



December 20, 2023

**VIA EMAIL ONLY**

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**Representing:** *Poly Met Mining, Inc.*

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**Representing:** *Minnesota Center for Environmental Advocacy, Friends of the Boundary Waters Wilderness, Duluth for Clean Water, Center for Biological Diversity, Friends of the Cloquet Valley State Forest, Save Lake Superior Association, and Save Our Sky Blue Waters*

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**Representing:** *WaterLegacy*

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**Representing:** *Fond du Lac Band of Lake Superior Chippewa*

**Re: In the Matter of the NorthMet Project Permit to Mine Application, OAH 60-**

**2004-37824**

Dear Counsel,

I have been delegated the authority by the Commissioner of Natural Resources (“Commissioner”) to make the final agency decision in the above-referenced matter.

Attached is a copy of the November 28, 2023 Findings of Fact, Conclusions of Law and Recommendation of Administrative Law Judge James E. LaFave (“ALJ’s Recommendation”). The Commissioner is also in receipt of the Official Record regarding the same.

Pursuant to Minn. Stat. § 14.61, subd. 1, the parties have the opportunity to file written exceptions and argument for my consideration before a final decision is issued. Any party who elects to submit written exceptions and argument may do so **on or before 4:30 p.m.** on the dates, and subject to the page limits,<sup>1</sup> provided below:

- **March 15, 2024:** PolyMet Mining, Inc. (“PolyMet”) principal brief (45 pages);
- **March 22, 2024:** Minnesota Department of Natural Resources (“DNR”) principal brief (45 pages);
- **April 26, 2024:** WaterLegacy (“WaterLegacy”), Fond du Lac Band of Lake Superior Chippewa (“Fond du Lac Band”), and the following Conservation Organizations: Minnesota Center for Environmental Advocacy, Friends of the Boundary Waters Wilderness, Duluth for Clean Water, Center for Biological Diversity, Friends of the Cloquet Valley State Forest, Save Lake Superior Association, and Save our Sky Blue Waters (“Conservation Organizations”) respective principal briefs (45 pages each);
- **May 17, 2024:** PolyMet and DNR respective reply briefs (20 pages each); and
- **June 7, 2024:** WaterLegacy, Fond du Lac Band, and Conservation Organizations respective reply briefs (20 pages each).

All filings shall be submitted by email to the following, with copies to all counsel of record:

<b>Grant Wilson</b> Commissioner’s Designee Central Region Director Minnesota Department of Natural Resources grant.wilson@state.mn.us	<b>Robert Cary</b> Staff Attorney Minnesota Department of Natural Resources robert.cary@state.mn.us
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As set forth in Minn. Stat. § 14.61, subd. 2, the record will be closed on June 7, 2024 at 4:30 p.m.

All communication to and from the Commissioner will be by email, except for the final

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<sup>1</sup> Page limits are informed by Minnesota Rule of Civil Appellate Procedure 132.01, subd. 3.

decision which will also be delivered to the parties by first class mail. **Please inform me if you would also like to receive service of any documents other than the final decision by first class mail.**

Thank you.

Sincerely,

Grant Wilson  
Central Region Director  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155  
grant.wilson@state.mn.us

Enc.

cc: Administrative Law Judge James E. LaFave w/o enc.