



Cumulative impacts rulemaking: Public comment process and recommendations

Submitting a public comment is an important way for the public to engage with and influence government rulemaking that impacts their lives, health, wellbeing, and environment. While there is not a requirement for a government agency to amend rules related to the content of a public comment, agencies have the authority to make changes due to a particular comment.

What makes a public comment effective?

Currently, the Minnesota Pollution Control Agency (MPCA) is in the rulemaking process for the proposed cumulative impacts rule, and any public comments received between May–September 2026 will be directed to and reviewed by the assigned administrative law judge. The judge will review comments during this period and is responsible for determining whether the MPCA has established the need and reasonableness of the proposed rules and fulfilled the relevant substantive or procedural requirements. The judge will often consider the following:

- Does the MPCA have the legal authority to adopt the rules they’re proposing?
- Has the MPCA established the need and reasonableness of the changes proposed to meet that need successfully in the Statement of Need and Reasonableness (SONAR)?
- Has the MPCA met all of the procedural requirements for the rulemaking process under section 14 of Minnesota Statutes?

Public comment structure



Introduction

Explain who you are, why you are interested in the rule, and highlight any experience with the subject that may distinguish your comment. Examples include:

- You are currently living in an impacted area.
- You are knowledgeable of the area’s history or have lived in the area for a significant portion of your life.
- You or your family have medical conditions that are affected by the rule.
- You have employment, professional expertise, or an academic background in the industry.



Background

Clearly identify the relevant section(s) of the rule, statute, or Statement of Need and Reasonableness (SONAR) that you are commenting on.



Present an argument

Explain your argument and include any evidence (citations are helpful)—for example:

- Whether you think MPCA has made a successful case for the proposed rule.
- How the proposed rule impacts you and what you care about.
- Whether the agency anticipated or estimated these impacts correctly.
- Any unintended consequences of this approach that an agency did not consider.
- Whether additional details from the agency would help you better understand the rule.



Recommendations for the judge

Describe your suggestions to the judge and identify specific changes you would advise—for example, providing a different way of addressing the issue an agency may not have considered.



Conclusion

Summarize your main argument and briefly list your recommendations again.

How to submit a public comment

Public comments for the cumulative impacts rule can be submitted in a variety of formats between May-Sept. 2026. Each comment will be weighted equally. See below for ways to submit your public comment.



Online

Court of Administrative Hearings eComments website: <https://minnesotaoah.granicusideas.com/>
How to use eComments: <https://mn.gov/oah/forms-and-filing/ecomments/>



U.S. mail or in-person delivery

Attn: Judge Kimberly Middendorf
Regarding: CAH docket number 21-9003-39398
600 N. Robert St.
P.O. Box 64620
St. Paul MN 55164-0620



Fax: 651-539-0310

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Tentative public comment timeline for cumulative impacts

