

Ms. Danielle Gosselin  
Surface Transportation Board  
395 E St., SW  
Washington, DC 20423-0001

April 24, 2026

Re: Docket No. **EP 779**

311175

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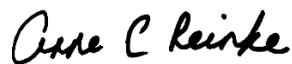
Dear Ms. Gosselin,

The Intermodal Association of North America (“IANA”) respectfully submits these comments in strong support of the Surface Transportation Board’s (“STB” or “Board”) Notice of Proposed Rulemaking (“NPRM”) in Docket No. EP 779, which proposes to modernize and streamline the Board’s environmental review procedures under the National Environmental Policy Act (“NEPA”).

With its one thousand members, IANA represents the full spectrum of the intermodal freight industry, including Class I and short line railroads, motor carriers, ocean carriers, intermodal marketing companies, port authorities, and equipment providers. The efficiency and reliability of the intermodal freight system depend heavily on predictable and timely regulatory processes, particularly those governing rail infrastructure development and modification. The Board’s proposed reforms are therefore of significant importance to IANA’s members and the broader U.S. supply chain.

We appreciate your leadership on this important effort and your support for intermodal goods movement. IANA looks forward to working with the Board and would welcome the opportunity for further engagement. If you have any questions, please do not hesitate to contact me at [areinke@intermodal.org](mailto:areinke@intermodal.org) or 301-982-3400.

Sincerely,



Anne Reinke  
President and CEO  
Intermodal Association of North America

**Comments of the Intermodal Association of North America before the Surface Transportation Board****Docket No. EP 779****Permitting Reform: Environmental Review Process**

The Intermodal Association of North America (“IANA”) respectfully submits these comments in strong support of the Surface Transportation Board’s (“STB” or “Board”) Notice of Proposed Rulemaking (“NPRM”) in Docket No. EP 779, which proposes to modernize and streamline the Board’s environmental review procedures under the National Environmental Policy Act (“NEPA”).

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**I. The STB Should Modernize and Streamline Its NEPA Regulations**

IANA strongly supports the Board’s effort to update its environmental review framework to reflect current statutory, judicial, and policy developments. Consistent with Supreme Court decisions, executive action, and recent legislation, the STB should revise its environmental rules and streamline NEPA review, including its classification of actions at 49 C.F.R. § 1105.6. The regulatory landscape surrounding NEPA has evolved significantly in recent years. The January 8, 2026, repeal of the Council on Environmental Quality regulations directed by Executive Order 14154, *Unleashing American Energy* (January 20, 2025), has resulted in federal agencies establishing their own environmental review frameworks, creating both an opportunity and a necessity for the Board to modernize its procedures.

In addition, Congress has taken steps to streamline environmental review through its introduction of the Standardizing Permitting and Expediting Economic Development (SPEED) Act (H.R. 4776), which reflects a broader federal policy shift toward improving the efficiency of permitting processes. These developments reinforce the Supreme Court’s interpretation of NEPA as a procedural statute in *Seven County Infrastructure Coalition v. Eagle County*, 145 S. Ct. 1511 (2025), under which an agency’s “only obligation is to prepare an adequate report.” *Id.* at 1511. The Board’s proposed rule appropriately aligns its regulations with this principle by focusing on the preparation of adequate, targeted environmental analyses rather than unnecessarily expansive or duplicative reviews beyond the agency’s regulatory scope.

## **II. Streamlining Environmental Review Is Critical for the Intermodal Freight System**

The intermodal freight network relies not only on major capital projects but also on a continuous pipeline of incremental infrastructure improvements that enhance efficiency, capacity, and reliability. These projects frequently include terminal expansions, track additions within existing rail rights-of-way, improvements to intermodal yard configurations, and on-dock or near-dock rail connections at ports. Although such projects are often limited in scope and environmental impact, they are essential to maintaining the fluid movement of goods across the national supply chain.

Under the Board's current regulations, even relatively minor improvements may trigger environmental review requirements that impose significant delays and uncertainty. These delays can have cascading effects throughout the intermodal network, including reduced terminal throughput, increased dwell times, and a shift of freight to less efficient modes. From a system-wide perspective, such outcomes can increase congestion, raise transportation costs and undermine supply chain resilience.

The NPRM's emphasis on clearer thresholds, expanded use of categorical exclusions and more efficient review timelines directly addresses these concerns. By facilitating more predictable and timely approvals, the proposed reforms will enable intermodal stakeholders to make necessary infrastructure investments that improve both economic and environmental performance.

## **III. The STB Should Expand Its Use of Categorical Exclusions**

IANA respectfully urges the Board to expand its use of categorical exclusions to better align with the practices of other federal agencies, including the Federal Railroad Administration. At present, the Board's regulations are more restrictive than those of comparable agencies, resulting in inconsistent treatment of similar projects depending on the applicable regulatory authority.

For example, the Federal Railroad Administration has established a categorical exclusion for minor rail line additions under 23 C.F.R. § 771.116(c)(12). By contrast, the STB's current regulations do not provide a comparable exclusion. As a result, transaction-related construction projects before the Board—such as minor rail line additions within existing rights-of-way, including extensions of sidings or yard tracks—may be subject to environmental review even where the same project would qualify for a categorical exclusion if reviewed by the FRA. This disparity does not reflect differences in environmental impact but rather differences in regulatory structure.

From an intermodal perspective, subjecting minor infrastructure improvement projects to full or even intermediate levels of environmental review imposes disproportionate burdens that can delay or deter beneficial investments. Expanding the Board's categorical exclusions to encompass these types of projects would promote regulatory consistency, reduce unnecessary administrative costs, and accelerate implementation of projects that enhance both supply chain efficiency and environmental performance.

#### **IV. The NPRM Appropriately Narrows the Scope of Environmental Review**

IANA supports the Board's effort to clarify and appropriately limit the scope of environmental review to effects that are reasonably foreseeable and have a close causal relationship to the proposed action. In the context of intermodal freight operations, projects are often part of a broader, interconnected network in which freight movements extend well beyond the immediate project area. Without clear limitations, environmental review can expand to include attenuated or speculative impacts across the broader freight system, resulting in analyses that are both burdensome and of limited practical value.

By focusing review on proximate and reasonably foreseeable effects, the NPRM promotes a more disciplined and analytically sound approach to NEPA compliance. This approach will improve the predictability of the review process while reducing the risk of protracted disputes over the appropriate scope of analysis.

#### **V. Streamlined Permitting Advances Environmental and Economic Objectives**

IANA emphasizes that streamlining environmental review is not inconsistent with environmental protection. To the contrary, facilitating timely investment in intermodal infrastructure can advance key environmental objectives. Rail transportation is significantly more fuel-efficient than trucking on a per-ton-mile basis, and improvements to intermodal rail capacity can reduce highway congestion, lower greenhouse gas emissions, and decrease overall energy consumption.

Delays in permitting can impede the development of projects that would otherwise shift freight from truck to rail or improve the efficiency of existing rail operations. By enabling more timely project approvals, the Board's proposed reforms will support both environmental sustainability and economic competitiveness. The NPRM therefore represents a balanced approach that maintains appropriate environmental oversight while removing unnecessary barriers to infrastructure development.

#### **VI. Conclusion**

For the foregoing reasons, IANA strongly supports the Board's proposed reforms in Docket No. EP 779. The NPRM represents a necessary and timely modernization of the STB's environmental review regulations that will better align the Board's procedures with current law, promote consistency across federal agencies, and reduce unnecessary delay and uncertainty in the permitting process. These reforms will help ensure that the nation's freight infrastructure can continue to meet the demands of a dynamic and growing economy while supporting important environmental objectives.