

41570 Minnesota Environmental Quality Board Notice of Intent to Adopt Expedited Rules

Closed Jul 02, 2026 · Discussion · 9 Participants · 1 Topics · 10 Answers · 0 Replies · 1 Votes

9

PARTICIPANTS

1

TOPICS

10

ANSWERS

0

REPLIES

1

VOTES

SUMMARY OF TOPICS

SUBMIT A COMMENT

 10 Answers · 0 Replies

Important: All comments will be made available to the public. Please only submit information that you wish to make available publicly. The Court of Administrative Hearings does not edit or delete submissions that include personal information. We reserve the right to remove any comments we deem offensive, intimidating, belligerent, harassing, or bullying, or that contain any other inappropriate or aggressive behavior without prior notification.

Krishna Woerheide · Citizen · (Postal Code: unknown) · Jun 15, 2026 12:22 pm

 0 Votes

On behalf of the Grand Portage Band of Lake Superior Chippewa, please find the comment document attached regarding the EQB expedited gas extraction rulemaking - proposed rules amending Minn. R. 4410.4300 and 4410.4400 - Mandatory EAW and EIS Categories for Gas Resource Development Projects.

Sincerely,

Krishna Woerheide
Environmental Director
Grand Portage Band of Lake Superior Chippewa

Charles Ernst · Citizen · (Postal Code: unknown) · Jun 26, 2026 12:15 pm

 0 Votes

Thank you for the opportunity to comment on Environmental Quality Board (EQB) proposed rules for development of gas in Minnesota. I believe that these Rules should be disapproved by the Judge or withdrawn by the EQB to start over. They conflict with Minnesota laws that prohibit fracking and improperly rely on another agency, the Minnesota Department of Natural Resources (DNR) rather than setting their own standards to protect the environment.

EQB's Proposed Rules fail to require EIS environmental review of a new gas industry that has the potential to result in significant environmental harm to Minnesota water, land,

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air, and climate, as well as most if not all state and Tribal communities. These harms include contamination of groundwater, drinking water, and wild rice beds; destruction of wetlands and forests; fires and explosions; air, noise, and light pollution; and leaks and flaring of toxic and greenhouse gases.

Here are some specific problems with EQB's Proposed Rules.

1. EQB Rules would allow "high-volume" fracking if an EIS was done, even though Minnesota law prohibits fracking. These Rules in part 4410.0200, subpart 38a and 4410.4400, subpart 29 should be disapproved.
2. EQB Proposed Rules rely on DNR siting prohibitions that aren't even final rules to decide what locations may require environmental review. This is improper, and DNR siting limits would not protect drinking water, wild rice, wetlands, or Tribal lands and resources. Rules in part 4410.4300, subpart 38 (B) and (C) should be disapproved and EQB should withdraw its Rules and work with Tribes and members of the public to provide both EAW screening and EIS environmental review to protect sensitive locations from gas development.
3. Unless a developer proposes (prohibited) "high-volume" fracking, EQB Proposed Rules would never require EIS real environmental review no matter how many gas wells, pipelines, processing facilities, or acres of forest and wetlands destruction a gas production project would demand. This is irrational, arbitrary, and inconsistent with Minnesota environmental laws and policy.

I respectfully ask the Judge to disapprove EQB's Proposed Rules for gas development. I also ask EQB to withdraw these Proposed Rules and start over. Finally, I request that EQB hold a public hearing on environmental review for gas projects and listen to the Tribes and other communities that would be harmed by reckless gas development.

Even those of us who may support a new gas industry want strict regulations and thorough environmental review to avoid and minimize harm to our water, wetlands, forests, climate, and neighbors. The health of the economy is intrinsically tied to the health of the environment, and the Proposed Rules implicitly threaten to damage both.

Rin Porter · Citizen · (Postal Code: unknown) · Jun 27, 2026 12:47 pm

 0 Votes

Thank you for the opportunity to comment on Environmental Quality Board (EQB) proposed rules for development of gas in Minnesota.

I believe that these Rules should be disapproved by the Judge or withdrawn by the EQB to start over. They conflict with Minnesota laws that prohibit fracking and improperly rely on another agency, the Minnesota Department of Natural Resources (DNR) rather than setting their own standards to protect the environment.

EQB's Proposed Rules fail to require EIS environmental review of a new gas industry that has the potential to result in significant environmental harm to Minnesota water, land, air, climate, and rural and Tribal communities. These harms include contamination of groundwater, drinking water, and wild rice beds; destruction of wetlands and forests; fires and explosions; air, noise, and light pollution; and leaks and flaring of toxic and

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greenhouse gases.

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Even those of us who may support a new gas industry want strict regulations and thorough environmental review to avoid and minimize harm to our water, wetlands, forests, climate, and neighbors.

We cannot allow the Trump Administration to destroy valuable public lands, water resources, wetlands, forests, native plants, and wildlife with the Administration's reckless attempt to make as much money as possible for its donors, such as oil and gas company owners.

Sincerely,

Dr Rin Porter

801 E 3rd St Fairmont, MN 56031-4008
rporter@rea-alp.com

Krishna Woerheide · Citizen · (Postal Code: unknown) · Jun 30, 2026 4:12 pm
👍 0 Votes

RE: Comments on Proposed Rules Amending Minn. R. 4410.4300 and 4410.4400 - Mandatory EAW and EIS Categories for Gas Resource Development Projects

The Intertribal Taskforce on Helium Extraction, formed by the Tribal Councils of the Grand

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Portage Band of Lake Superior Chippewa, the Fond du Lac Band of Lake Superior Chippewa, and the Bois Forte Band of Chippewa, submits the attached comments on the EQB's proposed rules amending Minn. R. 4410.4300 and 4410.4400 governing mandatory EAW and EIS categories for gas resource development projects.

The attached document details the Taskforce's position that the proposed five-well EAW threshold is insufficiently protective of northeastern Minnesota's water resources, treaty-reserved rights, and the Lake Superior watershed given the absence of any peer-reviewed science characterizing water-quality impacts from gas extraction in Precambrian basaltic rift geology. Highlights include requests that the EQB: lower the mandatory EAW threshold from five wells to one (or, at minimum, three); add explicit location-based EAW triggers for projects within vulnerable drinking water supply management areas and within proximity to Tribal reservation boundaries, trustlands, and treaty-ceded territory; expand the mandatory EIS category beyond high-volume hydraulic fracturing alone; require mandatory pre-drilling baseline groundwater monitoring; strengthen early Tribal notification timing; and add a geographic aggregation trigger to prevent multi-operator fragmentation of the threshold.

Supporting literature citations are included in this attachment. Also attached is the signatory page from the Tribal Chairmen of the three Bands.

Respectfully submitted, The Intertribal Taskforce on Helium Extraction

Kathryn Milun · Citizen · (Postal Code: unknown) · Jul 01, 2026 1:08 pm

 0 Votes

Comment on Environmental Review Program Rules for Gas Resource Development, R-494, CAH Docket No. 23-9008-41570

I appreciate this opportunity to address the Court of Administrative Hearings (CAH) to comment on the proposed rules for gas development in Minnesota put forward by the Environmental Quality Board (EQB). My comment addresses the rules regarding environmental review. I am a social science professor in the Lake Superior watershed focused on sustainable governance of natural resources. I teach the next generation of Minnesotans the importance of participating in our fragile democracy and of acting as good stewards of the natural resources we share with present and future generations. My colleagues and I teach the next generation of voters, K-12 teachers, and community leaders how to use citizen science, moral reasoning, and our public hearing processes to responsibly steward our shared resources.

I have read the EQB's proposed rules and the comments submitted by scientists and my tribal neighbors. I fully agree with the scientifically supported arguments put forward by the 1854 Tribes Intertribal Task Force on Helium Extraction. Their comments demonstrate that the proposed rules do not adequately protect the water resources of northeastern Minnesota. It is not my aim to repeat the substantial evidence offered by these experts here. My aim is note that when such evidence is provided to our public officials, evidence that the geological structure of our region makes groundwater contamination from gas well drilling—regardless of extraction method or scale—a public health concern, citizens must be able to access the appropriate scientific and democratic tools to make a legal argument that protects their right to clean water. The proposed environmental review rule erodes that legal right.

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Here is how the EQA rules must be modified to support our regions' citizens in their right to defend their local water resources. The science tells us citizens need baseline groundwater data to attribute, remediate, or assign contamination to a responsible party. A mandatory Environmental Assessment Worksheet (EAW) would supply that data. However, the EQA's five-well threshold ensures that EAWs will never be triggered by the most likely gas development scenarios in our region. The Court must ask the EQA to rewrite the rules to state that the conditions requiring mandatory environmental review are present at the start of all gas development activities in the Duluth Complex geological formation. In order to understand the real public health hazards, citizens and public health officials of northeastern Minnesota need baseline groundwater data for all gas development in our region.

It is unfortunate that the EQB used an expedited rule-making process such that none of its rules have had public hearings. We now rely on you, the Court of Administrative Hearings, to listen to the science and order a new rule-making process that protects citizens' rights to know, through scientific evidence, the baseline quality of their groundwater BEFORE any gas development in the unique geological conditions of northeastern Minnesota.

Jessica Biggott · Citizen · (Postal Code: unknown) · Jul 02, 2026 9:39 am
👍 0 Votes

Thank you for the opportunity to provide comments. Attached, please find comments submitted on behalf of Pulsar Helium Inc. regarding the Proposed Expedited Amendments to Rules Governing the Environmental Review Program Addressing Gas Resource Development Projects, Minnesota Rules, Chapter 4410, Revisor's ID Number R-04945.

Martin Masters · Citizen · (Postal Code: unknown) · Jul 02, 2026 1:00 pm
👍 0 Votes

Dear Judge Todnem, Mr. Krzenski,

Thank you for the opportunity to comment on Environmental Quality Board (EQB) proposed rules for development of gas in Minnesota. I believe that these Rules should be disapproved by the Judge or withdrawn by the EQB to start over. They conflict with Minnesota laws that prohibit fracking and improperly rely on another agency, the Minnesota Department of Natural Resources (DNR) rather than setting their own standards to protect the environment.

EQB's Proposed Rules fail to require EIS environmental review of a new gas industry that has the potential to result in significant environmental harm to Minnesota water, land, air, climate, and rural and Tribal communities. These harms include contamination of groundwater, drinking water, and wild rice beds; destruction of wetlands and forests; fires and explosions; air, noise, and light pollution; and leaks and flaring of toxic and greenhouse gases.

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Even those of us who may support a new gas industry want strict regulations and thorough environmental review to avoid and minimize harm to our water, wetlands, forests, climate, and neighbors.

Martin Masters
395 Bucher Ave
Shoreview, MN 55126

Paula Maccabee · Citizen · (Postal Code: unknown) · Jul 02, 2026 1:03 pm

 0 Votes

Dear Judge Todnem,

Attached please find WaterLegacy comments, joined by the Minnesota Center for Environmental Advocacy, Northeastern Minnesotans for Wilderness, and CURE, pertaining to Proposed Amendments to Rules Governing the Environmental Review Program [Mandatory EAW and EIS Categories] for Gas Resource Development Projects, Minnesota Rules, Chapter 4410; Revisor's ID Number R-4945 Proposed Expedited Rules CAH Docket No. 23-9008-41570.

Please also find Attachments A-J supporting these comments.

Respectfully submitted,
Paula Maccabee, Executive Director and Counsel
WaterLegacy

Sophia Patane · Citizen · (Postal Code: unknown) · Jul 02, 2026 2:56 pm

 0 Votes

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Please find the attached documents submitted regarding the Environmental Quality Board's Proposed Amendments to Rules Governing the Environmental Review Program [Mandatory EAW and EIS Categories] for Gas Resource Development Projects, Minnesota Rules, Chapter 4410; Revisor's ID Number R-4945, CAH Docket No. 23-9008-41570:

2026-07-02 S. Patane Letter with Public Comments on EQB Proposed Rules
2026-07-02 Public Comments and Requests EQB Proposed Rules from 199 individuals.
2026-07-02 S. Patane Decl. Supporting Public Comments EQB Proposed Rules

Sincerely yours,
Sophia Patane,
Community Engagement Director for WaterLegacy

Jeanne Norrgard · Citizen · (Postal Code: unknown) · Jul 02, 2026 3:27 pm

 1 Votes

Comment on Environmental Review Program Rules for Gas Resource Development, R-494, CAH Docket No. 23-9008-41570

Dear Judge Todnem,

I am writing to advise you that I have only just found out on this last afternoon for comments about the Environmental Quality Board's proposed rules for gas development industries that would cut almost everyone out of the process of deciding if their plans for gas extraction, gas pipelines, gas processing, etc., meet any kind of environmental standards at all. I don't have time to research anything in depth and yet, I don't need to. This proposal fails on its face to protect Minnesotans and our environment from possibly reckless gas development and must be withdrawn and extensively reworked. We deserve to have our public input considered for any development of this sort. We deserve EAS and EIS and full and complete analysis before making decisions on each and every project proposal and definitely before any permits are granted. Please request that the EQB to withdraw this proposal and go back to the drawing board. We need more input from all stakeholders to decide what's best for Minnesota's environment. An agency called the Environmental Quality Board should know this and should live up to its title. Thank you.