

STATE OF MINNESOTA  
IN COURT OF APPEALS



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In the Matter of the NorthMet Project  
Permit to Mine Application Dated  
December 2017 (A18-1952, A18-1958,  
A18-1959), and In the Matter of the  
Applications for Dam Safety Permits  
2016-1380 and 2016-1383 for the  
NorthMet Mining Project (A18-1953,  
A18-1960, A18-1961).

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**ORDER**  
**A18-1952**  
**A18-1953**  
**A18-1958**  
**A18-1959**  
**A18-1960**  
**A18-1961**

Considered and decided by Cleary, Chief Judge; Hooten, Judge; and Smith, Tracy  
M., Judge.

**BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND FOR THE  
FOLLOWING REASONS:**

1. These consolidated appeals are taken from November 1, 2018 decisions by respondent Minnesota Department of Natural Resources (DNR) denying petitions for a contested-case hearing and issuing a permit to mine (PTM) and dam-safety permits (DSP) to respondent Poly Met Mining Inc. (PolyMet) in relation to its NorthMet project.

2. On July 26, 2019, relators moved to stay the permits pending this court's disposition of the appeals. On September 18, 2019, a special term panel of this court issued an order granting a temporary stay of the permits pending further order from this panel assigned to decide the appeals on the merits. The September 18, 2019 order directed

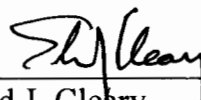
the parties to be prepared to discuss the propriety of continuing the stay at oral argument, which was held on October 23, 2019.

3. Based on the record and the arguments of the parties, we conclude that it is appropriate to continue the stay through this court's disposition of the appeals.

**IT IS HEREBY ORDERED:** The NorthMet permit to mine and dam safety permits 2016-1380 and 2016-1383 shall remain stayed pending a decision by this court on the merits of these appeals.

**Dated:** October 24, 2019

**BY THE COURT**



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Edward J. Cleary  
Chief Judge