

FILED
02-23-2026
Iron County
Clerk of Circuit Court
2026CV000010

STATE OF WISCONSIN CIRCUIT COURT IRON COUNTY

CLEAN WISCONSIN
634 W. Main Street, Suite 300
Madison, Wisconsin 53703,

SIERRA CLUB
2101 Webster Street, Suite 1300
Oakland, CA 94612,

350 WISCONSIN
2921 Landmark Place, Suite 215
Madison, WI 53713,

LEAGUE OF WOMEN VOTERS OF WISCONSIN
612 W. Main Street, Suite 200
Madison, WI 53703,

Case No. _____

Case Code: 30607

Administrative Agency Review

Petitioners,

vs.

WISCONSIN DEPARTMENT OF
NATURAL RESOURCES
101 South Webster Street
Madison, Wisconsin 53707

Respondent.

**NOTICE OF MOTION AND MOTION FOR TEMPORARY STAY OF THE
WISCONSIN DEPARTMENT OF NATURAL RESOURCES' PERMITTING DECISION**

TO: WISCONSIN DEPARTMENT OF NATURAL RESOURCES,

C/O WISCONSIN DEPARTMENT OF NATURAL RESOURCES 101 SOUTH
WEBSTER STREET P.O. BOX 7921 MADISON, WI 53707-7921

PLEASE TAKE NOTICE that, Clean Wisconsin, Sierra Club, 350 Wisconsin, and League of Women Voters of Wisconsin (“Petitioners”), on behalf of themselves and their members, through their undersigned counsel, hereby move this Court for a temporary stay *pendente lite* of

the Wisconsin Department of Natural Resources' decision to issue a Wetland and Waterways Individual Permit No. IP-NO-2020-2-NOO471, the corresponding water quality certification, and the grant of coverage under Wisconsin Pollutant Discharge Elimination System General Permit No. WI-S067831-06 (actions collectively, "Permit Decisions") to Enbridge Energy, LP for construction of the Line 5 Wisconsin Segment Relocation Project. The Permit Decisions were subject to a contested case hearing pursuant to Wis. Stat. §§ 30.208, 227.42, and 281.36, (DHA Case No. DNR-25-0002; DNR Case Nos. 24-048 and 24-049), in which Petitioners took part. The contested case hearing concluded on February 13, 2026, with the issuance of the Division of Hearings and Appeals ("DHA") decision in the matter ("DHA Decision").

The circuit court is authorized to order a stay of the Permit Decisions, as affirmed and modified by the DHA Decision, pursuant to Wis. Stat. § 227.54 ("The reviewing court may order a stay upon such terms as it deems proper."). A temporary stay *pendente lite* is necessary to avoid irreversible harm and preserve the status quo while this judicial review proceeding remains pending. Given Petitioners' understanding that construction has already begun, we respectfully ask that this Motion be heard as soon as possible to avoid irreversible harm. Petitioners' brief detailing further facts and grounds in support of this motion is contemporaneously filed herewith.

This Motion will be heard at a date and time set by the court.

Dated this 23rd day of February, 2026

Electronically signed by Robert D. Lee

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