and drums and would ensure that any open containers are covered prior to rain events.
- Per 40 CFR Part 112, Spill Prevention, Control, and Countermeasure Plan, SpaceX would place chemicals, drums, or bagged materials on a pallet and, when necessary, secondary containment.
- All aboveground oil or fuel tanks and containers 55 gallons or greater shall be reported to the tank manager at (805) 605-0342. All tanks and containers must be double-walled or constructed with secondary containment at a minimum of 110 percent of the total capacity.
- Solid waste would be minimized by strict compliance with Space Launch Delta (SLD) 30's Integrated Solid Waste Management Plan (DAF 2015).
- All materials that are disposed of off base would be reported to the SLD 30 Solid Waste Manager.

Historical, Architectural, Archeological, and Cultural Resources

Qualified SpaceX personnel or contractor staff would oversee fulfilling the following EPMs:

- If previously undocumented cultural resources are discovered during maintenance activities, work would stop, and the procedures established in 36 CFR part 800.13 and the VSFB Integrated Cultural Resources Management Plan shall be followed.

Noise and Noise-Compatible Land Use

To minimize potential disturbance to human populations from sonic booms, SLD 30 notifies the public of the potential to hear a sonic boom prior to each launch mission through social media and an opt-in launch alert text and email system. These notifications identify areas that may be impacted by a sonic boom during launch operations.

Water Resources (including Wetlands, Floodplains, Surface Waters, Groundwater, and Wild and Scenic Rivers)

Qualified SpaceX personnel or contractor staff would oversee fulfilling the following EPMs:

- BMPs will be implemented to minimize sediment, chemicals, debris or other pollutants from entering the stormwater system, natural surface water drainages or groundwater per the latest California Stormwater Quality Association's Stormwater Best Management Practices Handbooks.
- Storm drain inlet protection will be used as needed to minimize pollutant discharge into storm drains.
- Fueling equipment or systems will only occur in pre-designated areas designed to capture runoff or spilled fuel or with portable spill containment devices.
- Hazardous and industrial materials that can be mobilized by contact with stormwater will be stored under cover prior to rain events.
- Trash disposal containers will be covered at all times. Trash that escapes from containers will be collected.
- Concrete materials, curing compounds, waste and washout water will be properly managed to prevent pollution. Washout water will be contained for evaporation.
- SpaceX will employ personnel trained to follow current California stormwater pollution prevention industrial activity BMPs.
- SpaceX would prepare and implement an SWPPP including BMPs, employee training, stormwater monitoring and reporting.
- SpaceX will continue to ensure that water ejected from the flame trench during launches does not result in any overland surface flow reaching Spring Canyon by maintaining current v-ditches within the SLC-4 fence-line and routinely assessing whether any additional diversion structures are necessary.
- Launch related wastewater and stormwater that accumulates within the flame trenches would be tested for contamination and disposed of per Regional Water Quality Control Board waste discharge waiver or permit and federal regulations.

Adoption

In accordance with NEPA, 42 U.S.C. § 4321 et seq., as amended by the Fiscal Responsibility Act of 2023 (Pub. L. No. 118-5), and FAA Order 1050.1F, the FAA has conducted an independent review and evaluation of the proposed changes to the Falcon Launch Program at VSF. The FAA has independently determined that the EIS and its supporting documentation adequately assess and disclose the environmental impacts of the FAA's federal action. In addition, the FAA's federal action as reflected in the EIS is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable environmental requirements.

Accordingly, the FAA adopts the EIS, appendices, and all publicly available information identified therein, which are hereby incorporated by reference.

Decision and Order

The undersigned finds that the No Action Alternative would result in restrictive licensing that would impede the FAA's ability to assist the commercial space transportation industry in meeting projected demand for services and expansion in new markets. The Preferred Alternative, in contrast, would allow the greatest development and growth of the U.S. commercial space launch industry and aids the FAA's statutory missions specifically under 49 U.S.C. § 40103 (to ensure the safe and efficient use of the National Airspace System) and 51 U.S.C. § 50903 (to encourage, facilitate, and promote commercial space launches and reentries while concurrently improving the safety of these operations).

The undersigned carefully considered the FAA's goals and objectives in relation to issuing licenses that would allow SpaceX to conduct Falcon 9 and Falcon Heavy operations at SLC-6 and increase the annual Falcon launch and landing cadence at SLC-4. The undersigned has considered the purpose and need to be served, the alternative means of achieving them, the environmental impacts of these alternatives, and the mitigation measures available to preserve and enhance the environment. The undersigned has determined that all practicable means to avoid or minimize environmental harm from the selected alternative have been adopted. Based upon the record of this Proposed Action, and under the authority delegated to the undersigned by the Administrator of the FAA, the undersigned finds that the selected alternative described in this ROD is reasonably supported.

Accordingly, under the authority delegated to the undersigned by the Administrator of the FAA, the undersigned approves and authorizes all necessary agency action to implement the FAA's federal action.

This decision signifies that applicable federal environmental requirements relating to the FAA's federal action have been met. The decision enables the FAA to implement that action.

Responsible FAA Official:

Katie L. Cranor
Executive Director (Acting)
Office of Operational Safety, ASA-1
Commercial Space Transportation

October 16, 2025
Date

RIGHT OF APPEAL

This ROD constitutes final order of the FAA Administrator and is, in most cases, subject to exclusive judicial review under 49 U.S.C § 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business.