

mn MINNESOTA
ENVIRONMENTAL QUALITY BOARD

Minnesota Environmental Quality Board | 520 Lafayette Road North | Saint Paul, MN 55155

January 12, 2026

The Honorable FOUNG HAWJ, Chair
Environment, Climate, and Legacy Committee
3231 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Peter Fischer, Co-Chair
Environment and Natural Resources Finance and Policy
Committee
5th Floor Centennial Office Building
St. Paul, MN 55155

The Honorable Nick A. Frentz, Chair
Energy, Utilities, Environment, and Climate Committee
3109 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Patty Acomb, Co-Chair
Energy Finance and Policy Committee
5th Floor Centennial Office Building
St. Paul, MN 55155

The Honorable Steve Green
Environment, Climate, and Legacy Committee
2319 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Josh Heintzman, Co-Chair
Environment and Natural Resources Finance and Policy
Committee
2nd Floor Centennial Office Building
St. Paul, MN 55155

The Honorable Andrew Mathews
Energy, Utilities, Environment, and Climate Committee
2233 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Chris Swedzinski, Co-Chair
Energy Finance and Policy Committee
2nd Floor Centennial Office Building
St. Paul, MN, 55155

Re: Rulemaking Docket and Record Pursuant to Minn. Stat. § 14.116, paragraph (a)

Dear Senators and Representatives:

The Minnesota Environmental Quality Board (EQB) is pleased to deliver our 2026 update on completed, planned, and in-progress rulemakings, pursuant to Minn. Stat. § 14.116, subd. (a). No rulemakings were completed in 2025. EQB has three active rulemaking proceedings in 2026; these rulemakings were directed by the legislature in 2024 and 2025.

As noted last year, EQB in 2024 completed the triennial Mandatory Category Report, pursuant to Minn. Stat. § 116D.04, Subd. 5. That report outlined potential rule changes for the environmental review program; further information-gathering and stakeholder conversations will be needed to scope any necessary changes. EQB staff also continue to consider housekeeping changes. Please feel free to contact me at 651-757-2607 or catherine.neuschler@state.mn.us if you have any questions or would like further detail.

Sincerely,



Catherine Neuschler
Executive Director

Enc: EQB Rulemaking Docket

CC: Legislative reference library

Active rulemaking projects

Subject matter	Brief rule summary	Board contact person	Current status of proposed rule and any Board determinations	Next opportunity for public comment	Timetable for adoption and other Board determinations	Notices published (State Register citations)	Public hearing schedule
Environmental review of energy infrastructure and related projects (RD4944, expedited rule)	The EQB was directed by the legislature to conform the environmental review rules (Minn. R. 4410) with changes made in the Minnesota Energy Infrastructure Permitting Act (Minn. Stat. 216I) and other changes made in Laws of Minnesota 2024, Chapter 126.	Kayla Walsh	Active	None	Board adoption expected early 2026	Notice of Intent to Adopt – 50 SR 354 (October 6, 2025)	None
Mandatory category for gas production (RD4945, expedited rule)	The EQB plans to adopt mandatory category rules for environmental review of gas production, as allowed and directed by Minn. Stat. § 93.514(a)(3).	Jesse Krzenski	Active	Spring 2026	Notice of intent to adopt expected Spring 2026	None	None
EIS Scoping Changes (RD04798, exempt rule)	The EQB was directed to amend the environmental review rules (Minn. R. ch. 4410) related to the process and timelines for scoping a mandatory environmental impact statement (EIS). (Laws of Minnesota 2025, 1st Spec. Sess., Chapter 1, Article 6, Section 5)	Catherine Neuschler	Board action to propose rule expected in early 2026	Spring 2026	Spring 2026	None	None

Completed rulemaking projects – adopted within past year

Subject matter	Notices published (State Register citations)	Date rule adopted by EQB (i.e., Order to Adopt is signed)	Date rule filed with Secretary of State	Effective date of rule
N/A				

Potential rulemaking – under active consideration

Subject matter	Brief rule summary	Board contact person (lead staff)	Current status of proposed rule and any Board determinations
Housekeeping (Minn. R. 4405 and 4410)	EQB recommends simple housekeeping changes that will provide clarity and ease of operations to Minn. R., chapter 4405 and 4410, mostly for mandatory categories for environmental reviews and the ER process.	Kayla Walsh	Under active consideration

Acronyms:

GO – Governor's Office
MMB – Minnesota Management and Budget
OAH – Office of Administrative Hearings
RFC – Request for Comments
SONAR – Statement of Need and Reasonableness
SR – MN State Register (published Mondays, except holidays)
TBD – To be determined