

# **DRAFT ENVIRONMENTAL IMPACT STATEMENT**

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## **SPACEX STARSHIP-SUPER HEAVY LAUNCH VEHICLE AT LAUNCH COMPLEX 39A**

at the Kennedy Space Center, Merritt Island, Florida

Volume II, Appendix B.5

**August 2025**



**Federal Aviation  
Administration**



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## **Appendix B    *Regulatory Consultations***

This appendix provides regulatory consultation documentation for Endangered Species Act Section 7 consultation with the United States (U.S.) Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS), Magnuson-Stevenson Fishery Conservation and Management Act consultation with the NMFS, National Historic Preservation Act (NHPA) Section 106 consultation with the Florida State Historic Preservation Officer (SHPO), U.S. Department of Transportation Act Section 4(f) consultation with officials with jurisdiction over affected properties, Coastal Zone Management Act consultation with the Florida Department of Environmental Protection, and Marine Mammal Protection Act Incidental Harassment Authorization with NMFS.

## ***B.5 Coastal Consistency Determination***

The following Coastal Consistency Determination was submitted to the Florida Department of Environmental Protection Clearinghouse as part of the Draft EIS public and agency review process. Additional Coastal Zone Management Act correspondence will be added to this section as the coordination process continues.

**Table B.5-1. Enforceable Policy Consistency Assessment**

<b>Statute</b>	<b>Consistency Assessment</b>	<b>Scope</b>
Chapter 161 (Beach and Shore Preservation)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action would not adversely affect state beach and shore management. All land-disturbing activities occur on Federal land. No components of the Proposed Action would occur on a beach or shoreline.	This statute provides policy for the regulation of construction, reconstruction, and other physical activities related to the beaches and shores of the state.
Chapter 163 (Part II Growth Policy; County and Municipal Planning; Land Development Regulation)	This enforceable policy is not applicable to the Proposed Action. Proposed Action development activities would occur on Federal property.	Requires local governments to prepare, adopt, and implement comprehensive plans that encourage the most appropriate use of land and natural resources in a manner consistent with the public interest.
Chapter 186 (State and Regional Planning)	As a Federal facility, KSC is not subject to state and regional planning; however, the Proposed Action is consistent with the KSC Master Plan. As a component of the KSC Master Plan, KSC coordinates with state and local governments and regional economic development organizations to assess the market and develop strategies that will meet the emerging needs of KSC and its partners. Therefore, the Proposed Action is consistent with this enforceable policy.	Details state-level planning requirements. Requires the development of special statewide plans governing water use, land development, and transportation.
Chapter 252 (Emergency Management)	The Proposed Action would not increase the state's vulnerability to natural disasters. NASA KSC operates under a Comprehensive Emergency Management Plan. The Comprehensive Emergency Management Plan establishes requirements and responsibilities for response to major emergencies where multiple emergency response forces and supporting agencies are involved. SpaceX, as a partner organization under the plan, must ensure that all applicable operations, activities, equipment, and facilities follow all Federal, State of Florida, and local emergency preparedness, mitigation, and response and recovery statutes, regulations, and ordinances. Because KSC operates under the Comprehensive Emergency Response Plan and coordinates with state and local emergency organizations, the Proposed Action is consistent with this enforceable policy.	Provides for planning and implementation of the state's response to, efforts to recover from, and the mitigation of natural and man-made disasters.
Chapter 253 (State Lands)	Florida's state-owned submerged lands extend 3 miles from the state's coastline on the Atlantic Ocean. Proposed Action landings within the Starship Atlantic Ocean Contingency Landing Area may occur within state-owned submerged lands. Prior to implementing the Proposed Action, Proposed Action proponents would coordinate	Addresses the state's administration of public lands and property of the state and provides direction regarding the

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Statute	Consistency Assessment	Scope
	with the Florida Department of Environmental Protection and the Army Corps of Engineers to determine permitting and other requirements for the use of state-owned submerged lands. It is anticipated that Starships landing in the Contingency Landing Area would be salvaged and returned to Port Canaveral. Salvage operations would be conducted in accordance with applicable regulations. Because the Action proponent would coordinate with regulators prior to implementation and because Starships would be salvaged, the Proposed Action is consistent with this enforceable policy.	acquisition, disposal, and management of all state lands.
Chapter 258 (State Parks and Preserves)	The Proposed Action would not affect state parks, aquatic preserves, or recreation areas. Proposed Action construction activities would occur entirely on Federal land, and launch and recovery operations would not occur in state parks or preserves.	Addresses administration and management of state parks and preserves.
Chapter 259 (Land Acquisitions for Conservation or Recreation)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action does not entail the acquisition of lands by the state for conservation or recreation.	Authorizes acquisition of environmentally endangered lands and outdoor recreation lands.
Chapter 260 (Florida Greenways and Trails Act)	As of August 29, 2016, Chapter 260, F.S., does not contain any enforceable policies for Federal consistency purposes.	Authorizes acquisition of land to create a recreational trails system and to facilitate management of the system.
Chapter 267 (Historical Resources)	National Historic Preservation Act Section 106 consultations and tribal consultations would be conducted. The Proposed Action would not proceed until all required consultations are completed. KSC manages historical resources under a Cultural Resources Management Plan. All Proposed Action activities would be conducted in accordance with the plan. Therefore, the Proposed Action is consistent with this enforceable policy.	Addresses management and preservation of the state's archaeological and historical resources.
Chapter 288 (Commercial Development and Capital Improvements)	The Proposed Action would promote general business, trade, and tourism because it would provide greater mission capability to commercial customers and provide more opportunities for tourists to experience rocket launches from approved viewing areas by increasing flight opportunities. Therefore, the Proposed Action is consistent with this enforceable policy.	Provides the framework for promoting and developing the general business, trade, and tourism components of the state economy.
Chapter 334 (Transportation Administration)	As of October 9, 2017, Chapter 334, F.S., does not contain any enforceable policies for Federal consistency purposes.	Addresses the state's policy concerning transportation administration.



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<b>Statute</b>	<b>Consistency Assessment</b>	<b>Scope</b>
Chapter 339 (Transportation Finance and Planning)	This enforceable policy is not applicable to the Proposed Action. The proposed project would have no effect on the finance and planning needs of the state's transportation system.	Addresses the finance and planning needs of the state's transportation system.
Chapter 373 (Water Resources)	All Proposed Action construction would occur on Federal lands; however, storm and industrial runoff could potentially reach state waters. Under the Proposed Action, construction resulting in ground disturbance over 1 acre would occur. Construction would not affect wetlands or occur in the 100-year floodplain. Prior to implementing the Proposed Action, SpaceX, to protect water quality and water resources, would obtain, as necessary, any required permits, including a Florida National Pollutant Discharge Elimination System Construction General Permit from the Florida Department of Environmental Protection and any others as needed. SpaceX would adhere to the requirement of those permits. Because SpaceX would obtain, update, and abide by required permits, thereby protecting water resources, the Proposed Action is consistent with this enforceable policy.	Addresses the state's policy concerning water resources.
Chapter 375 (Outdoor Recreation and Conservation Lands)	This enforceable policy is not applicable to the Proposed Action. Opportunities for recreation on state lands would not be affected.	Develops comprehensive multipurpose outdoor recreation plan to document recreational supply and demand, describe current recreational opportunities, estimate need for additional recreational opportunities, and propose means to meet the identified needs.
Chapter 376 (Pollutant Discharge Prevention and Removal)	The Proposed Action would require the storage and use of hazardous materials (such as various paints, solvents, oils, lubricants, various fuels, etc.), the generation of hazardous wastes, as well as the discharge of industrial wastewater to groundwater. An incident with these materials could potentially result in the discharge of pollutants to coastal resources. KSC maintains and operates under a Hazardous Materials Emergency Response Plan. The plan integrates Federal, state, and local emergency planning and response requirements. By planning for, reducing the likelihood of, and preparing for releases prior to their occurrence, risks to public health and the environment are minimized. The plan provides site-specific and logistical information regarding the storage,	Regulates transfer, storage, and transportation of pollutants and cleanup of pollutant discharges.

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	handling, and response to spills at KSC. SpaceX is responsible for preparing its own Emergency Response Plan as part of the FAA licensing process as well as for the Starship-Super Heavy Program in accordance with the KSC Hazardous Materials Emergency Response Plan. To address potential pollutants from industrial wastewater discharge, SpaceX would obtain and abide by permits discussed for Chapter 373 (Water Resources). Because SpaceX would abide by requirements found in these plans and permits for the Proposed Action, the Proposed Action is consistent with this enforceable policy.	
Chapter 377 (Energy Resources)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action does not entail the development of state energy resources.	Addresses regulation, planning, and development of energy resources of the state.
Chapter 379 (Fish and Wildlife Conservation)	Prior to implementing the Proposed Action, the FAA would enter into Endangered Species Act Section 7 consultation with the USFWS and National Marine Fisheries Service as necessary, to ensure that effects would not jeopardize the continued existence of Federal-listed species. KSC, in partnership with the Merritt Island National Wildlife Refuge and Canaveral National Shoreline, manages natural habitats to sustain and restore natural resources on KSC. Because of the natural resources management undertaken at KSC and because the FAA will consult as necessary on federally listed species, the Proposed Action is consistent with this enforceable policy.	Addresses the management of the wildlife resources of the state.
Chapter 380 (Land and Water Management)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action's land development would occur on federally owned lands. Areas of Critical State Concern or areas with approved state resource management plans would not be affected. Changes to coastal infrastructure such as bridge construction; capacity increases of existing coastal infrastructure; or use of state funds for infrastructure planning, designing, or construction would not occur.	Establishes land and water management policies to guide and coordinate local decisions relating to growth and development.
Chapter 381 (Public Health: General Provisions)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action does not involve public water systems or onsite sewage treatment and disposal systems.	Establishes public policy concerning the state's public health system, focusing on public water systems and onsite sewage treatment and disposal systems.
Chapter 388 (Mosquito Control)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action would not affect mosquito control efforts.	Addresses mosquito control effort in the state.

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Chapter 403 (Environmental Control)	All Proposed Action construction would occur on Federal lands. See consistency assessment for Chapter 373 (Water Resources) for water pollution controls. The Proposed Action would not be expected to result in effects to air quality. See consistency assessment for Chapter 376 (Pollutant Discharge Prevention and Removal) for hazardous waste management controls. See consistency assessment for Chapter 379 (Fish and Wildlife Conservation) for ecosystem management controls. See Chapter 381 (Public Health: General Provisions) for drinking water protection and pollution prevention (sewage treatment) controls. By incorporating the controls specified in the above-referenced consistency assessments, the Proposed Action would be consistent with this enforceable policy.	Establishes public policy concerning environmental control in the state.
Chapter 553 (Building Construction Standards)	This enforceable policy is not applicable to the Proposed Action. All activities would occur on Federal property. Construction would meet all KSC and SpaceX requirements.	Establishes the Florida Building Code and associated applications, permits, and inspections.
Chapter 582 (Soil and Water Conservation)	All Proposed Action construction would occur on Federal lands; however, storm and industrial runoff could potentially reach state waters. Under the Proposed Action, construction resulting in ground disturbance over 1 acre would occur. No construction would occur in wetlands or the 100-year floodplain. Permits and actions detailed in the consistency assessment for Chapter 373 (Water Resources) would be obtained and employed. A condition of the Construction General Permit is the development of a Stormwater Pollution Prevention Plan, which would include controls for erosion and sedimentation that would minimize soil erosion and sediment damages. Therefore, the Proposed Action would be consistent with this enforceable policy.	Provides for the control and prevention of soil erosion and for the prevention of floodwater and sediment damages.
Chapter 597 (Aquaculture)	This enforceable policy is not applicable to the Proposed Action. The Proposed Action would not affect aquaculture efforts.	Enhances the growth of aquaculture, while protecting Florida's environment.

Notes: F.S. = Florida Statute; FAA = Federal Aviation Administration; KSC = Kennedy Space Center; NASA = National Aeronautics and Space; SpaceX = Space Exploration Technologies Corp.; USFWS = United States Fish and Wildlife Service.

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