

## Lessard-Sams Outdoor Heritage Council

**MEMO:** Agenda Item # 10 (E & F)  
**DATE:** March 12, 2021  
**SUBJECT:** Extension of Availability of Appropriation  
MN Trout Unlimited Program Appropriations  
**PRESENTER:** John Lenczewski, MN Trout Unlimited

### Suggested Motion:

Motion by Councilmember X to approve/deny the legislative extension of appropriation availability for the following 2 appropriations as part of the MN Trout Unlimited program as follows:

Appropriation Citation and Language	Availability of R/E Appropriation expires on:	Notes
<a href="#">ML 2016, Chapter 172, Article 1, Section 2, subdivision 5(e) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase VIII - \$1,975,000</a>	June 30, 2021	Requesting extension until June 30, 2023 for 2 additional years.
<a href="#">Laws 2017, Chapter 91, Article 1, Section 2, subdivision 5(d) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase IX - \$2,403,000</a>	June 30, 2022	Requesting extension until June 30, 2023 for 1 additional year.

### Information Provided by the Project Manager:

The impact of the COVID-19 pandemic on efforts to restore and enhance fish habitat have been wider ranging and more persistent than we anticipated even 6 months ago. Restrictions on travel, working in close proximity, supply chain interruptions, and more have created cascading problems which have delayed implementation of numerous projects. This, coupled with the fact that permits limit our work season to April 15 to September 30 (and just July 1 to September 15 on North Shore streams), will make completing planned projects and exhausting grant funds of the ML 2016 and ML2017 appropriations very difficult.

The most far-reaching impacts are due to the critical role which the MNDNR and our agency partners play in all our habitat work. To plan, design and secure permits requires numerous visits to streams spread across the state. DNR personnel are an integral part of the design teams which must walk the sites and hash out design details through multiple site visits. The permitting process likewise takes follow up visits and collections of field data. Delays in “essential worker” designation, restrictions on DNR travel, and shifts to working from home have slowed design and permitting to a crawl. Federal permitting has similarly been slowed. These delays can have serious cascading effects. Uncertainty about when we will receive a permit delays bidding out the construction work. For example, if we cannot receive a permit for North Shore project by July that project cannot be bid out and built before

the September 15 to June 30 work exclusion period kicks in. The result is a delay until July 1 the following year! Note this means no work for the nine and a half months leading up to the grant expiration date of June 30. While this is the most extreme example, the reduced availability of agency staff for field visits essential for planning, design, permitting and construction oversight, has delayed every project to some degree.

Our contractors and consultants continue to experience delays as well. Contractors have had difficulty with employee travel, completing hand labor, and obtaining timely supplies of rock, materials, and replacement parts for equipment break downs. These and more COVID-19 disruptions will interfere with spring 2021 habitat work planned for riparian forest in Northeast Minnesota. In 2020 we suddenly lost supplies of trees, labor crews, and tree protection materials. We are working to secure alternative sources of labor, trees, and caging materials for spring 2021 work, but it now seems doubtful that we will be able to get all streams treated before the ML 2016 grants ends in June.

We are adapting to hurdles which COVID-19 continues to create and remain optimistic. However, we must acknowledge that the cascading impacts of COVID-19, to date and anticipated through summer 2021, will delay several ML2017 projects beyond June 2022. We are seeking an extension of the ML2016 and ML 2017 appropriations to June 2023 to ensure we can enhance and restore the maximum amount of habitat, while leveraging more outside funding for fish and wildlife.

**Staff Notes:**

- ML 2009 – ML 2015 appropriations have closed with nearly all money spent.
- The ML 2020 COVID-19 Extension language had no effect on the restoration/enhancement activities of the ML 16 and ML 17 appropriations.
- This is a COVID related extension request.
- Chart below shows open appropriations and spending to date.

ML Year	Subd	Appropriation Amount	Spent to date	Balance	% Spent
2015	5(c )	\$1,890,000	\$1,666,800	\$223,200	88%
2016	5(e )	\$1,975,000	\$1,272,500	\$702,500	64%
2017	5(d)	\$2,403,000	\$1,580,000	\$823,000	66%
2018	5(h)	\$2,291,000	\$470,600	\$1,820,400	21%
2019	5(f)	\$2,359,000	\$14,000	\$2,345,000	1%
2020	5(i)	\$1,474,000	\$9,800	\$1,464,200	1%