

Key:

~~Struck out~~ and underlined text = revisions for consideration on 12/10/25

Highlighted text = revisions reviewed, but not acted upon, on 7/18/25

Environment and Natural Resources Trust Fund Emerging Issues Account Policy and Procedures Update

Adopted 1/15/08 by LCCMR

Revised April 24, 2023

Revised July 18, 2025

Authorization **and Availability**

M.S. 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.

Emerging Issues Account Criteria and Eligibility

The Emerging Issues Account is for efforts ~~addressing that address~~ an unexpected and urgent need in an expedited manner and that cannot be accommodated through the standard funding cycles. ~~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. **[Option A:]** Implement a solution where delay and following the standard LCCMR funding cycle would have significant detrimental impact on the environment or natural resources before the next legislative session.
[Option B:] Implement a solution where delay and following the standard LCCMR funding cycle or waiting for the next legislative session would result in ~~have~~ significant detrimental impact on the environment or natural resources ~~before the next legislative session~~.
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.

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

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 letter (one page limit) an Emerging Issues Account proposal must be submitted to the LCCMR, requesting funds. The letter must:

- Describe the specific urgency.
- Explain how the request fits the emerging issues account criteria.
- Explain the proposed use of the funds including proposed results and deliverables.

Attached to the letter requesting consideration of funding must be a description of the organization describing its capability to carry out the activity proposed.

Awarding Funds

- The commission will review requests at least semi-annually at posted and open meetings.
- 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(s) 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.
- If the commission recommends that funds be put in the emerging issues account and those funds are made available through the legislative process, the funds should be available starting July 1, for the same period as other recommended funds.
- Funds are available for recommendation by the commission to address unexpected and urgent needs until they are spent within the appropriation period.

- If the governor approves the request, the project can begin incurring costs following LCCMR approval of the work plan per M.S. 116P.05 Subd. 2 (b).
- 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.