

## Lessard-Sams Outdoor Heritage Council

**MEMO:**       **Agenda Item #10**  
**DATE:**       November 12, 2025  
**SUBJECT:**   Legislative Extension of Time

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### **Suggested Motion:**

Motion by Member XX to approve/deny the following Legislative Extension of Time:

- ML 2022, Ch. 77, Art. 1, Sec. 2, subd. 5(u) Daylighting of Phalen Creek
  - Requesting one year extension (until June 30, 2028) of availability of funds.
- ML 2021, 1st Sp. Sess., Ch. 1, Art. 1, Sec. 2, subd. 5(l) St. Louis River Restoration Initiative Phase 8
  - Requesting one year extension (until June 30, 2027) of availability of funds.

A separate motion will be taken for each request. Approved extension will be included in the ML 2026 Appropriation Recommendation Bill.

### **Considerations:**

At the Council's May 24, 2023 meeting, a motion was adopted placing restrictions on requests for extensions to OHF appropriations. The restrictions are outlined in the following points:

- Appropriation extension requests will only be considered with delineated extraordinary circumstances related to weather or unforeseen last-minute circumstances.
- Appropriation extension requests must be submitted for Council review no later than the Council's November meeting to provide necessary time for Council consideration and potential bill language inclusion
- Extension requests must be accompanied by a well-defined plan toward project completion that provides the Council with confidence in project success.
- Appropriation extension amendments should not include an increase in personnel or DSS.

### **LSOHC Staff Notes:**

- 1. ML2021 5(l) St. Louis River Restoration Initiative Phase 8**
  - This extension is necessary with the uncertainty of the Federal shut down and specific impacts that are paused on the Mud Lake design and engineer.
  - This program has closed phases 1-6 and spent 94% of the OHF dollars received and leveraged \$23.5 million to the \$17 million in OHF dollars awarded.
  - There is approximately \$10 million unspent in the 5 open phases, over half of which is earmarked for the implementation of the Mud Lake project.
  - DNR is requesting a 1-year extension on restoration in the ML 21 appropriation until June 30, 2027.
  - This program has received a previous 1-year extension for ML 20 in lieu of requesting funding in ML 25 and forward.

## **2. ML2022 5(u) Daylighting of Phalen Creek**

- This program has received no previous extensions.
- It is an inherently complicated project due to it's location within the City of St. Paul and the adjacency of highways, streets, buried power and water lines, as well as multiple stakeholders and maintenance considerations.

### **Attachments:**

A letter of Request from DNR

A letter of Request from Wakan Tipi Awanyankapi