

SERVICE DATE – APRIL 20, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 779

PERMITTING REFORM—ENVIRONMENTAL REVIEW PROCESS

Decided: April 20, 2026

On March 25, 2025, the Board issued a notice of proposed rulemaking (NPRM) to clarify, update, and streamline its existing environmental regulations implementing the National Environmental Policy Act of 1969, Pub. L. No. 91-190, 83 Stat. 852 (1970), and to add delegations of authority related to environmental review. Permitting Reform—Env't Rev. Process, EP 779 (STB served Mar. 25, 2026). Comments are due by April 24, 2026. Id. at 24. The NPRM did not provide for reply comments. See id.

Under the Board's regulations, ex parte communications are permitted during informal rulemaking proceedings after the issuance of a notice of proposed rulemaking and until 20 days before the deadline for reply comments, unless otherwise specified by the Board. 49 C.F.R. § 1102.2(g)(1). The period for ex parte meetings in this proceeding will close May 4, 2026. With the exception of the time period for such meetings, all ex parte meetings must be conducted pursuant to requirements of 49 C.F.R. § 1102.2(g), including the submission of a disclosure memorandum in accordance with 49 C.F.R. § 1102.2(g)(4). Any responses to ex parte meeting memoranda will be due by May 18, 2026, and should be limited to the issues raised in the memoranda.

It is ordered:

1. The period for ex parte meetings in this proceeding will close on May 4, 2026.
2. Any responses to ex parte meeting memoranda are due by May 18, 2026, and shall be limited to the issues raised in the ex parte memoranda.
3. This decision is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.