



December 9, 2020

Mr. Daniel P. Murray  
Manager  
Safety Authorization Division  
Office of Commercial Space Transportation  
Federal Aviation Administration  
800 Independence Ave., SW  
Washington, DC 20591

Ref: *Spaceport Camden*  
*Woodbine, Camden County, Georgia*  
*ACHP Project Number: 014190*

Dear Mr. Murray:

On October 15, 2020, the Federal Aviation Administration (FAA) provided the Advisory Council on Historic Preservation (ACHP) with its draft assessment of effects (AOE) for the referenced undertaking. The finding of effect is submitted as part of the FAA's compliance with the Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800). As the ACHP is participating in consultation, we are providing our comments regarding FAA's draft AOE. Overall, the draft AOE would benefit from including additional information to clarify to the Georgia State Historic Preservation Officer (SHPO), the ACHP, and the consulting parties how the FAA made its findings and determinations. The ACHP has identified certain issues that should be addressed in a revised AOE to facilitate the consideration of the full range of the undertaking's potential effects, and has provided recommendations regarding the next steps of the consultation process. We clarify as follows.

#### *Consultation*

As originally submitted, the Launch Site Operator License submitted by the Camden County Board of Commissioners (County) included small-and medium-launch vehicles. However, the County and FAA agreed to toll the application review in December 2019, at which time FAA notified the consulting parties that the Section 106 consultation and environmental reviews were on hold while the application was revised. In submitting its revised application, the County has limited its application to address only small-lift launch vehicles, without first-stage returns.

Since the undertaking has changed, the ACHP recommends FAA conduct a consultation meeting with the consulting parties to review the revised undertaking and explain the FAA's decision-making rationale as it relates to determinations, findings, and information presented in the draft AOE. While FAA states the AOE is a reanalysis of effects due to the modified undertaking, some consulting parties did not review the original assessment of effects prior to the undertaking's modification. Therefore, FAA should ensure that the AOE contains the necessary information regarding key points in the Section 106 process, such as the delineation of the area of potential effects (APE) and the analysis of visual effects. Further, the AOE

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

includes technical information used in considering effects such as noise and vibration that may require additional information and discussion to explain to the consulting parties why FAA concluded these effects do not affect historic properties. Additional consultation would be useful to ensure that all consulting parties understand how the agency reached its conclusions.

#### *Area of Potential Effects*

Since the County resubmitted its revised application, FAA indicated that it will retain the same APE delineated for the original undertaking. It remains unclear how the original APE was delineated, and this information was not provided in the draft AOE. Further, there are concerns that the APE is narrowly defined, and would benefit from being expanded to include Little Cumberland Island, which is the location for an historic lighthouse. Such an expansion of the APE would incorporate potential effects from the operations of the launch facility, including any launch failures. FAA should clarify how it delineated the APE's five (5) mile radius around the site of the proposed spaceport, and determine if the APE should be expanded to include Little Cumberland Island.

#### *Potential Adverse Effects due to Safety Concerns*

Given that there is a higher probability of failures with small-lift launch vehicles, FAA should consider whether these failures would constitute a reasonably foreseeable effect (36 CFR § 800.5(a)(1)), particularly in regards to above-ground historic properties located under the trajectory of a vehicle's failure. We request FAA provide additional information to the consulting parties regarding the potential for launch failures, and whether these failures could affect historic properties.

#### *Cumulative Effects*

While the AOE explains the undertaking's potential direct and indirect effects, it would benefit from a thorough analysis of the cumulative effects. The ACHP notes FAA analyzed cumulative effects in the draft Environmental Impact Statement (DEIS) issued in March 2018 for the original proposed application. As provided in 36 C.F.R. § 800.5(a)(1), adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative. Accordingly, FAA should consider whether relevant portions of the cumulative effects analysis should be incorporated into the draft AOE, and if additional research is needed to identify cumulative effects from the undertaking.

#### *Programmatic Agreement and FAA's Section 106 Responsibilities during Operations*

Given that the layout and design elements of the launch facilities have yet to be finalized, FAA has proposed a Programmatic Agreement (PA) to set out the measures it will follow to identify and evaluate the National Register of Historic Places (NRHP) eligibility of additional properties that have not yet been surveyed, and to resolve any adverse effects to historic properties through avoidance, minimization, or mitigation measures. The PA should contain a design review process that will allow for continued consultation with the SHPO, the ACHP, and the consulting parties at various stages (i.e. 30/60/90% design) to determine if modifications are possible to avoid or minimize potential effects, particularly to the archaeological sites.

The FAA indicated the PA will only address potential construction effects, and, currently, no effects have been identified from the undertaking during operations. We encourage FAA to assess the potential for adverse effects during operations due to safety concerns and in the event of a launch failure. Further, it would be helpful for FAA to clarify its Section 106 responsibilities during operations of the launch site, as the ACHP is aware of other commercial space launch sites in the United States with PAs that include a

Section 106 consultation process for any activities or modifications to the space launch site that occur after construction and during operations. If Section 106 is required during operations of the space launch site such as a modification to the license and/or expansion of the APE, the ACHP requests that the draft PA include a consultation review process in the PA.

We look forward to receiving a revised AOE and participating in a future consultation meeting. Should you have questions regarding our comments, please contact Sarah Stokely at (202) 517-0224, or via e-mail at [sstokely@achp.gov](mailto:sstokely@achp.gov).

Sincerely,



Jaime Loichinger  
Assistant Director  
Federal Permitting, Licensing, and Assistance Section  
Office of Federal Agency Programs