

1.1 **Environmental Quality Board**

1.2 **Proposed Expedited Permanent Rules for Environmental Review of Gas Resource**  
1.3 **Development Projects**

1.4 **4410.0200 DEFINITIONS AND ABBREVIATIONS.**

1.5 *[For text of subparts 1 to 32, see Minnesota Rules]*

1.6 Subp. 32a. **Gas.** "Gas" has the meaning given in Minnesota Statutes, section 93.514.

1.7 Subp. 32b. **Gas production.** "Gas production" means production, as defined under  
1.8 Minnesota Statutes, section 93.514, of gas.

1.9 Subp. 32c. **Gas resource development project.** "Gas resource development project"  
1.10 means an operation that is designed for gas production from consolidated or unconsolidated  
1.11 formations and that is required to hold a permit from the DNR under Minnesota Statutes,  
1.12 section 93.513, and rules adopted by the DNR under Minnesota Statutes, section 93.514.

1.13 Subp. 32d. **Gas well.** "Gas well" means a well that is intended for gas production and  
1.14 that is included as part of a gas resource development project.

1.15 *[For text of subparts 33 to 38, see Minnesota Rules]*

1.16 Subp. 38a. **High-volume hydraulic fracturing.** "High-volume hydraulic fracturing"  
1.17 means injecting fluid, with or without proppants, into the subsurface under pressure to create  
1.18 fractures within a geologic formation to improve the deliverability and production of gas  
1.19 for a gas resource development project, using a combined total of 100,000 gallons or more  
1.20 of any fluids.

1.21 *[For text of subparts 39 to 96, see Minnesota Rules]*

1.22 **4410.4300 MANDATORY EAW CATEGORIES.**

1.23 *[For text of subparts 1 to 37, see Minnesota Rules]*

2.1 Subp. 38. Gas resource development projects. Items A to E designate the RGU for  
2.2 the type of project listed:

2.3 A. For construction of a gas resource development project designed to include  
2.4 five or more gas wells or expansion of an existing gas resource development project by the  
2.5 addition of five or more gas wells, the DNR is the RGU.

2.6 B. For construction of a gas resource development project that is designed to  
2.7 produce gas using horizontal or directional drilling methods beneath an area subject to only  
2.8 surface disturbance siting prohibitions in rules adopted by the DNR, if the target resource  
2.9 for extraction is less than one-quarter mile below the surface, the DNR is the RGU.

2.10 C. For construction of a gas resource development project that is designed to  
2.11 produce gas from beneath an area subject to both surface disturbance and directional drilling  
2.12 siting prohibitions in rules adopted by the DNR, the DNR is the RGU.

2.13 D. For construction of a gas resource development project that is designed to  
2.14 include one or more class II underground injection wells, as defined in Code of Federal  
2.15 Regulations, title 40, section 144.6(b), for waste disposal, the DNR is the RGU.

2.16 E. For construction of a gas resource development project designed to produce  
2.17 gas created by injecting a substance into the subsurface to create or stimulate a chemical  
2.18 reaction, the DNR is the RGU.

2.19 **4410.4400 MANDATORY EIS CATEGORIES.**

2.20 *[For text of subparts 1 to 28, see Minnesota Rules]*

2.21 Subp. 29. Gas resource development projects. For construction of a gas resource  
2.22 development project designed to use high-volume hydraulic fracturing techniques, the DNR  
2.23 is the RGU.