

Emerging Issues Account Policy and Procedures Update

Draft for Consideration on 7/18/25

Authorization and Availability

116P.08 TRUST FUND EXPENDITURES.

Subd. 4. Legislative recommendations.

d) The commission may recommend the establishment of an annual emerging issues account in its annual legislative bill for funding emerging issues, which come up unexpectedly, but which still adhere to the commission's strategic plan, to be approved by the governor after initiation and recommendation by the commission.

If the commission recommends that funds be put in the Emerging Issues Account, funds will be recommended for the same standard duration as other recommended funds. Funds appropriated to the Emerging Issues Account through the legislative process will be available starting July 1, unless otherwise specified in the appropriation.

Availability Option: The commission is not required to recommend funding to the Emerging Issues Account. When funding is recommended, the commission will recommend no more than \$1.0 million to the account in a given fiscal year.

Emerging Issues Account Criteria and Eligibility

The Emerging Issues Account is for efforts addressing an unexpected and urgent need that cannot be accommodated through the standard funding cycle and need to be addressed in an expedited manner. Proposed efforts must:

1. Be consistent with the constitutional purpose of the Environment and Natural Resources Trust Fund (ENRTF) and the commission's [strategic plan](#).
2. Address an issue that came up unexpectedly.
3. Implement a solution where delay and following the standard funding cycle would have significant detrimental impact on the environment or natural resources.
4. Be ready to be implemented as soon as funds are available.

Requests received will be evaluated based on these criteria in addition to the LCCMR's standard evaluation and selection criteria.

Ineligibility Option: The following efforts are not eligible for funding from the Emerging Issues Account, except in extraordinary circumstances where it can be demonstrated how funding is

necessary to avoid imminent damage to or loss of an opportunity to protect the environment or natural resources in a timely fashion:

- Land acquisition
- Capital construction
- Research

Emerging Issues Account Funding Priorities

Priorities Option 1

In addition to the account eligibility and criteria, proposed efforts should address one or more of the following LCCMR priorities:

1. Identifying, assessing, and/or prioritizing potential threats to the environment and natural resources.
2. [Researching and/or] developing technologies and measures to detect or address emerging or emergency threats to the environment and natural resources.
3. Creating collaborations and building partnerships among all parties – including academic institutions, government agencies, non-government organizations, communities, and the private sector – to foster innovation and leverage resources and expertise to better address emerging threats to the environment and natural resources.
4. Enhancing coordination and interagency collaboration among federal, state, tribal, and local governments to ensure a unified response.
5. Implementing proactive measures to prevent or minimize the impacts from emerging environmental or natural resource issues.
6. Implementing natural resource corrective actions where delay will be detrimental to the environment and natural resources.
7. Restoring impacted ecosystems to minimize loss of benefits provided by these systems to people, fish, plants, and wildlife

Priorities Option 2

In addition to the account eligibility and criteria, proposed efforts should address one or more of the goals and strategies contained in the most recent commission strategic plan.

Priorities Option 3

In addition to the account eligibility and criteria, proposed efforts should address one or more of the goals and strategies contained in the most recent commission strategic plan. These could include (but are not limited to) efforts such as:

- Rapid risk assessment or response to an unexpected wildlife disease breakout
- Rapid response to an unexpected change in wildlife populations or wildlife disease behavior or projected impact

- Rapid response to control a new invasive species threat
- Rapid response to restore habitat destroyed by a natural disaster event

Requesting Funds

Notification of the availability of the Emerging Issues Account will be posted on the LCCMR website. To be considered for an LCCMR recommendation for use of the Emerging Issues Account, a request must be submitted to the LCCMR requesting funds. The request must:

1. Describe the issue that affects or threatens to affect the state's air, water, land, fish, wildlife, or other natural resources.
2. Explain how and why this issue is unexpected and could not have been reasonably foreseen.
3. Describe the proposed solution to this issue.
4. Explain the detrimental impact on the environment or natural resources if this proposed solution is not implemented immediately and had to wait for funding through the standard LCCMR funding cycle.
5. Explain why this request for funding was not submitted or is not being submitted in response to the LCCMR's most recent request for proposal (RFP).
6. Provide the steps already taken to implement the proposed solution.
7. Provide the next steps needed to implement the proposed solution, the primary outcomes and/or outputs that would be achieved if funding is awarded, and the proposed completion dates.
8. Provide a description of the organization and its capability to carry out the proposed solution."
9. Provide a proposed budget.

Awarding Funds

- The commission will review requests at least semi-annually at posted and open meetings.
- **Screening Option 1:** Request materials will be distributed to the full commission for evaluation according to the Emerging Issues Account criteria. Members will submit to staff their evaluation that includes their interest in receiving a presentation from the applicant. If a simple majority of members indicate interest in receiving a presentation, with at least 8 total responses received, the applicant will be invited to present to the commission at the next appropriate LCCMR meeting. Following presentation at that LCCMR meeting, all requests received will be voted upon by the full commission.

Screening Option 2: The 6-member Executive Committee [or a subcommittee of 7 members will be established on a biannual basis that] will evaluate all requests according to the

Emerging Issues Account criteria and decide which requests will be advanced to the full commission for consideration and approval. To advance to the full commission, a quorum will be required and a simple majority of those present must vote in favor. As a subcommittee taking official action on a matter of the commission, the meetings will be held in accordance with open meeting law, including [Minnesota Statute 13D.015](#), State Entity meetings by telephone or interactive technology. The subcommittee meetings will be scheduled as part of the LCCMR's annual business calendar, posted on the LCCMR website, and notice of the meeting and agenda will be provided to the public. If the subcommittee votes to advance a request to the full commission, the applicant will be invited to present to the commission at the next appropriate LCCMR meeting. Following presentation at that LCCMR meeting, those requests advanced for presentation will be voted upon by the full commission.

Screening Option 3: Requests will be distributed to all LCCMR members for evaluation according to the Emerging Issues Account criteria. The LCCMR co-chairs will determine if time will be made during the next appropriate LCCMR meeting agenda for presentation by a given applicant. If at least two of the chairs determine time will be allowed, the applicants will be invited to present. Following presentation (if any) at that LCCMR meeting, all requests received will be voted upon by the full commission.

- For a request to be approved, a quorum of the commission must be present and at least 60% of those members present must vote in favor of approval.
- If a request is approved by the LCCMR it will be sent to the governor for consideration per M.S. 116P.08, Subd. 4.
- **Unspent Funds Option 1:** If the funds are not spent for an unexpected and urgent need before the start of the legislative session prior to the Emerging Issues Account appropriation expiration, the commission may recommend the funds be added to an existing Environment and Natural Resources Trust Fund project that has a critical and unexpected need for additional funding to achieve the goals of the project. If not repurposed in this fashion, the Emerging Issues Account funds will return to the Environment and Natural Resources Trust Fund.

Unspent Funds Option 2: If the funds are not spent for an unexpected and urgent need before the start of the legislative session prior to the Emerging Issues Account appropriation expiration, the Emerging Issues Account funds will return to the Environment and Natural Resources Trust Fund.