



State of the States

A look at how far U.S. state habitat connectivity legislation has advanced and what is working

By Erin Sito & Logan Christian

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Erin Sito researches, develops, and promotes laws and policies that facilitate networks of connected wildlife habitats. During and after attending the University of Oregon for law school, Erin gained environmental and energy law experience while working in private practice, federal agencies based in the Pacific Northwest, and the Oregon State Legislature. She rejoined Wildlands Network in 2021

where she continues her habitat connectivity policy work that she helped start in 2018 as an intern for the organization.

Wildlands Network

Wildlands Network is a conservation organization dedicated to reconnecting, restoring, and rewilding North America so that life - in all its diversity - can thrive. Over thirty years ago, Wildlands Network's founding scientists were among some of the first in the nation to develop a connected landscape vision to combat habitat loss and fragmentation, the leading driver of biodiversity loss. Over the years, these scientists were also among the first to provide mapping and scientific modeling to support that vision. The organization has grown significantly since then, and today, its staff consists of a diverse team of scientists, law and policy experts, GIS mapping specialists, and skilled conservation communicators located in the United States, Mexico, and Canada. Wildlands Network's U.S. staff focus on the Sierra Nevada and Cascade Range corridors in the Pacific, the Rocky Mountains corridor in the West, and the Appalachian Mountain corridor in the East. These corridors are referred to as the Pacific, Western, and Eastern "Wildways." Within these

wildways, our staff are living and working in Arizona, California, Colorado, Maine, North Carolina, New Mexico, New York, Oregon, Rhode Island, Utah, and Virginia, and we provide expertise, resources, and support to coalitions in Connecticut, Maryland, Massachusetts, New Hampshire, Nevada, Pennsylvania, South Carolina, Vermont, and Washington.

In 2018, after many of America's governors had already signed resolutions to support habitat connectivity conservation, the Secretary of the Interior signed Secretarial Order 3362 to Support Big Game Migration Corridor Conservation in the West. At this time, Wildlands Network saw an opportunity to invite state lawmakers to pass legislation that could help inform and empower state agencies to engage in habitat connectivity planning and conservation. So, in 2018, our team drafted model state wildlife corridor legislation and presented the policy concept to state legislators at the National Caucus of Environmental Legislators ("NCEL") National Issues Forum. Over the next two years, tailored versions of our model legislation were introduced in several states and passed in Oregon, New Mexico, and Virginia. Since 2016, our state level efforts have resulted in 21 pieces of state legislation passed to support wildlife crossings and habitat connectivity. Those same efforts also resulted in over \$58 million dedicated by states across the country to fund wildlife crossing infrastructure and habitat connectivity conservation projects.

Wildlands Network has worked with many partner organizations (several of which are included in this report's acknowledgments) to achieve these successes for biodiversity. It takes an entire community to connect a fragmented landscape, and it has been a privilege and honor to be a visionary and technical leader within that community.

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Logan Christian has a background in education and policy with a focus on wildlife conservation. He received his B.S. in Environmental Studies from Utah State University and his M.S. from the University of Michigan’s School for Environment and Sustainability. He is interested in the human dimensions of conservation, and his master’s

research focused on rural communities in the West that are integrating environmental stewardship into their long term community and economic development activities. While in graduate school, he was selected as a Wyss Conservation Fellow. Before starting at the NCEL, Logan worked as the Outreach and Development Director for Yellowstone to Uintas Connection, a nonprofit focused on enhancing habitat connectivity south of the Greater Yellowstone Ecosystem. More recently, he worked as a Conservation Advocate for the Mountain Lion Foundation where he educated the public about carnivore coexistence and conflict-reduction across six western states.

The National Caucus of Environmental Legislators

NCEL is a nationwide network of over 1,200 state lawmakers committed to conservation issues and protecting the environment. NCEL was founded and continues to be led by state legislators who believe that they are much more effective when they can organize, communicate, and assist each other on environmental issues. NCEL creates opportunities for legislators to exchange policy ideas, coach each other, learn about issues trending in states, and raise a voice from state legislators to the federal government. Activities include a national conference, state and regional events, and ongoing meetings of policy-specific working groups.

NCEL has been assisting state legislators on habitat connectivity policy for nearly a decade with support from Wildlands Network and other partners. Most recently, our work included hosting sessions at our annual National Forum on habitat connectivity, and convening a Wildlife Corridors and Crossings Working Group with over 60 legislators from 27 states. The Working Group meets every two months to share lessons learned between legislators, hear from experts, and review policy approaches and trends for working on habitat connectivity. NCEL also offers a variety of resources for legislators interested in habitat connectivity including fact sheets, policy options, and weekly updates on the progress of habitat connectivity bills during state legislative sessions. NCEL works closely with Wildlands Network to continue building a community of state legislators who are informed and prepared to work on habitat connectivity issues in their states.

If you are a state legislator interested in joining NCEL's Wildlife Corridors and Crossings Working Group, visit <https://www.ncelenviro.org/working-groups/>

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The authors would also like to thank all of the state legislators who continuously advocate for wildlife, wildlife habitat, and habitat connectivity initiatives.

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I. Introduction

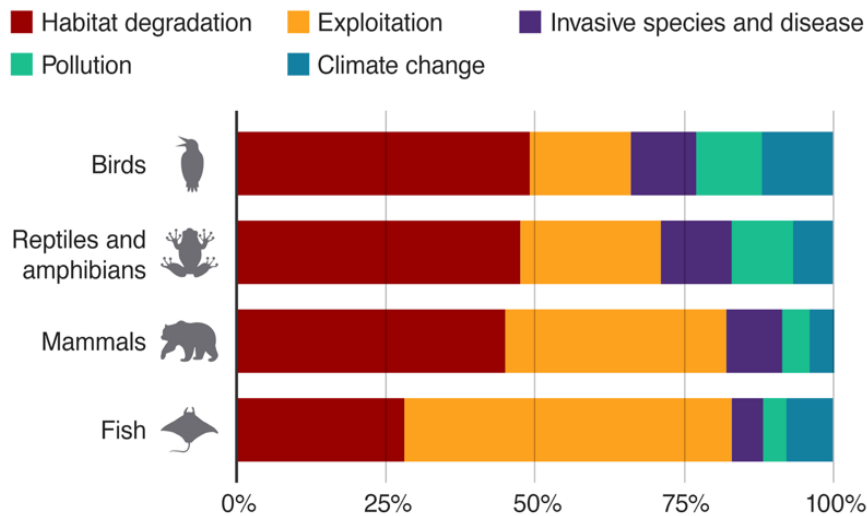
A. Biodiversity Loss, Habitat Connectivity, and Wildlife Crossings

Biodiversity loss is one of the more challenging environmental issues our world faces and one of the twin ecological crises of our time, along with climate change. However, in the same way that the problems associated with these two crises often intertwine, so too can the solutions we pursue to address them. These solutions are often called nature-based solutions.

One nature-based solution that can help sustain biodiversity is conserving habitat and habitat connectivity. In other words, conserving large habitat blocks and the distinct landscape linkages between them, which are sometimes called wildlife corridors. [Habitat connectivity](#) is the degree to which landscapes facilitate the movement of species and the flow of ecological processes across various habitats.ⁱ Conserving and restoring habitat and habitat connectivity are critical approaches to combating the biodiversity crisis, as experts conclude that habitat loss and fragmentation are leading causes of biodiversity loss. In fact, habitat fragmentation can reduce biodiversity by up to [75 percent](#).ⁱⁱ Habitat connectivity facilitates critical ecological processes like pollination, nutrient cycling, and gene flow.ⁱⁱⁱ If wildlife cannot move throughout our landscape to find food and water resources, climate refugia, and genetically diverse mates, the species has a much higher risk of becoming unhealthy and dying off.

Habitat Loss is a major threat to biodiversity

The Living Planet Report assesses key drivers of species decline



Note: A sample of 3,789 populations evaluated by the Living Planet Index

Source: WWF, Living Planet Report 2018

BBC

Conserving habitat connectivity as a nature-based solution can help species adapt to a changing climate. According to the [2021 Connectivity and Climate Change Toolkit](#), “increasing connectivity is one of the most frequently recommended climate adaptation strategies for biodiversity management,” as it will allow species to move to higher, cooler ground in the case of extreme heat and move across landscapes to find food and water resources during increased periods of droughts into the future.^{iv}

Another impediment to species movement is linear infrastructure like fences and roads. Many legislators are now interested in pursuing legislation encouraging wildlife-friendly fencing and wildlife crossings to facilitate wildlife movement and habitat connectivity through the built environment. In addition to improving habitat connectivity, properly-sited wildlife crossings can reduce wildlife-vehicle collisions by [upwards of 90 percent](#), helping reduce driver deaths, injuries, and costs from damage to vehicles and infrastructure.^v

Key Terms^{vi}

| | |
|----------------------|---|
| Wildlife Corridor | Areas on the landscape that enable wildlife to move between larger areas of intact habitat for seasonal migrations or to find food, water, and mates. |
| Wildlife Crossing | Human-made structures such as bridges or tunnels that help wildlife move safely over roads and other infrastructure, thereby reducing barriers to movement and wildlife-vehicle collisions. |
| Habitat Connectivity | The degree to which landscapes facilitate the movement of species and the flow of ecological processes across various habitats. |

To conserve and restore habitat and habitat connectivity and continue to build more wildlife-friendly infrastructure, support from all levels of government, Tribal engagement and assistance, and local and private landowner buy-in and participation are needed. This report aims to show how state legislators can play a role in advancing this nature-based solution and how federal funding and support can encourage state legislative action.

B. Understanding and Using This Report

This report focuses on legislation passed by state lawmakers to conserve or restore habitat connectivity and advance wildlife-friendly infrastructure. It has been almost 25 years since the first piece of such legislation was passed in Florida, and as of this report's publication, at least 83 pieces of connectivity-related legislation have passed. By looking at that time frame, explaining certain events that have catalyzed state action, exploring the different types of connectivity legislation and trends that have emerged, and sharing what approaches have been successful so far, this report can serve as a tool for readers interested in pursuing state legislation. It can also help readers consider how to best tailor their policy proposals to the needs, opportunities, and resource limitations that may be present in their states.

This report only shares and analyzes state legislation that has an express mention of habitat connectivity and related terms. Legislation (over other forms of state policy) tends to provide more durability for state-run habitat connectivity initiatives, which is critical because conserving a system of wildlife corridors and building needed wildlife crossings across a state can take decades to accomplish. Legislation can also ensure that the public and other non-agency experts have an opportunity to provide input into a state's wildlife corridor or crossing initiatives. That said, we recognize that there are many other voluntary, non-regulatory, and administrative approaches that federal, Tribal, state, and local governments, private landowners, and other communities are taking to achieve habitat connectivity conservation. This report does not aim to diminish those efforts. All of these diverse approaches often fuel one another, moving habitat conservation forward in a reciprocal and supportive manner. Thus, we applaud these additional approaches and encourage readers to continue their research on other types of state policies. The chart below provides a few different state habitat connectivity policy options that have been implemented for consideration and further research.

Legislation vs. Executive Orders vs. Agency Memorandums of Understanding

LEGISLATION: Legislation provides a lasting government framework by providing the associated agencies with the authority and/or funding they often need to prioritize working on wildlife crossing and habitat connectivity projects.

Good Examples:

- In 2005, **Wyoming** created a Wildlife and Natural Resource Trust Fund to fund land, water, and wildlife conservation projects permanently. The Fund has received nearly \$300 million over its lifetime from appropriations, donations, and interest and has provided over \$18 million for habitat connectivity projects.^{vii}
 - **Florida's** legislation takes a landscape-scale conservation approach by formally recognizing a distinct wildlife corridor running north to south throughout the state and providing over \$1 billion since 2021 to conserve it.^{viii}
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- **Virginia**'s legislation tasked agencies with identifying both wildlife corridors and wildlife-vehicle collision hotspots throughout the commonwealth to determine how best to streamline **state conservation and wildlife crossing priorities**.^{ix}
 - **California** and **New Jersey** both have legislation or regulations requiring transportation agencies to mitigate impacts in specific scenarios where roads intersect with habitat that has high connectivity value.^x
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Considerations: Legislation is often durable beyond administrations, and legislative buy-in is also crucial for any subsequently needed appropriations. It can also often require a public process, encouraging resource sharing and public-private partnerships. Legislative options are sometimes contingent on the state's political climate, though this conservation issue is usually a nonpartisan issue overall.

EXECUTIVE ORDERS: or EOs, allow for a swift declaration prioritizing habitat connectivity conservation and associated wildlife crossing studying and implementation for agencies.

Good Examples:

- In 2019, in **Colorado**, Governor Jared Polis signed **Executive Order D-2019-011**, Conserving Colorado's Big Game Winter Range and Migration Corridors. Colorado Parks and Wildlife Commission then followed suit by adopting a resolution reaffirming the executive order. The order has resulted in a big game report showing priority areas for conservation as well as new full-time staff to help execute the report's findings.^{xi}
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Considerations: EOs can instantly set the tone that habitat connectivity conservation is an administrative priority, which tells agencies that this is an issue they must pay attention to and support. The downside is that EOs are sometimes not as durable beyond administrations compared to legislation. Also worth noting, is a governor's ability to include certain habitat connectivity conservation directives to agencies, along with the funding needed to implement those directives, within the governor's proposed budget.

AGENCY MEMORANDUMS OF UNDERSTANDING: or MOUs can provide durable expectations of how wildlife and transportation agencies are expected to coordinate to address wildlife-vehicle collisions in areas with high habitat connectivity value.

Good Examples:

- **North Carolina** executed its MOU in 2023, which outlines interagency coordination and resource-sharing expectations, such as the transportation agency funding two liaison positions housed in the wildlife agency to inform transportation projects.^{xii}
- In addition to an interagency MOU between Colorado’s transportation and wildlife agencies, Colorado also has a unique MOU for a **Colorado Wildlife & Transportation Alliance** that consists of agencies at all levels of government, Tribes, non-profit organizations, and businesses. This alliance aims to “institutionalize wildlife considerations into transportation projects, build partnerships and awareness to protect wildlife movements across the landscape, and reduce wildlife-vehicle collisions while maintaining wildlife populations.”^{xiii}

Considerations: While generally more durable, MOUs are most helpful when there is additional authority given to agencies to prioritize working on the contents of the MOU. If MOUs do not expressly call for stakeholder input, it can sometimes lead to a closed interagency process, shutting out the potential for public-private partnerships. They also often have a determined end date. Many states like New Mexico and Colorado that started with an MOU now have some form of legislation either codifying the MOU or providing additional financial resources and authority to implement habitat connectivity initiatives.

II. Catalysts and the Development of State Habitat Connectivity Legislation over 25 years

Florida was likely the first to pass habitat connectivity-related state legislation in 1999, with the passage of the [Florida Forever Act](#).^{xiv} This legislation set the stage for the state’s renowned land conservation programs and tasked the Florida Forever program leaders with facilitating a statewide system of interconnected landscape linkages. Between 1999 and 2008, Florida amended the Florida Forever Act statute two more times to make landscape connectivity a more prominent consideration for land conservation under the Florida Forever program.

Almost 10 years later, California became the next state to pass [habitat connectivity legislation in 2008](#).^{xv} This law tasked its state agencies with investigating, studying, and identifying essential wildlife corridors and habitat linkages. The bill also directed the California Department of Fish and Wildlife to develop a public-facing database of those identified areas.

Eight years later in 2016, Alabama and New Hampshire became the next two states to pass habitat connectivity legislation. Alabama passed [legislation with slightly similar language](#) to the Florida Forever Act. The bill created the Alabama Trails Commission and tasked the commission with facilitating “a statewide system of interconnected landscape linkages, conservation corridors.”^{xvi}

New Hampshire Senator David Watters championed and passed a [standalone wildlife corridor bill](#) that tasked the Fish and Game Department with reporting to the legislature in 2018 on existing wildlife corridors, any needs to conserve corridors and transportation arteries, and the existing statutes, rules, and regulations that affect wildlife corridor conservation and how they can improve to facilitate that conservation.^{xvii}

In February 2018, the Secretary of the Interior signed [Secretarial Order 3362](#), to help improve “Western big game winter range and migration corridors.”^{xviii} This federal habitat connectivity policy was a key catalyst of growth in state legislative interest. The order provided federal liaisons to the states to coordinate and ensure that federal land managers and management plans were contributing to State or other efforts to improve the quality and condition of priority big-game winter and migration corridor habitat. Federal liaisons were also tasked with evaluating and appropriately applying site-specific management activities identified in State land use plans or Action Plans developed with liaisons as needed to conserve or restore the habitat necessary for big-game populations. Shortly after, the National Fish & Wildlife Foundation created the [Western Big Game Seasonal Habitat and Migration Corridors Fund](#) to fund projects recommended in the Action Plans and other conservation measures needed to restore priority big game habitat and migration routes.^{xix}

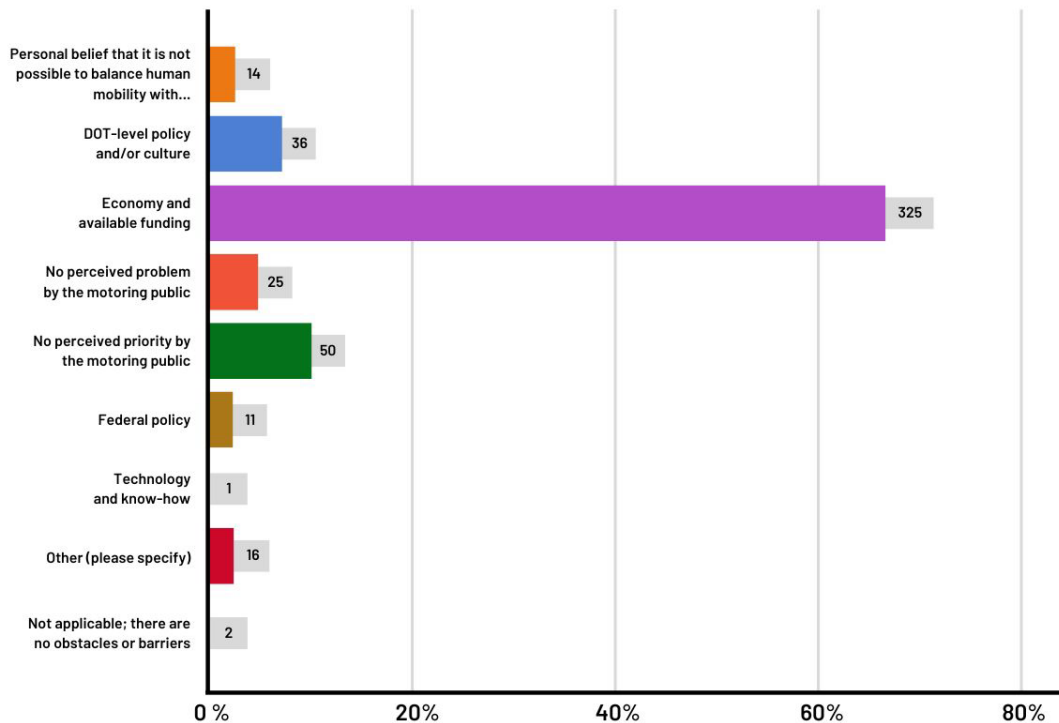
Then, in 2019, state habitat connectivity legislation began to gain traction. Before then, several regional Governor’s associations made commitments to support habitat connectivity initiatives, but the graph below does not show that these executive commitments contributed to any immediate growth in introduced state legislation.^{xx}

In July 2018, the National Caucus of Environmental Legislators held its National Forum and invited Wildlands Network and others to speak on a panel about wildlife conservation and habitat connectivity. 135 legislators from 37 states attended the forum, and several walked away with Wildlands Network’s model wildlife corridor legislative concept to bring back and tailor to their states. Over the next two years, [Oregon](#), [New Mexico](#), and [Virginia](#) passed their own versions of that wildlife corridor legislation.^{xxi} After Secretarial Order 3362 and the NCEL Forum, there was a noticeable spike in habitat connectivity legislation, both introduced and passed.

As states, Tribes, and federal land management agencies began to consider how to study and construct wildlife crossing infrastructure projects, they found that lack of funding was a significant barrier to furthering these

initiatives. In a survey taken by almost 500 federal and state Department of Transportation representatives, 67 percent of respondents selected the answer “...funding” when asked what was the single largest obstacle to nationwide systemic deployment of wildlife crossing infrastructure.^{xxii}

If there were obstacles or barriers to nationwide systemic deployment of terrestrial wildlife crossing structures, to what single reason would they most likely be related?



Congress answered the call for funding in 2021 with the Bipartisan Infrastructure Law.^{xxiii} The bill included more than \$1 billion in funding and over 15 federal grant programs for states to pursue wildlife crossing infrastructure and habitat connectivity projects.^{xxiv}

Of those programs, the Wildlife Crossings Pilot Program was the first federal grant program to provide dedicated federal funding for both the construction of wildlife crossing infrastructure and the studies needed to produce quality, shovel-ready projects.^{xxv} The new program provided \$350 million over five years. The first round of grants combined the first two years of funding into

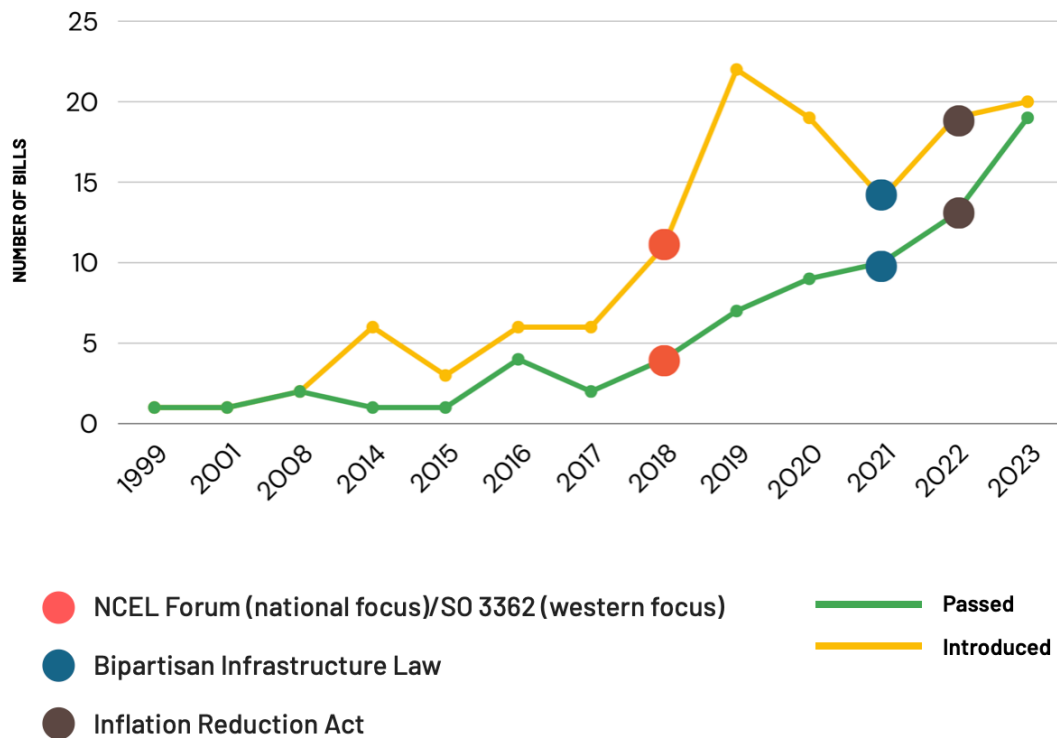
one notice of funding opportunity and awarded 19 grantees roughly \$110 million.^{xxvi} This program required applicants to provide matching funds for these grants, which is what drove several states to pursue legislation in 2022, 2023, and now 2024 to secure state funding for matching dollars. Additionally, for states that did not yet have shovel-ready projects, this federal legislation catalyzed state legislation aimed at readying the state to apply for federal funding by requiring an analysis of high priority project opportunity areas within their jurisdictions. As a result, and as is evidenced in the chart below, the sharpest increase to date in **passed** state connectivity legislation occurred in the wake of Congress passing the Bipartisan Infrastructure Law.

Notably, the demand for the first round of funding far exceeded what was available. According to a verbal report given by Federal Highway Administration (“FHWA”) representatives at the 2023 [Colorado Wildlife and Transportation Summit](#), there were over 65 applications from 34 states requesting almost \$550 million in federal grant to support over \$700 million in projects.^{xxvii} In other words, applicants requested almost twice the amount of the entire program in the first round of the five-year program. In debriefs held after announcing the grants, FHWA also told applicants that of the \$550 million in requests, roughly \$288 million worth of those requests had advanced to the highly recommended project round. Thus, the demand for funding for highly recommended projects in the first round constituted more than half of what is available in the entire program. As a result, the Wildlife Crossings Pilot Program will likely need to become permanent, with more robust funding to continue supporting this swift pace of quality wildlife crossing project development and state legislative action.

Lastly, in 2022, Congress passed the [Inflation Reduction Act](#), which provided billions of dollars worth of funding for conservation programs.^{xxviii} It also included many incentives to encourage the fast-scale build-out of renewable energy projects to help combat the climate crisis. This expected boom in utility-scale energy projects led many conservation organizations and state legislators to pass and consider passing legislation aimed at ensuring their states site renewable energy projects in places that would reduce environmental impacts, such as habitat and habitat connectivity loss.

The line graph below portrays the above catalyzing events alongside the amount of habitat connectivity legislation introduced and enacted since 1999. Immediately below that line graph is a map of all states that have introduced and enacted legislation. Since 1999, 83 habitat connectivity pieces of legislation have been passed in the United States, with the majority passed in 2019 and beyond.

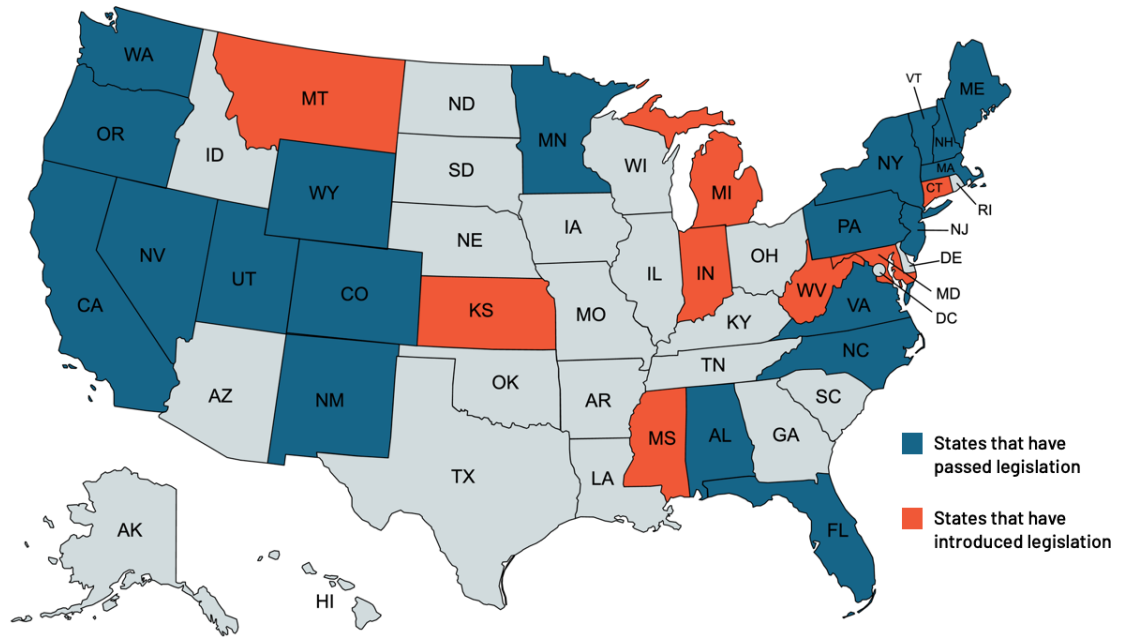
State Legislation Passed and Introduced



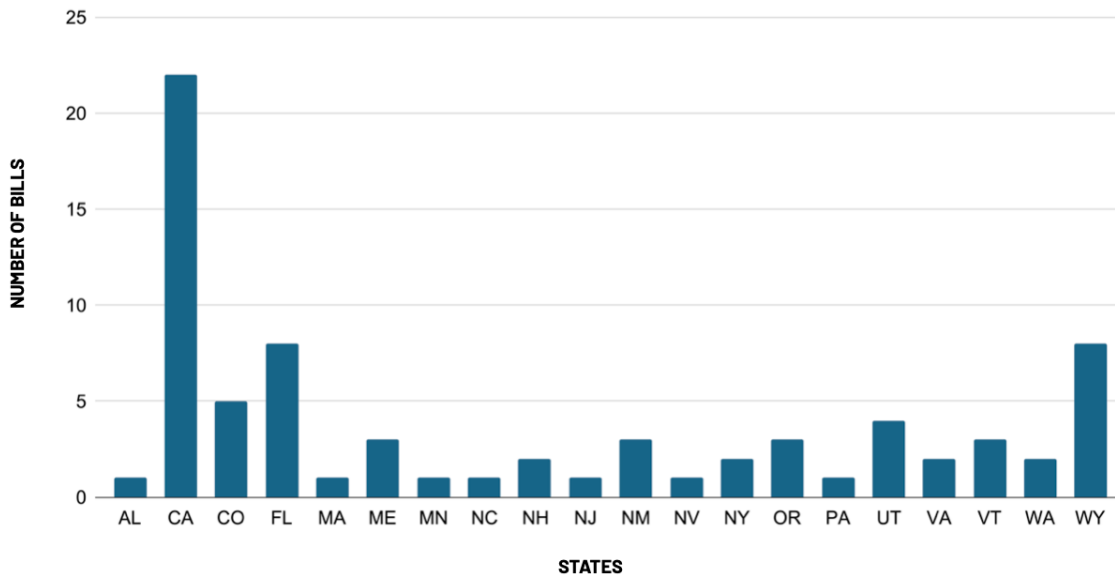
Note: 2014 is the year this graph starts tracking introduced legislation

States Passing Legislation

*Accurate Data as of 2023



Amount of Legislation Passed by States



Finally, it is essential to note that capturing all of the catalyzing events and actors that contributed to this influx of state connectivity legislation is impossible. Scientists and community members worked hard to identify habitat fragmentation and wildlife-vehicle collisions as serious environmental and public safety concerns. Tribes, conservationists, and other stakeholders continued to study those concerns and advocate for change. High profile wildlife crossings - such as the [Wallis Annenberg Wildlife Crossing](#) over Highway 101, designed to facilitate movement of mountain lions near Los Angeles - also played a role in boosting public awareness and support.^{xxix} All of these catalyzing events and actors contributed to the influx of state habitat connectivity legislation, and they continue to do so today.

III. Approaches to State Habitat Connectivity Legislation

Of the 83 pieces of legislation listed in this report glossary, there are five categories of habitat connectivity legislation that have emerged over the years. Naturally, much of the legislation passed falls into multiple categories. The icons next to each category below also label each piece of legislation in the glossary.

- A. **Studies:** Identifying wildlife corridors, crossing sites, or the benefits of improving habitat connectivity.
- B. **Coordination:** Aligning state agencies, Tribes, non-governmental organizations, funders, and other partners to address habitat connectivity issues.
- C. **Funding:** Providing funding for wildlife crossing projects including for coordination, planning, construction, monitoring, or for protection of habitat corridors.
- D. **Permitting and Process:** Updating agency regulations, documents, and processes to require agencies to include habitat connectivity considerations in project planning.

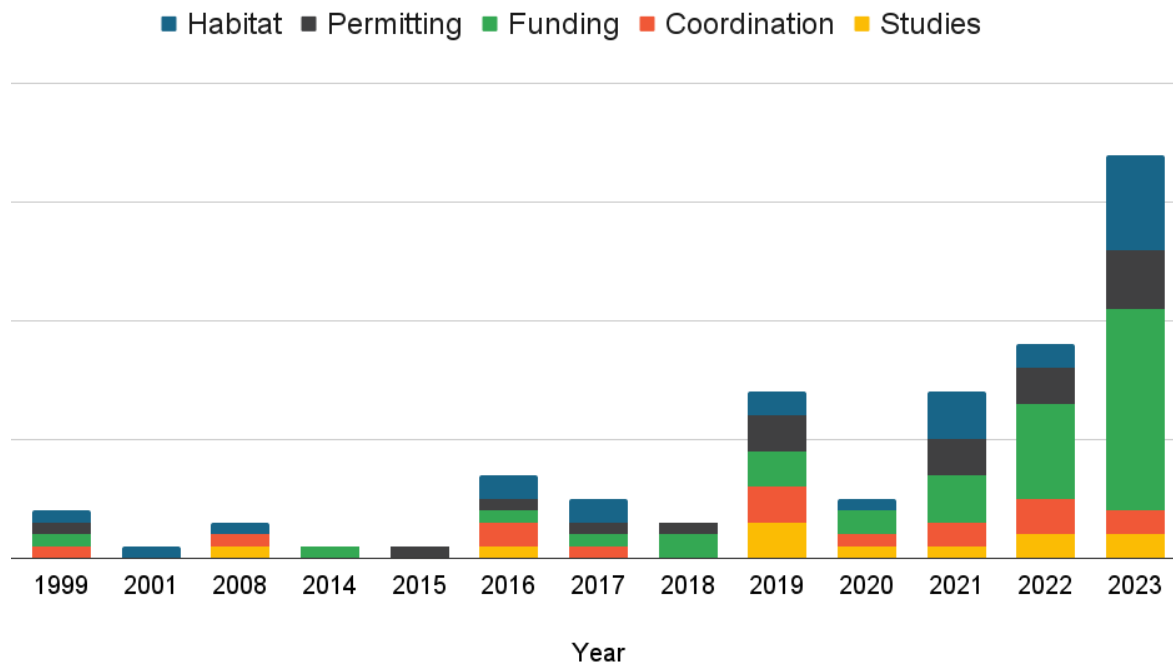
- E. **Habitat:** Protecting major habitat areas and movement corridors through special designations, land acquisitions, or habitat restoration.

Those interested in pursuing or supporting habitat connectivity legislation can determine what type, or blend of types would best fit the needs of their state after analyzing where their states are in the process of (1) identifying, (2) prioritizing, (3) planning, and (4) implementing wildlife crossing infrastructure and habitat connectivity projects. Some states have already completed prioritization studies without legislative directives or are in the process of conducting those statewide studies after winning Wildlife Crossings Pilot Program grants, as is the case with South Dakota and Missouri.^{xxx} No matter what step a state is on, funding for all of these steps is usually critical, as is public involvement and transparency where possible, so agencies can benefit from sharing resources with non-agency experts and other critical community members.

Passed Legislation (based on the index below):

[Visit our spreadsheet data here](#)

Type of Legislation



IV. Comparing Approaches

A. Studies and Plans

New Mexico

In 2019, the New Mexico legislature passed [SB 228](#), the first law to require the creation of a state Wildlife Corridor Action Plan (“WCAP”).^{xxxix} The purpose of the WCAP is to help provide comprehensive guidance to the New Mexico Department of Transportation (“NMDOT”) and the New Mexico Department of Game and Fish (“NMDGF”) for identifying, prioritizing, and maintaining important areas for wildlife movement and developing a list of priority locations for wildlife road-crossing structures to reduce wildlife-vehicle collisions and improve habitat connectivity. NM DOT provided funding for a consultant to complete the plan and then invited public comments on the published draft. After considerable public outreach and consultation with state agencies, Tribes, Pueblos, non-governmental organizations, and private consultants, New Mexico published its [WCAP](#) in 2022, which included a wildlife-vehicle collision hotspot analysis, habitat linkage modeling for 19 species of concern, and a prioritized list of 11 needed wildlife crossing projects.^{xxxix} SB 228 also required annual reporting on progress made towards completing the enumerated projects of the WCAP, and to update the WCAP every 10 years. The New Mexico State Legislature has since appropriated [\\$2 million](#) in 2022, and [in 2023, the legislature created a fund](#) and appropriated another \$5 million to help advance wildlife crossing projects identified in the WCAP.^{xxxix}

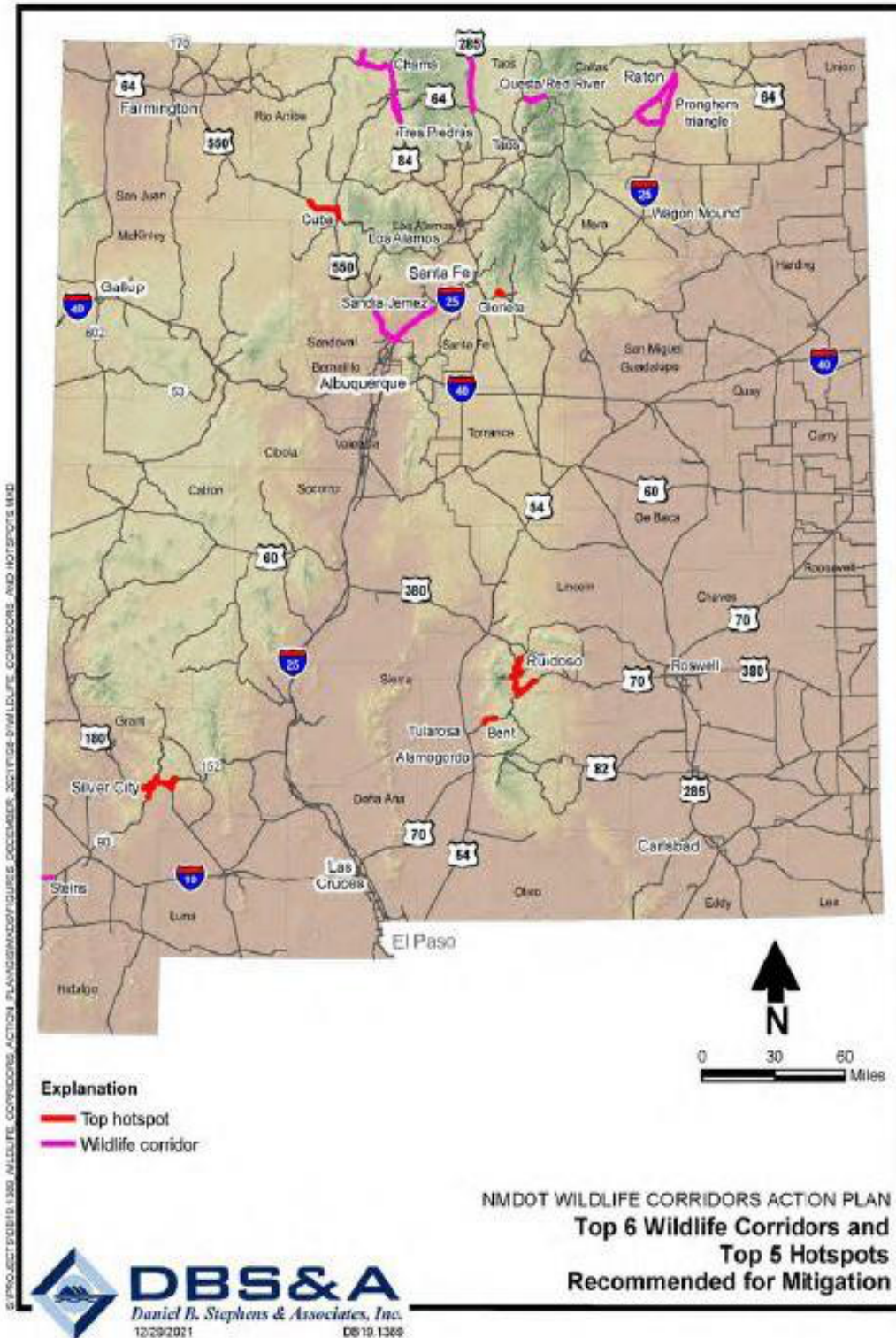
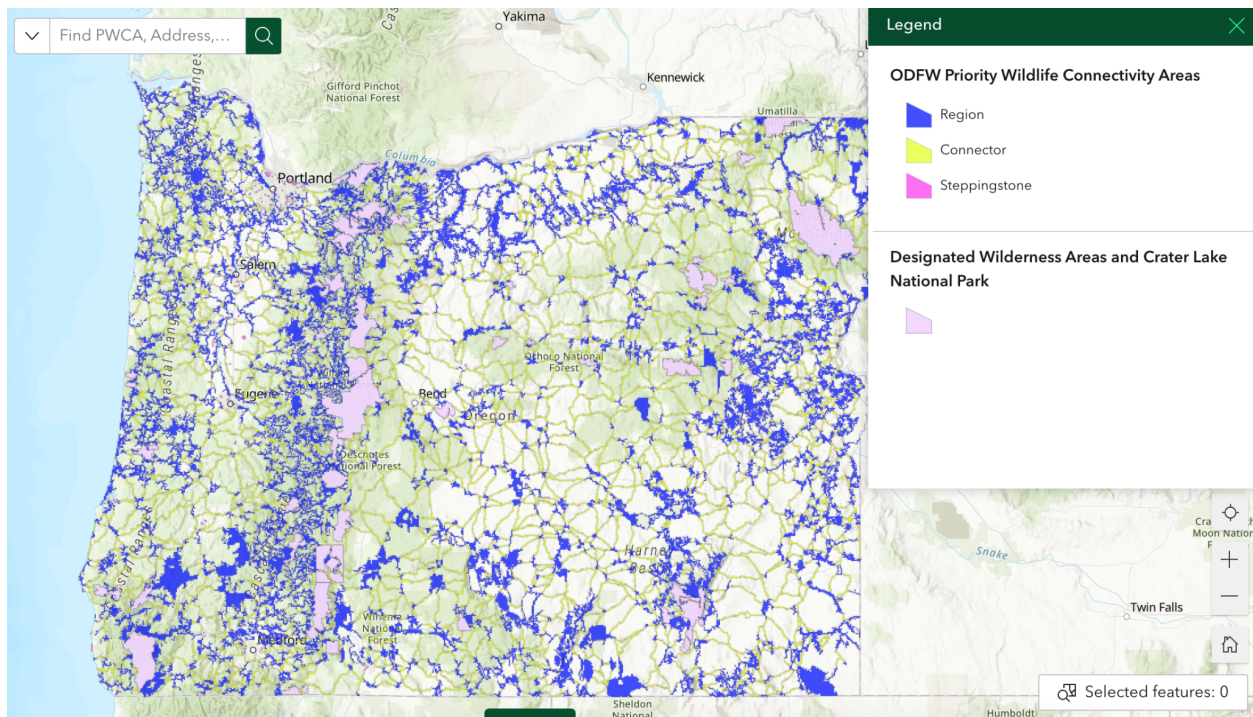


Figure 6-1. Top 5-priority WVC hotspots and 6 top-priority wildlife corridors.

Oregon

Oregon was the second state in 2019 to pass WCAP Legislation. [HB 2834](#) directed Oregon’s Department of Fish and Wildlife (“ODFW”) to develop the best available science and data regarding habitat connectivity and then work with the Oregon Department of Transportation (“ODOT”) to develop a WCAP to preserve long-term habitat connectivity for wildlife in Oregon.^{xxxiv} The WCAP needed to “provide guidance for all state agencies to develop benchmarks for the designation and protection of wildlife corridors in Oregon,” and ODFW must update the plan every five years. ODFW invited public comment on the first draft of the plan in late 2023, and the final first version of [Oregon’s WCAP](#) is now published.^{xxxv} In addition to the WCAP, the new law also required ODOT to establish a wildlife-vehicle collision reduction program for areas where wildlife corridors identified in the WCAP intersect with proposed or existing roads.

ODFW completed its habitat connectivity analysis through its Oregon Connectivity Assessment and Mapping Project, which was a collaborative project undertaken to analyze and create an interactive map of Oregon’s [Priority Wildlife Connectivity Areas](#) (“PWCAs”).^{xxxvi} Prior to HB 2834 passing, “barriers to movement” were identified as a key conservation issue for species in ODFW’s 2016 State Wildlife Action Plan, known as the [Oregon Conservation Strategy](#), so ODFW and other Oregon-based partners had already started collaborating to address the issue.^{xxxvii} In 2018 and 2019, ODFW raised nearly \$1M in funds to pursue an ambitious circuit theory mapping project that would analyze connectivity for 54 diverse species of Oregon wildlife, selected as surrogates to represent the state’s wildlife as a whole. Funding was secured from a variety of sources, including the United States Fish and Wildlife Service, ODFW, and ODOT. The final mapping product highlighting PWCAs, released in 2023 and incorporated into the draft WCAP, displays blue polygon “Regions” (the highest priority habitats for facilitating wildlife movement), yellow polygon “connectors” (the optimal pathways between Regions), and primary and secondary conservation action recommendations for each polygon, which include actions like “protect” and “enhance” or “restore.”



Currently, ODFW and ODOT are working together to complete a list of joint priority areas to pursue roadway mitigation with wildlife crossing infrastructure. ODFW is also working to train Oregon practitioners and localities on how to use the interactive PWCA mapping tool to inform their conservation actions.

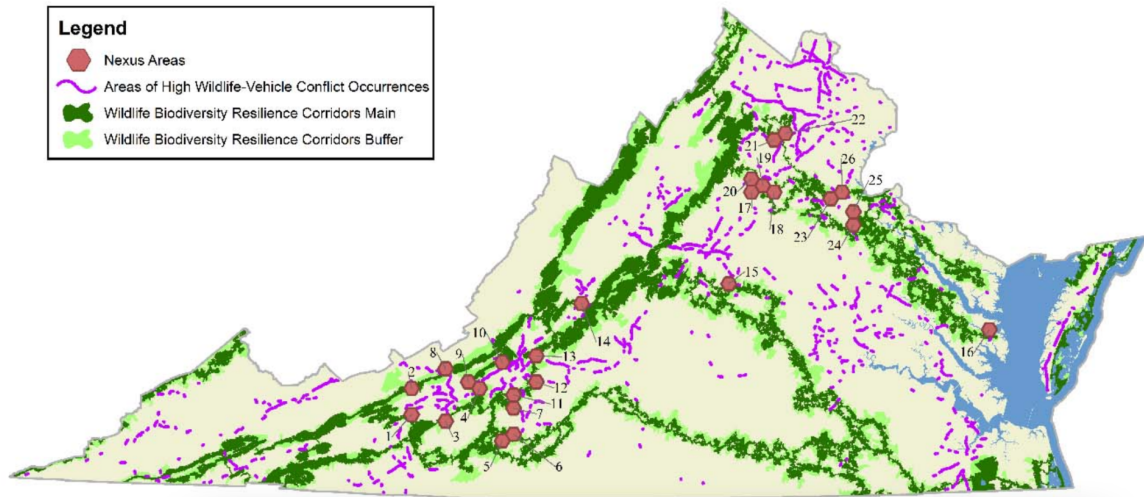
Additionally, the Oregon legislature has provided funds to support priority wildlife crossing infrastructure and habitat connectivity projects identified by ODFW and ODOT. In 2022, The legislature [appropriated \\$7 million](#) to fund projects that would reduce wildlife-vehicle collisions and improve habitat connectivity.^{xxxviii} In 2023, the Oregon legislature [appropriated \\$5 million](#) in lottery bonds for wildlife passage infrastructure to support wildlife mobility and habitat connectivity within priority corridors.^{xxxix} Oregon’s agencies and its Conservation & Recreation Fund managers are now tasked with determining how best to spend that funding.

Virginia

Virginia passed its WCAP legislation via [Senate Bill 1004](#) in 2020.^{xi} The law directs the Department of Wildlife Resources (“DWR”) to work with the Virginia Department of Transportation (“VDOT”) to create a WCAP that would identify barriers to wildlife movement, prioritize and recommend wildlife crossing projects to protect motorists and wildlife, and to create a public-facing map that highlights high-priority areas for wildlife corridor infrastructure. The bill also required VDOT to include a list in its project environmental impact statements “of any existing terrestrial or aquatic wildlife corridor identified in the [WCAP]... that will be affected by” the construction project, and for projects that threaten the identified corridor, “consider measures for the mitigation of harm” while considering the design options for the construction project.^{xii}

In 2021, the legislature also passed [SB 1274](#), which strengthened the initial corridor bill by requiring the State Forester and VDOT to “consider and incorporate, where applicable, wildlife corridors and any recommendation of the [WCAP]” when developing any strategic plan (Dept. of Forestry), and the State Transportation Plan (VDOT).^{xiii} The bill also directed DWR to assist state agencies, political subdivisions, and any federal agencies, in considering and incorporating wildlife corridors and WCAP recommendations into “any governmental strategic plan, map, or action” being developed by those entities.^{xiii}

Since then, the legislature has not passed any subsequent funding measures to support these efforts, though notably, without any additional state funding, the agencies were able to develop and publish its first [WCAP](#) in 2023.^{xiv} The plan “identified and designated... the state’s Wildlife Biodiversity Resilience Corridors,” areas of high wildlife-vehicle conflict occurrences, and 26 nexus areas around the state where those two areas overlap.^{xiv}



The WCAP and the efforts undertaken by VDOT and DWR to create it have since attracted federal and local dollars. In 2023, [VDOT won a \\$434,400 National Culvert Removal, Replacement & Restoration grant](#) and a [\\$604,318 Wildlife Crossings Pilot Program grant](#) from the Federal Highway Administration.^{xlvi} The pilot program grant will help VDOT work with its state agency partners to build on their WCAP by creating models and GIS layers that better identify specific wildlife crossing sites (including those for aquatic organism passage) and site-specific recommendations. Most recently, in 2024, [Virginia won another \\$5.6 million federal habitat protection and restoration award](#) from the National Oceanic and Atmospheric Administration to conserve 1,900 acres within a Wildlife Biodiversity Resilience Corridor identified in the WCAP.^{xlvii}

At the local level, land trusts like the Capital Region Land Conservancy have also started prioritizing Wildlife Biodiversity Resilience Corridor conservation within their strategic plans. The land conservancy [recently secured conservation easements for an 87-acre parcel](#) with the WCAP's identified Central Piedmont Wildlife Biodiversity Resilience Corridor.^{xlviii} As a result, while VDOT continues to fine tune its recommendations for wildlife crossings, the WCAP is still a useful tool that non-agency conservation practitioners can use to help advance state-identified conservation priorities.

A Brief Comparison

New Mexico, Oregon, and Virginia were selected as case studies for this report because they all had similar state legislation tasking transportation and wildlife agencies with identifying, prioritizing, and creating a WCAP that agencies should pursue and periodically update as they progress.

At the same time, every state approached these tasks differently and with differing levels of resources. New Mexico hired a private firm to create their 700 plus page WCAP, and identify 11 Wildlife-Vehicle Collision Hotspots and Wildlife Corridor Projects that the state is currently pursuing. In Oregon, ODFW and partners raised \$1 million in funds to complete extensive data collection and create an interactive PWCA tool that non-agency practitioners could use to pursue habitat connectivity projects while ODFW and ODOT continue to work on prioritizing joint wildlife crossing priorities. Meanwhile, Virginia received no additional funding from the legislature, but the agencies completed the first iteration of their WCAP regardless. And like Oregon, conservation practitioners can use Virginia's WCAP to inform their habitat connectivity projects while the agencies further refine and prioritize statewide wildlife crossing priorities. It is important to note that, in all three of these states, agencies and advocates have pointed to these mandates to create WCAPs when seeking to attract additional local, state, and federal dollars to support this mandated work.

There are several other bill options that have required agencies to identify and prioritize projects without specifically requiring a WCAP.^{xlix} Importantly, though, WCAP legislation was written with the intent of ensuring that statewide corridor studies do not sit on shelves collecting dust after completion. The legislation highlighted in this section were selected as case studies because they encourage, and in some cases, require action once the studies are completed. As a result, regardless of whether WCAP legislation is the chosen approach, when pursuing study-type legislation, it is important to consider legislative elements that ensure agencies and other relative entities have their next steps outlined after study completion to ensure recommendations are implemented and agency resources are not wasted.

B. Coordination

Colorado

In addition to creating the Safe Passages Fund for wildlife crossing projects (see ‘Funding’ section below), [SB 22-151](#) also helped create a permanent coordinating process between relevant entities working on wildlife connectivity and crossing projects in Colorado.ⁱ First, the bill helped elevate the Colorado Wildlife and Transportation Alliance, a coalition formally established by a memorandum of understanding in 2018 consisting of the Colorado Department of Transportation, the Colorado Division of Parks and Wildlife, Tribal governments, federal agencies, and nongovernmental partners representing academia, nonprofit organizations, and biological and engineering sciences. SB 22-151 required the Department of Transportation to consult with both the Alliance and the Division of Parks and Wildlife when distributing money from the Safe Passages Fund, as well as any Tribal Government for projects that are on or adjacent to Tribal land. This decision-making structure helped ensure that the funding would be spent with maximum impact and with input from key holders of information and resources. As a result, the [first round of projects funded](#) by SB 22-151 had an impressive statewide geographic coverage, helping demonstrate that the Fund benefits all Coloradans.ⁱⁱ In addition, SB 22-151 included a provision allowing the Fund to be spent on staffing, which can include support for critical initiatives like the Alliance. From the initial \$5 million investment in the Fund, \$250,000 was used to support the ongoing operations of the Alliance, helping elevate it as the go-to coordinating entity in Colorado for all things wildlife connectivity.

Brief Comparison

As previously mentioned, several habitat connectivity related bills fit into multiple categories. For example, New Mexico, Oregon, and Virginia additionally require a degree of interagency coordination to create their WCAPs. One of the differences between those pieces of legislation and the

Colorado Wildlife and Transportation Alliance is that the Alliance, as explained above, provides a framework that facilitates agency coordination with Tribes, federal agencies, non-governmental organizations, and private engineering science firms. This model helps align interested parties on the top priorities for project implementation across the state, which encourages resource sharing among these entities and shows a broad array of support when it comes time to apply for large federal grants.

C. Funding

Colorado

In 2022, the Colorado Legislature passed [SB 22-151](#), the Colorado Safe Passages Fund. This bill created a first-of-its-kind cash fund for use by the Department of Transportation to fund projects that provide safe road crossings for wildlife and reduce wildlife-vehicle collisions.ⁱⁱⁱ The Fund can support the full range of activities needed to meet this purpose, including studies, planning, construction, retrofits, maintenance, private land conservation efforts, and to provide matching funds for federal grant programs that support the purposes of the fund. Expenditures from the Fund are made by the Department of Transportation with consultation from the Division of Parks and Wildlife and the Colorado Wildlife and Transportation Alliance, helping ensure transparency and input from a broad group of experts. The Department is also required to report annually to the Governor's Office, the Department of Natural Resources, the Division of Parks and Wildlife, the Alliance, and Great Outdoors Colorado regarding its expenditures from the fund.

The Fund is an interest-bearing account that can receive money from a variety of sources including appropriations, grants, gifts, or donations, helping provide additional pathways for ongoing funding in years when budget appropriations are not possible. It is also non-reverting, meaning unspent funds do not revert back to the general fund, so there is less pressure to

spend down the account in a given year, giving the Department more flexibility.

An initial appropriation of \$5 million was transferred to the Fund from the general fund upon passage. In its first year, [this money helped support 8 projects](#) across the state of Colorado and provided a portion of the matching funds for a successful application to the federal Wildlife Crossings Pilot Program, leveraging an additional \$22 million for a wildlife crossing project on I-25.^{liii}

Wyoming

Wyoming is one of the few states to create a consistent funding source to support wildlife connectivity. The effort dates back to 2005 when the Wyoming Legislature created the Wyoming Wildlife and Natural Resource Trust Fund, a permanent source of funding for a variety of land, water, and wildlife conservation projects.^{liv} The Trust Fund has received nearly \$300 million over its lifetime from a combination of appropriations, donations, interest, and a \$75 million boost from the American Rescue Plan Act during the COVID-19 pandemic.

Beginning in 2021, Wyoming authorized the use of the Trust Fund for wildlife connectivity projects, allocating \$1.9 million for this purpose in [2021](#), \$1.3 million in [2022](#), and \$5.3 million in [2023](#).^{lv} Additionally, in 2020 and 2022, [\\$3 million](#) and [\\$10 million](#) was transferred from the general fund to the Trust Fund for later use on wildlife crossing projects.^{lvi} Many of the wildlife connectivity projects that have been funded were first identified during a 2017 summit where state agencies and other partners created a list of over 240 areas in need of enhanced connectivity. In 2018, an inter-agency team narrowed down this list to [43 priority locations](#).^{lvii} Governor Mark Gordon also helped legitimize wildlife connectivity work in Wyoming by designating three priority wildlife corridors by [Executive Order](#) in 2020.^{lviii}

In addition to transfers from the Trust Fund to support connectivity projects, Wyoming created several other sources of funding. In 2018, the legislature

passed [WY HB 39](#), which established a wildlife conservation license plate. Proceeds from the license plate are allocated to a special account in the state highway fund for wildlife connectivity improvements to the state transportation system, including signage, fences, and crossings. Then, in 2020, [WY SF 4](#) created the option for anyone purchasing the special license plate to donate an additional amount to the state highway fund for the purposes outlined above. In 2020, the legislature also passed [WY HB 69](#), which established several additional voluntary donation opportunities to support wildlife crossings as part of applications for hunting and fishing licenses and conservation stamps, and at points of sale for state park permits. This same year, the legislature also passed [WY SF 18](#), which authorized voluntary snowmobile registration fees for wildlife conservation efforts related to the state transportation system.

By taking advantage of an existing source of funding and supplementing it with several voluntary sources, Wyoming has created a relatively consistent year over year funding model to support wildlife connectivity projects.

Brief Comparison

These two funding approaches legislatively set up a framework with a clear intention to continuously fund wildlife crossings and, in Wyoming's case, habitat connectivity projects into the future. This best practice approach does not aim to disparage states that have been appropriating funding for wildlife crossing projects annually. An annual appropriation may be the best approach for some states like New Mexico, where oil and gas revenue helps fund conservation work year after year. And in states like Utah, a large one-time appropriation (in Utah's case \$20 million) can help jumpstart a pipeline of wildlife crossing projects, paving the way for legislatures to consider pursuing year over-year state funding, [which Utah has now done](#).^{lix}

Utah just recently joined Wyoming as one of the only states with a perpetual funding source that can support wildlife crossing and habitat connectivity projects.^{lix} That said, Colorado and other states that followed Colorado's lead in 2023 by legislatively creating similar funds (New Mexico and Nevada) are

now well-poised to legislatively pursue perpetual annual funding, which the state can then store in the interest-bearing accounts while project leaders navigate design phases and grant applications and approvals. Advocates have been hard at work trying to provide funding options for legislators to consider, and unsurprisingly, 2024 has already seen several pieces of grant fund legislation introduced in the Virginia, Montana, and Maryland state legislatures.^{lxi}

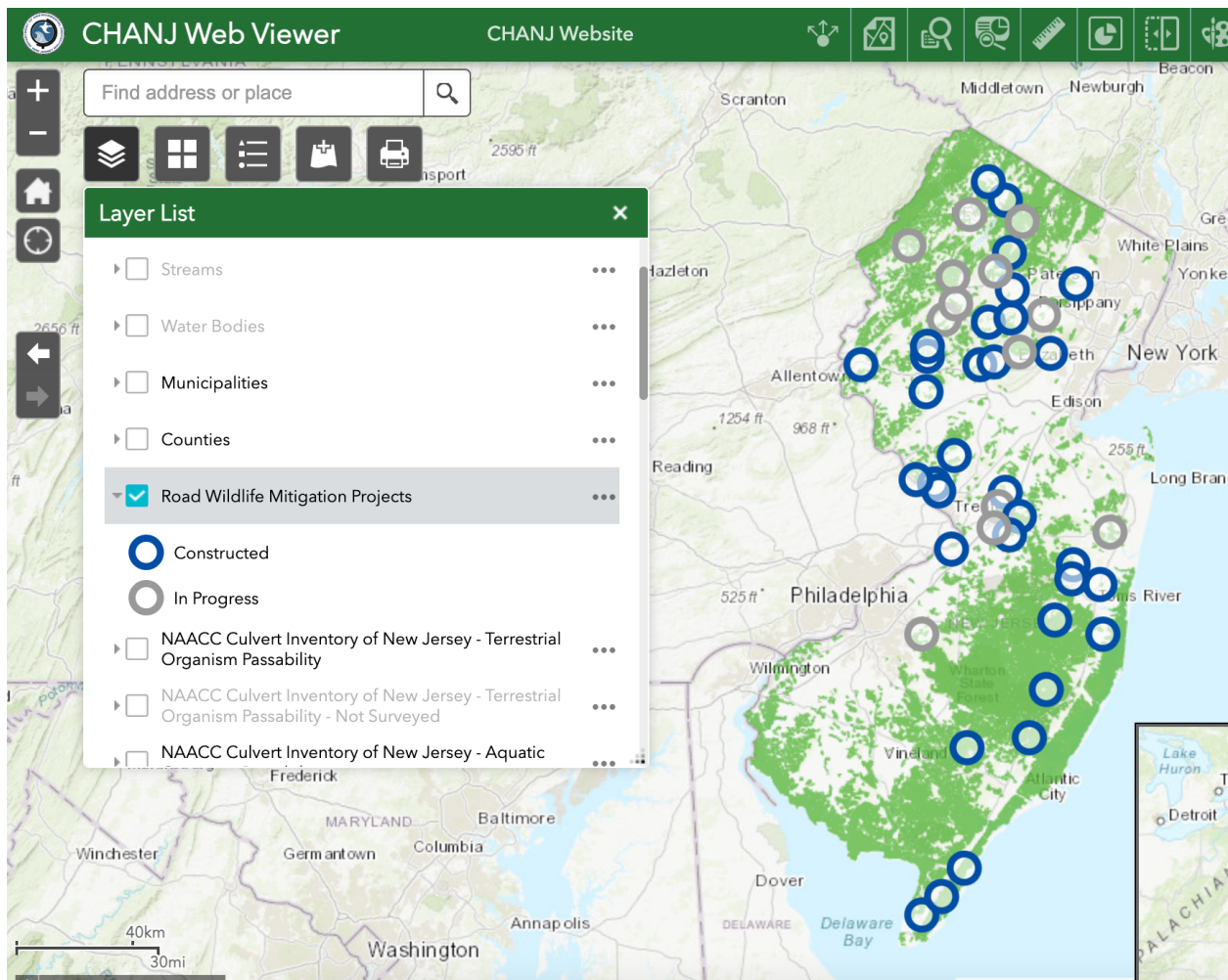
D. Permitting and Process

New Jersey

New Jersey’s wildlife agencies began taking a proactive approach to addressing habitat connectivity needs within the state without legislation. In 2012, the New Jersey Division of Fish and Wildlife organized a group of natural resource managers, transportation planners, conservationists, and researchers to think through tools that could positively inform land and transportation planning to better facilitate habitat connectivity and wildlife movement. This initiative became known as [CHANJ](#), which stands for “Connecting Habitat Across New Jersey.”^{lxii} This group worked collaboratively to collect the needed data and create an interactive mapping tool showing the existing core habitats across the state and the best options for bringing them back together. The group also created a complimentary [guidance document](#) with suggested actions for how best to conserve and enhance habitat, as well as design wildlife infrastructure projects to help wildlife across roads.^{lxiii}

While all the identification and prioritization above was completed without legislative directive, a New Jersey law, and subsequent regulation, has been incredibly helpful for advancing recommended wildlife crossing infrastructure projects across the state. In 2016, New Jersey adopted an amendment to their [Flood Hazard Area Control Act regulations](#).^{lxiv} The amendment now requires applicants, such as the New Jersey Department of Transportation, to take certain actions to protect wildlife before the New Jersey Department of

Environmental Protection will issue permits needed to construct, or reconstruct a new bridge or culvert. For example, the regulations require the DOT to show that they will incorporate a natural bank under bridges or in culverts large enough to accommodate dry passage of any terrestrial threatened or endangered species, or species of special concern, whose habitat would be fragmented by the bridge/culvert project. They must also provide fencing to filter wildlife to the structure. Roughly 49 crossings are now completed in the state, and another 13 are in progress.^{lxv} Of those 49 projects, 34 were pursued after the Flood Hazard Area Control Act Rules amendment in 2016, and over 80 percent of those projects were successful because the Flood Hazard Area Control Act Rules amendment required the agencies to act.



California

California has passed the most habitat connectivity-related legislation of any state, with at least 22 bills passed between 2008 and 2023. The [first bill](#) required state agencies to “investigate, study, and identify” California’s essential wildlife corridors and habitat linkages and provide a public-facing database for Californians.^{lxvi} At the time, the legislation tasked the agencies with providing recommendations, or requiring them to incorporate measures into their planning or permitting processes that would help protect wildlife passage. Seven years later, in 2015, the legislature [passed a law that amended the California Fish and Game Code](#) to encourage voluntary steps to protect functioning wildlife corridors.^{lxvii} The California legislature continued to pass funding legislation to support voluntary wildlife crossing infrastructure and habitat connectivity projects and even created a mitigation banking framework to incentivize more wildlife crossing work across the state. However, it was not until 2022, that the legislature finally required Caltrans to take action on wildlife crossings.

In 2022, [California passed the Safe Roads and Wildlife Protection Act](#).^{lxviii} This act provided a new framework for Caltrans to identify and pursue needed wildlife crossing infrastructure across the state. It also called upon Caltrans to consult with the California Department of Fish and Wildlife (“CDFW”) and other agencies as needed to develop and publish an inventory of connectivity needs across the state where wildlife passage features could reduce wildlife-vehicle collisions or enhance wildlife connectivity, and a list of funded transportation projects with wildlife passage features that address wildlife connectivity needs. The inventory and list should be completed by July 2024 and updated once every 2 years. The bill also required Caltrans to work with CDFW to remediate barriers to wildlife connectivity when one of its projects on the state highway system has the potential to significantly impair wildlife connectivity. Additionally, Caltrans must update its relevant design guidance, which includes its Highway Design Manual, by July 2025, “to incorporate design concepts for wildlife passage features and related standard

plans and specifications as appropriate.” Updating design guidance can help make wildlife crossing infrastructure projects more affordable, because engineers do not have to spend time or funding starting from the beginning each time they need to design a wildlife crossing. Having wildlife crossing infrastructure specs included in highway design manuals also encourages the wide-spread consideration of wildlife passage projects across department disciplines, not just in the usual environmental disciplines.

Brief Comparison

While California’s Safe Roads and Wildlife Protection Act is relatively new, and many of the requirements are still in their development phase, this law as well as New Jersey’s Flood Hazard Area Control Act Rules both provide strong triggering mechanisms and process expectations that call upon state transportation agencies to proactively address how our state highway systems fragment habitat, and include more wildlife friendly infrastructure that allows for safe passage when needed.

For states where agencies already have data and mapping available showing critical habitat cores and corridors to conserve or restore, or wildlife-vehicle collision hotspots that intersect with those critical areas, pursuing state legislation that requires the agencies to act on the data that they have may be the best path forward. Of course, in that case, it is also important to consider the capacity or funding resources that the agencies may need to implement this type of legislation, which can require more process, permitting, and construction time and materials.

E. Habitat

Florida

Florida’s campaign to fund the protection of its Florida Wildlife Corridor is incomparable to any other state. The [state-designated corridor consists of nearly 18 million acres](#) of contiguous wilderness and working lands that are home to many of Florida’s 131 imperiled animals.^{lxxix}

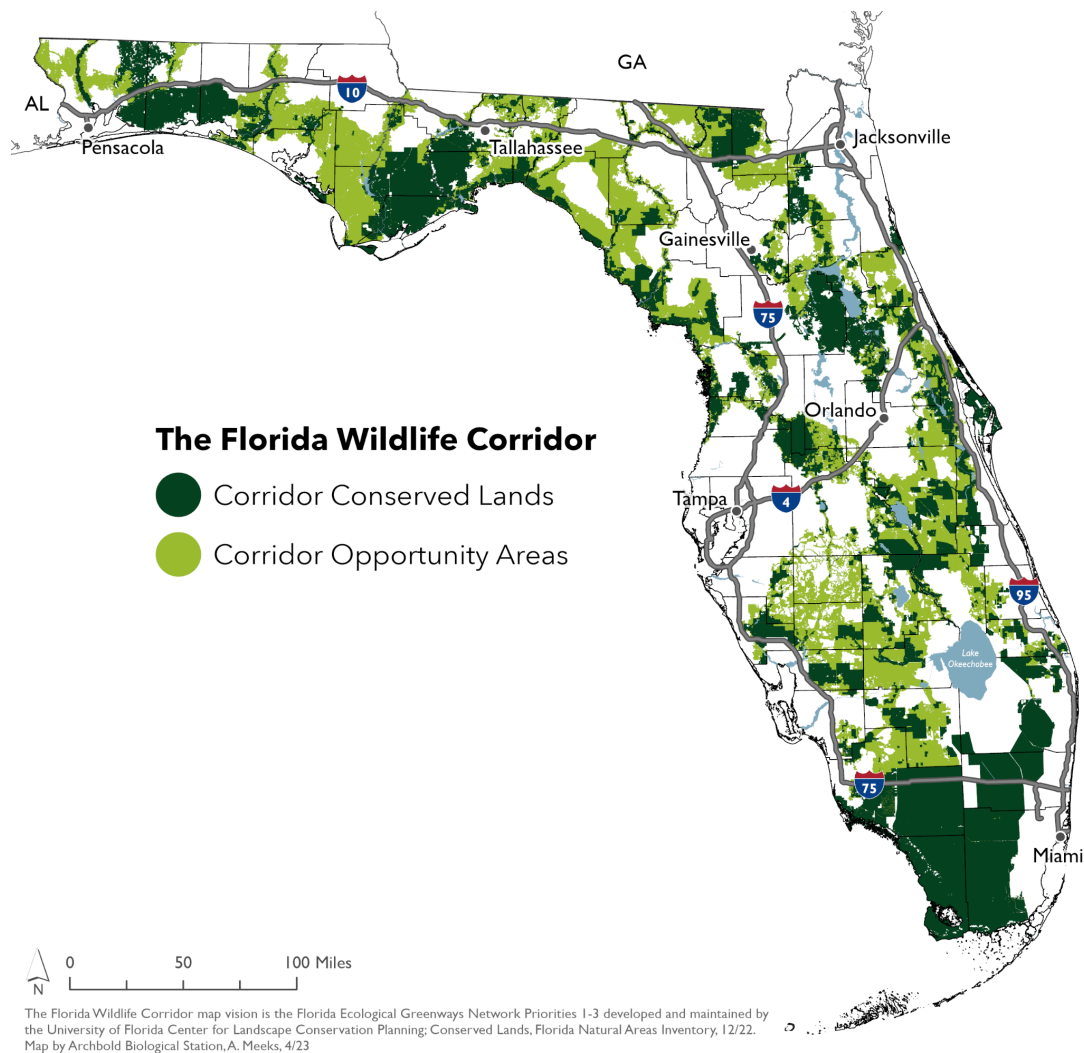
With over 1,000 people moving to Florida daily, Florida has faced the daunting task of pursuing ecologically sustainable development strategies that include protections for habitat connectivity and water quality.

Recognizing how population growth and landscape development can degrade natural areas and fragment wildlife habitats, [the state legislature passed the Florida Forever Act](#) in 1999, which created the Florida Forever program.^{lxx} This program collected ecological data to create mapping tools that have helped the state establish conservation priorities. [The Florida Forever program](#) now implements land acquisition and preservation strategies based on those established conservation priorities, which include lands important for landscape connectivity.^{lxxi}

Along with the Florida Forever Program, conservationists, scientists, landowners, ranchers, and politicians started coming together to voice their support for the protection of Florida’s Wildlife Corridor and in 2021, the legislature answered their calls by passing the [Florida Wildlife Corridor Act](#).^{lxxii} The act designated the Florida Wildlife Corridor as an existing physical, geographically defined area comprising over 18 million acres, of which almost 10 million acres are conservation lands. It tasked state agencies with “maintaining wildlife access to the habitats needed to allow for migration of and genetic exchange amongst regional wildlife populations,” as well as “preventing fragmentation of wildlife habitats,” and “providing for wildlife crossings for the protection and safety of wildlife.”^{lxxiii} That same year, a separate [appropriations bill](#) was simultaneously passed that provided the Florida Forever Program with a sum of \$300,000,000 to acquire lands to conserve the corridor and preserve other areas critical for

habitat connectivity, with priority given “to lands that preserve, protect, or enhance wildlife habitats or corridors and linkages or agricultural or rural lands.”^{lxxiv}

Since the Florida Wildlife Corridor Act was passed in 2021, the state legislature has **appropriated an additional \$850 million** for protecting certain segments of lands within the designated corridor, and 160,000 acres on 49 properties within and around the corridor have already been approved for conservation transactions.^{lxxv} That same year, the legislature also approved an **annual \$100 million appropriation** giving the Board of Trustees of the state’s Internal Improvement Trust Fund the ability to acquire interests in lands that complete certain linkages within the Florida wildlife corridor.^{lxxvi} Additionally, roughly 40,000 acres have been conserved by local land trusts and the federal government within the corridor.



Brief Comparison

Similar to Florida, other states previously mentioned like Virginia and Oregon have clear public-facing maps highlighting opportunity areas for core and corridor conservation that conservation practitioners and agencies can now work towards protecting. What separates Florida from other states is the scale of their conservation campaign, which has included a National Geographic film, called *Saving the Florida Wildlife Corridor*, which was played for state legislators in a special showing at the IMAX theater in Tallahassee.^{lxxvii} Those legislators then went on to pass the Florida Wildlife Corridor act. The Florida legislative campaign has also been supported by a diverse group of sometimes unconventional allies, including environmental organizations, tribes, private landowners, loggers, and ranchers. These advocates have talked to legislators and have participated in expedition opportunities and annual multi-day summits to resource-share and help more key Floridian leaders understand what is at stake. Most importantly, the Florida Wildlife Corridor campaign sets a clear goal of conserving 8 million acres that are currently not protected within the corridor. By creating a clear goal and supporting these goals with compelling communications tools that highlight critical ecosystems and charismatic species like the endangered Florida Panther, Floridians have been able to convince lawmakers that it is worth appropriating large sums of funding to help conserve the Florida Wildlife Corridor.

V. The Full Suite of Enacted State Habitat Connectivity Legislation or State Legislation Supporting Habitat Connectivity

Bill Categories



Studies and Plans



Coordination



Funding



Habitat



Permitting and Process

* **Note:** This legislative glossary primarily includes bills related to habitat connectivity from 2014 to the [release of this report in 2024](#). Additional, well-known bills with catalyzing impacts, passed before 2014 were also included. We apologize in advance if there are outlier pieces of older legislation missing from this list. We would be grateful to hear from readers if there are additional pieces of legislation we should include in future iterations of this report.

State Legislation Passed

Alabama

SB 54 (April 19, 2016)



This legislation housed the Alabama Trails Commission within the Alabama Department of Economic and Community Affairs, and tasked this commission with the duty to “facilitate a statewide system of interconnected landscape linkages, conservation corridors” and other recreation-focused corridors “using land-based trails that connect urban, suburban, and rural areas of the state.”

California

AB 1760 (July 27, 2023)
Amending the Fish and Game Code



Agencies Affected: CDFW

Established that it is the intent of the legislature that the Wildlife Conservation Board use various funds to work with the CDFW to complete a statewide analysis of wildlife corridors and connectivity to support conservation planning and climate change adaptation activities. This bill makes it the policy of the state to promote the voluntary protection of wildlife corridors and habitat

strongholds in order to enhance the resiliency of wildlife and their habitats to climate change, protect biodiversity, and allow for the migration and movement of species by providing connectivity between habitat lands. In order to further these goals, it is now the policy of the state to encourage, wherever feasible and practicable, voluntary steps to protect the functioning of wildlife corridors through various means, as applicable and to the extent feasible and practicable. Some of those means may include, but are not limited to: acquisition or protection of wildlife corridors as open space through conservation easements; installing of wildlife-friendly or directional fencing; siting of mitigation and conservation banks in areas that provide habitat connectivity for affected fish and wildlife resources; and roadway underpasses, overpasses, oversized culverts, or bridges to allow for fish passage and the movement of wildlife between habitat areas.

SB 145 (July 10, 2023) **Environmental Mitigation: Department of Transportation**



Agencies Affected: CalTrans and CDFW

This bill 1) specified that any transportation funding identified in the State Highway System Management Plan is presumed to provide adequate funding for the long-term maintenance of a habitat connectivity or wildlife corridor structure on the state highway system, 2) authorized the department to purchase

property for specified environmental mitigation purposes, 3) authorized the department to create an endowment or enter into an agreement with the transferee of an environmental mitigation property, 4) authorized the department to purchase environmental mitigation credits in a mitigation credit agreement for the purpose of fulfilling environmental mitigation responsibilities, 5) required the department to provide a written report to the relevant legislative policy and budget committees that includes information related to its environmental mitigation program, and 6) if an intercity passenger rail project is constructed within the Interstate 15 right-of-way, required the department to ensure the construction of 3 wildlife crossings and appurtenances at 3 priority locations.

S.B. 101 (June 27, 2023) **Budget Act of 2023**



Agencies Affected: CDFW

Appropriated \$65 million for projects that protect fish and wildlife, including for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas.

AB 2344 (September 30, 2022) **The Safe Roads and Wildlife Protection Act**



Agencies Affected: CalTrans and CDFW

This bill (1) created a state program to identify roads that impede important wildlife movement and have a high rate of wildlife-vehicle collisions; (2) authorized Caltrans to develop wildlife connectivity improvement projects as standalone projects; (3) required Caltrans and the CDFW to develop an inventory of connectivity needs and a system to prioritize connectivity projects that address the most dangerous wildlife-vehicle collision hotspots and enhance important wildlife movement; and (4) required Caltrans to incorporate wildlife passage features into the designs of road projects that overlap with state-identified “connectivity areas.”

SB-154, AB-178, AB-179, AB-180, AB-211 (Last budget bill of 2022 enacted September 27, 2022)



Agencies Affected: CDFW

Four budget bills, budget amendments, and a natural resources bill passed in 2022. The budget specifically set aside \$118 million for fiscal year 2022-2023 to help fund wildlife corridor and fish passage projects. Funding

was also separately made available in the budget and in the natural resources trailer bill to fund state projects addressing climate resiliency, watershed protections, nature-based solutions, and the state’s 30 by 30 initiative, which could also potentially be used for wildlife crossings and connectivity projects depending on their relatedness to the above focus.

AB 2805 (September 22, 2022) **Advance mitigation and regional conservation investment strategies**



Building upon HB 2807 passed in 2016, this bill authorized federally recognized tribes to propose a regional conservation investment strategy and no longer required one or more state agencies to request approval through a letter sent to the Director of Fish and Wildlife.

This bill also added new requirements for regional conservation investment strategies (RCIS). To create a mitigation credit, an RCIS must include an outline for adaptive management and monitoring of conserved habitat and a process to track and evaluate conservation actions and habitat enhancement actions of the strategy, as specified.

The bill also established the Fish and Wildlife Regional Conservation Investment Strategy Program Fund in the state treasury, authorized CDFW to collect fees or other compensation from federally recognized tribe and public agencies proposing RCISs or assessments and

to deposit these and the mitigation credit agreement fees into the fund.

AB 1384 (September 16, 2022) **Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022**



Agency Affected: California Natural Resource Agency

Amended section 71154 of the Public Resources requiring agencies to address certain vulnerabilities in their Safeguarding California Plans, by working to maximize, where applicable and feasible, objectives like “protecting and enhancing habitat, species strongholds, and wildlife corridors... critical to the preservation of species ... at risk from the consequences of climate change.” The Safeguarding California plan is the state’s comprehensive climate change adaptation plan.

SB 790 (October 11, 2021) **Wildlife Connectivity Actions; Compensatory Mitigation Credits**



Agencies Affected: CDFW

Authorized the department to approve compensatory mitigation credits for wildlife connectivity actions taken under the state’s conservation and mitigation banking program

or the regional conservation investment strategy program that meet specified requirements.

A.B.1183 (September 28, 2021) **California Desert Conservation Program**



Established the California Desert Conservation Program to promote the protection and restoration of the biological diversity of the region and to provide for resilience within the region to climate change, including, but not limited to, protecting and improving habitat connectivity.

AB 128 (June 28, 2021)



Agencies Affected: CalTrans

Appropriated \$61.5 million dollars for wildlife crossing projects, \$7 million of which was dedicated to the Liberty Canyon crossing to enhance mountain lion movement corridors.

AB 149 (July 21, 2021)



Authorized the Wildlife Conservation Board to name a wildlife crossing if more than 25% of the funding came from a state source.

SB 74 (June 29, 2020) **Budget Act of 2020**



Reappropriated \$10 million “for the purposes of acquisition, planning, design, development, public access, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas in the Upper Guadalupe, Los Gatos Creek, Saratoga Creek and adjacent areas from the San Jose Water Company and other land owners.”

AB 64 (September 27, 2019) **Coastal Protection**



Proposition 68 (or The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018) authorized the issuance of \$4,000,000,000 in to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill authorized \$40,000,000 of those bond funds for projects that would assist coastal communities adaptation to climate change through the implementation of “natural infrastructure” projects, which expressly included projects that protect and enhance “habitat, species strongholds, and wildlife corridors that are critical to the preservation of species that are at risk from the consequences of climate change.”

SB 395 (October 13, 2019) **The Wildlife Traffic Safety Act**



Agencies Affected: CDFW

Authorized CDFW to develop a pilot program to collect and compile information and data on wildlife-vehicle collisions to inform future wildlife conservation efforts. Authorized the department to coordinate with other state agencies in developing the pilot program, and required the department to report to the Fish and Game Commission “on the number of wildlife-vehicle collisions identified during the study period, barriers to additional data collection, and the feasibility of creating a statewide wildlife-vehicle collision reporting system.” If completed, the report on the pilot program was required to include cost estimates for a “statewide wildlife-vehicle collision reporting system.”

AB 948 (September 27, 2019) **Coyote Valley Conservation Program**



Authorized Santa Clara Valley Open-Space Authority to establish and administer the Coyote Valley Conservation Program to address the resource and recreational goals of the Coyote Valley, which included restoring, enhancing, and preserving wildlife habitat and species. To achieve this goal, the Authority was

authorized to “[e]nhance wildlife connectivity across Highway 101, Monterey Road and other impediments to the movement of wildlife in the Coyote Valley through implementation of wildlife friendly culverts and overpasses, removal of fencing, and placement of wildlife crossing signage, or other means.”

SB 840/SB856 (June 27, 2018)



Appropriated \$10 million to the Wildlife Conservation Board to be made available for wildlife corridor infrastructure.

SB 85 (June 20, 2019)

Public resources: omnibus trailer bill



Agencies Affected: Department of Parks and Recreation

Appropriated \$2 million to the Department of Parks and Recreation to acquire wildlife corridors and help fund other conservation projects.

SB 5 (October 15 2017)



Agencies Affected: CDFW

Provided \$18 million to the Wildlife Conservation Board for direct expenditures for

projects that, in part, protect and improve existing open-space corridors and trail linkages related to utility, transportation, or water infrastructure that provide habitat connectivity.

AB 2087 (September 22, 2016) **An Act to Add Article 4 (commencing with Section 2090) to Chapter 1.5 of Division 3 of the Fish and Game Code, relating to fish and wildlife**



Agencies Affected: CDFW, and applicable public and local agencies

Added a section to the Fish and Game Code authorizing CDFW to propose and approve regional conservation investment strategies for the purpose of informing science-based nonbinding and voluntary conservation actions and habitat enhancement actions that would advance the conservation of focal species and the ecological processes, natural communities, and habitat connectivity upon which those focal species depend. These regional conservation investment strategies must now include important resource conservation elements within the strategy area, including, but not limited to, habitat connectivity areas and an explanation of the criteria, data, and methods used to identify those important conservation elements. “Habitat enhancement actions” taken as part of these strategies, that measurably advance the conservation objectives of an approved strategy and that

meet other specified requirements to be used to create mitigation credits. The definition of habitat enhancement action now includes “enhancing habitat connectivity.”

AB 498 (October 8, 2015)
An Act to Amend Sections 1797.5, 1930, and 1930.5 of the Fish and Game Code, Relating to Fish and Wildlife



Agencies Affected: CDFW

Amended the California Fish and Game Code to encourage, wherever feasible, voluntary steps to protect functioning wildlife corridors and includes within the authorized purposes of a conservation bank the protection of habitat connectivity for fish and wildlife resources.

AB 1471 (August 13, 2014)



Agencies Affected: CDFW and California Department of Water Resources

Provided \$50 million in funds through the issuance and sale of bonds to the Sacramento-San Joaquin Delta Conservancy, in part, to protect and restore aquatic, wetland, and migratory bird ecosystems, including fish and wildlife corridors.

AB 2785 (September 26, 2008)
Wildlife Conservation: Habitat Connectivity



Agencies Affected: CDFW

Directed CDFW to “investigate, study, and identify” California’s essential wildlife corridors and habitat linkages. Also directed CDFW to develop a public-facing database of those identified areas. This bill, in part, spurred development of CDFW and Caltrans’s California Essential Habitat Connectivity Project, which identified large remaining blocks of intact habitat and the existing and needed linkages between.

Colorado

SB 23-092 (May 18, 2023)
Wildlife Corridors and Photovoltaic Energy in Agriculture



Agencies Affected: Agricultural Drought and Climate Resilience Office and CPW

With the rise in agrovoltaic opportunities in Colorado (solar project opportunities on agricultural land), this bill encouraged minimizing impacts to wildlife migration corridors when constructing these agrivoltaic projects and instructs developers to incorporate project design features to reduce

any negative impacts, through consultation with Colorado Parks and Wildlife.

SB 214 (May 1, 2023) **Budget Appropriation to Colorado Wildlife Safe Passengers Fund**



Agencies Affected: CPW and CDOT

Appropriated \$500,000 from the state's General Fund to the Colorado Wildlife Safe Passages Fund within the Department of Transportation. This allocation was intended for projects that provide safe road crossings for wildlife and reduce wildlife-vehicle collisions.

SB 22-151 (June 1, 2022) **Safe Crossings for Colorado Wildlife and Motorists**



Agencies Affected: CPW and CDOT

Created the Colorado Wildlife safe passages fund in the state treasury for the CDOT to use for road projects that reduce wildlife vehicle collisions and improve connectivity. The fund can collect private or public grants, gifts, donations, and appropriations. The bill also secured \$5 million from the general fund to go towards the newly created grant fund, which will receive any interest accrued by the fund. The CDOT can use the money for feasibility studies, planning, construction, retrofitting, and maintenance of crossing structures, and must

consult with the Colorado Wildlife and Transportation Alliance and CPW for Fund expenditures. The state can also put forth the Fund's money to leverage federal grant dollars that require a state match.

SJR 21-021 (June 11, 2021) **Colorado Habitat Connectivity**



Agencies Affected: CPW, Department of Natural Resources, and CDOT

Established an Interim Committee on Wildlife Habitat Connectivity to conduct and issue a report that explores the direct and indirect benefits of habitat connectivity, the need for wildlife corridors and potential crossings, the voluntary programs and incentives available for landowners to improve connectivity, and potential funding mechanisms for connectivity monitoring and projects.

SB18-143 (May 4, 2018) **The Hunting, Fishing, and Parks for Future Generations Act**



Agencies Affected: CPW

Declared that it is a goal of the Division of Parks and Wildlife to increase and improve big game populations by investing in habitat conservation and increasing support for highway wildlife crossings to protect animals and motorists by 2025.

Florida

SB 1638 (April 4, 2024) **Funding for Environmental Resource Management**



Agencies Affected: Department of Environmental Protection (“DEP”) and the Fish and Wildlife Conservation Commission (“FWC”)

Dedicated up to \$100 million annually from the Seminole Tribe gambling compact for land purchases and conservation easements within the Florida Wildlife Corridor; Creates a grant program to assist local governments with trail maintenance within the Florida Greenways and Trails System, with priority given to trails within the Corridor.

H.B. 1379 (June 1, 2023) **Internal Improvement Trust Fund**



Agencies Affected: DEP

Created an annual \$100 million appropriation, and gave the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, the ability to acquire interests in lands that complete certain linkages within the Florida wildlife corridor. Also established that it is the intent of the legislature that a high priority be given to the acquisition,

restoration, and management of such lands in or near counties exhibiting the greatest concentration of population and, and lands that complete critical linkages through fee or less-than-fee acquisitions to preserve and protect the green and blue infrastructure and vital habitat for wide-ranging wildlife, such as the Florida panther, within the Florida wildlife corridor.

S.B. 2500 Sec. 146 (May 5, 2023) **Senate Committee on Appropriations**



Agencies Affected: DEP

This bill provided \$850 million from the General Fund for land acquisition to purchase a critical linkage within the Florida Wildlife Corridor called the Ocala to Osceola (“O2O”) Wildlife Corridor.

SB 976 (July 1, 2021) **An Act Relating to the Protection of Ecological Systems: Florida Wildlife Corridor Act**



Agencies Affected: DEP, FWC, Department of Transportation (“DOT”)

Tasked state agencies with “maintaining wildlife access to the habitats needed to allow for migration of and genetic exchange amongst

regional wildlife populations,” as well as “preventing fragmentation of wildlife habitats,” and “providing for wildlife crossings for the protection and safety of wildlife.” Designated the Florida Wildlife Corridor as an existing physical, geographically defined area comprised of over 18 million acres, of which almost 10 million acres are conservation lands. A separate appropriations bill was simultaneously passed to help the state acquire lands to conserve the corridor (see [S2500](#) immediately below).

S2500 (May 3, 2021)



Agencies Affected: DEP

Appropriated a one-time sum of \$300 million from the General Revenue Fund to the DEP for the acquisition of lands, in fee simple or using alternatives to fee simple, such as conservation easements, to protect natural and working landscapes, with priority given to lands that preserve, protect, or enhance wildlife habitats or corridors and linkages or agricultural or rural lands.

SB 7068 (May 17, 2019)



Agencies Affected: DEP and DOT

Amended the statutes created by the Florida Forever Act to legislatively create a “Multi-use Corridors of Regional Economic Significance

Program” to advance construction of regional corridors intended to accommodate multiple modes transportation and infrastructure. The legislation identified the “protection or enhancement of wildlife corridors or environmentally sensitive areas” as an intended benefit of the program and required the Southwest-Central Florida Connector task force (one of several regional task forces created by the program) to address the impacts of project construction “within the corridor on panther and other critical wildlife habitat and evaluate in its final report the need for acquisition of lands for state conservation or as mitigation for project construction,” and to “[e]valuate wildlife crossing design features to protect panther and other critical wildlife habitat corridor connections.”

SB 542 (June 30, 2008) **An Act Amending the Florida Forever Program**



Agencies Affected: DEP

Amended the first goal of the Florida Forever Act statutes, adding an additional goal to “enhance the coordination and completion of land acquisition projects, as measured by... the number of acres acquired through the state's land acquisition programs that contribute to the enhancement of essential natural resources, ecosystem service parcels, and connecting linkage corridors as identified and developed by the best available scientific analysis.

SB 1468 (June 1, 2001) **An Act Amending the Florida Forever Program**



Agencies Affected: DEP

Amended the Florida Forever Act statutes to establish that land acquisitions funded by the Florida Forever Program should help the state “increase the protection of Florida’s biodiversity at the species, natural community, and landscape levels, as measured by... the number of acres acquired of significant landscapes, landscape linkages, and conservation corridors, giving priority to completing linkages,” among other things.

S908 (June 8, 1999) **The Florida Forever Act** (1999)



Agencies Affected: DEP

Created the Florida Forever Program and advisory council and provided for the proceeds of bond sales to be deposited into the Florida Forever Trust Fund for distribution and use for land acquisition; requires increased priority for the acquisition of lands providing protection of threatened or endangered species. This bill also tasked the council with the duty to facilitate a statewide system of interconnected landscape linkages.

Maine

LD 258 Appropriations Bill (July 6, 2023)



Agencies Affected: Maine Department of Transportation (“MaineDOT”)

Appropriated \$7.5 million was provided to the MaineDOT’s Infrastructure Adaptation Fund for culvert, resilience and adaptation investments through municipal grants and matching funds for Federal projects. These could include state or local culverts at risk of washout, road systems that flood during heavy storms, or coastal infrastructure vulnerable to increased storm surges due to rising sea levels.

LD 1881 (July 25, 2023)

An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws



Agencies Affected: Maine Department of Environmental Protection (“DEP”), Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife and the Governor’s Energy Office

Required the DEP, in consultation with the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife and the Governor's Energy Office, to initiate rulemaking to establish a compensation fee program to accept and administer compensation fees under and define "wildlife and fisheries habitats", which must include large undeveloped habitat blocks and important wildlife corridors identified in consultation with the Department of Inland Fisheries and Wildlife. The bill also requires a person engaging in a solar energy development to pay a compensation fee, as specified, and creates a compensation fund to receive compensation fees which are to be spent on projects that restore, enhance, or preserve habitat comparable to the habitat affected by the development or transmission lines.

LD 508 (S.P. 225) (June 18, 2023) **Resolve, Directing The Department Of Environmental Protection To Review Its Environmental Permitting Laws**



Agencies Affected: Maine DEP

Tasked the DEP with reviewing its environmental permitting authority, including the laws governing site location of development under the Maine Revised Statutes and the Natural Resources Protection Act, to consider whether its statutory authority requires any changes in order to better

consider climate change, habitat connectivity, ecological resilience and the coastal marine environment. No later than December 6, 2023, the department must also submit a report of its review, including any suggested legislation, to the Joint Standing Committee on Environment and Natural Resources.

Massachusetts

H.5151 (August 10, 2022) **An Act Relative to Massachusetts's Transportation Resources and Climate**



Agencies Affected: MassDOT and the Executive Office of Energy and Environmental Affairs

This transportation and climate-focused bill included a section directing MassDOT to study the feasibility of wildlife crossings projects for the purpose of establishing and maintaining wildlife crossings projects. The study, completed in 2023, considered the federal grant eligibility criteria and requirements for wildlife crossing programs under the Infrastructure Investment and Jobs Act of 2021.

Maryland

HB 22 / SB 178 (May 9, 2024)

Agriculture – Pollinator Habitat Plan – Requirements for State Highway Administration



Requires the State Highway Administration's pollinator habitat plan to include policies and procedures regarding the use of pollinator habitat areas along State highways; requires the Administration to track and apply for federal programs that provide funding for pollinator habitats; requires the Administration to update the plan by October 1 each year.

Minnesota

HF 2310 (May 24, 2023)



Agencies Affected: Minnesota Department of Natural Resources

Provided \$190,000 to enhance Habitat Connectivity within the Urban Mississippi Flyway. The funds were distributed from a trust fund to the commissioner of natural resources for an agreement with the Minneapolis Park and Recreation Board to enhance and restore habitat in and between urban neighborhood parks and the Mississippi River to benefit animals, plants, and neighborhoods traditionally disconnected from nature and to

raise awareness of the Mississippi River Flyway.

Nevada

A.B.112 (June 9, 2023)

Establishes provisions relating to wildlife crossings



Agencies Affected: The Nevada Department of Transportation (“NDOT”) and the Nevada Department of Wildlife (“NDOW”)

Created a dedicated fund for wildlife crossings and appropriated \$5 million to the fund. The bill also requires NDOT to consult with NDOW to identify priority locations and strategies to avoid, minimize, and mitigate wildlife-vehicle collisions. NDOT must create an inventory of these priority areas and a list of funded transportation projects that have included wildlife crossing features to improve habitat connectivity needs. NDOT must update this inventory at least once every 2 years.

Additionally, the state must now review its standards and specifications for the design and construction of highways to determine what updates are needed to incorporate wildlife crossings in the future design and construction of highways across the state.

AB211 (Jun 04, 2021)

Revises provisions relating to land use planning



Agencies Affected: The Nevada Department of Transportation (“NDOT”)

Nevada State Legislature voted to pass Assembly Bill (AB) 211, legislation that requires developers to consider the impacts to wildlife and their respective habitats in development plans. AB 211, sponsored by Assemblywoman Sandra Jauregui, requires developers to consult with the Nevada Department of Wildlife on development proposals or plans in order to minimize or mitigate impacts on wildlife and habitats when feasible and to state those impacts as part of their proposal.

New Hampshire

SB 200 (July 12, 2019)

An Act Relative to Wildlife Corridors



Agencies Affected: New Hampshire Department of Transportation (“NHDOT”)

Required the NHDOT to consider fish and wildlife crossings and mitigation measures in future road and culvert projects. It additionally made crossings eligible for funding under the state’s Community Heritage and Investment Program.

SB 376 (August 9, 2016)

An Act Relative to Wildlife Corridors



Agencies Affected: New Hampshire Fish and Game (“NHFG”), Department of Environmental Services (NHDES), and NHDOT

Required NHFG to provide a report to the legislature in 2018 that would identify existing wildlife corridors, including riparian corridors, and potential crossings of transportation arteries; assess the need for new corridors; and assess existing statutes, rules, and regulations that affect wildlife corridors and make recommendations concerning changes.

New Jersey

S. 3916 / A. 5486 (January 8, 2024)

An act concerning grants for wildlife fencing



Agencies Affected: New Jersey Department of Agriculture in coordination with Division of Fish and Wildlife in the Department of Environmental Protection

Expands eligibility for existing wildlife fencing programs by establishing a matching grant program that includes farmers leasing farmland. The bill also clarifies eligibility and provides for uniform funding levels for grant recipients.

N.J.A.C. 7:13 (November 5, 2007) **Flood Hazard Area Control Act**



Agencies Affected: New Jersey Department of Environmental Protection, New Jersey Department of Transportation

The Flood Hazard Area Control Act passed in 2007, and the subsequent agency rules created requirements for the state to incorporate wildlife crossings for terrestrial threatened and endangered species and/or species of concern when a new bridge or culvert project would cause fragmentation of the habitat of the affected species. If fragmentation would occur, then the new project must include a natural bank large enough to allow the species to pass through the structure.

New Mexico

HB 2 (March 9, 2024) **General Appropriations** → **F**



Appropriated \$5 million from the General Fund to the Department of Transportation for the wildlife corridors fund.

S.B. 72 (March 23, 2023) **Creation of Wildlife Corridors Fund**



Agencies Affected: New Mexico Department of Transportation (“NM DOT”),

Appropriated an additional \$5 million to a new Wildlife Corridors Fund for implementation of wildlife crossing projects under the New Mexico Wildlife Corridor Action Plan.

HB 2 (February 16, 2022) **General Appropriations**



Agencies Affected: NM DOT

Appropriated \$2 million to the NM DOT for design and construction of wildlife crossings to mitigate wildlife-vehicle collisions.

SB 228 (March 28, 2019) **The Wildlife Corridors Act**



Agencies Affected: NMDGF and the NM DOT

Required NMDGF and NM DOT to create a Wildlife Corridors Action Plan that included comprehensive guidance to agencies for identifying, prioritizing, and maintaining important areas for wildlife movement. The bill also required annual reporting on progress made in the WCAP, as well as a plan for future progress.

New York

S 2509C (April 21, 2021)



Agencies Affected: Department or Office of Parks and Recreation and Historic Preservation

Made \$200,000,000 available for open space land conservation projects, which could include projects that have the potential to provide important habitat connectivity.

S. 7508B (April 3, 2020)



Agencies Affected: Department or Office of Parks and Recreation and Historic Preservation

Made \$200,000,000 available for open space land conservation projects, which could include projects that have the potential to provide important habitat connectivity.

North Carolina

H.B. 259 (September 20, 2023)
Appropriations Bill



Agencies Affected: North Carolina Department of Transportation

Provided \$2 million to plan and construct highway crossings to improve safety on highways and wildlife connectivity.

Oregon

H.B. 5030 (June 29, 2023)
Relating to Lottery Bonds



Agencies Affected: Oregon Department of Fish and Wildlife (“ODFW”)

Approved an authorization of \$5 million in lottery bonds for wildlife passage infrastructure to support wildlife mobility and habitat connectivity within priority corridors.

HB 5202 (April 4, 2022)
Relating to state financial administration



Agencies Affected: Oregon Department of Transportation (“ODOT”)

Appropriated \$7 million from the General Fund to the Transportation Infrastructure Fund under ORS 367.015, to help fund ODOT projects that reduce the number of wildlife-vehicle collisions and improve habitat connectivity for wildlife.

HB 2834 (June 7, 2019) An Act Relating to Wildlife Corridors



Agencies Affected: ODOT and ODFW

This bill directed ODOT and ODFW to collect and analyze data to create a WCAP to preserve long-term habitat connectivity for wildlife. The WCAP must include identified species of concern at risk from habitat fragmentation, known dispersal corridors, a description of how climate change may affect species movement, a map of existing and potential corridors, and a list of areas for potential designation and land acquisition. The bill also required ODOT to establish a program to reduce wildlife-vehicle collisions. The WCAP must be updated every 5 years.

Pennsylvania

H.R. 87 (May 23, 2023) Conservation Corridors



Agencies Affected: Legislative Budget and Finance Committee

Directs the Legislative Budget and Finance Committee to conduct a study and issue a report on the current status, management and benefits of conservation corridors in the state.

Utah

SB 6 (January 30, 2024) Infrastructure And General Government Base Budget



Agencies Affected: Utah Department of Transportation (“UDOT”)

Appropriates \$1 million of non-lapsing funding to the Department of Transportation for Highway System Construction related to wildlife highway accident prevention.

S.B. 3 (March 23, 2023) Appropriations bill amendment



Agencies Affected: Utah Department of Transportation (“UDOT”)

Appropriated \$20 million to UDOT to match federal discretionary grant funds awarded to the department to construct wildlife mitigation projects in response to the expansion of funding by the federal government in 2021 and 2022.

HB 3 (March 24, 2022) **Budget Allocation for I-84 Infrastructure**



Agencies Affected: Utah Department of Transportation (“UDOT”)

This bill appropriated \$1 million dollars through the budget bill to help mitigate wildlife-vehicle collisions at one of the most dangerous places for wildlife and people driving in the state – the intersection of Interstates 84. The \$1 million for a wildlife crossing to explicitly serve as a match for federal funding. UDOT may not independently spend the money.

HB 427 (March 21, 2022) **Wildlife Accident Protections**



Agencies Affected: Utah Department of Transportation (“UDOT”)

Requires UDOT to report annually on wildlife mitigation measures. This annual report will help formulate and guide investments in reducing wildlife vehicular collision and to help leverage the federal dollars from the grant funds through the Bipartisan Infrastructure Law for wildlife crossings.

HCR 13 (March 24, 2020) **Concurrent Resolution Supporting the Protection and Restoration of Wildlife Corridors**



Agencies Affected: UDOT and the Utah Division of Wildlife Resources

Urged continued state investment in wildlife connectivity, encouraging state and local agencies to adopt policies that protect and restore intact fish and wildlife connectivity, migration corridors, and promote road safety.

Vermont

H.126 (Act 59) (June 12, 2023) **The Community Resilience and Biodiversity Protection Act**



Agencies Affected: The Vermont Housing and Conservation Board and Vermont’s Agency of Natural Resources.

Vermont’s 30 by 30 (and 50 by 50) law sets a goal of conserving and maintaining an ecologically functional landscape that sustains biodiversity and maintains landscape Connectivity. This bill also appropriates funds to assist the two state agencies charged with public education and outreach and the development of the associated statewide plan.

H.424 (Act 250) (May 23, 2017)



Required a review of how Act 250-related applications, reviews, and appeals processes were serving Vermonters and the State environment and how the process could be improved to better meet the goals of the Act including “the ability to protect forest blocks and habitat connectivity.” Act 250 is Vermont’s land use development law, which was originally enacted in 1970.

H. 857 (Act 171) (June 7, 2016) An Act Relating to Timber Harvesting



Agencies Affected: Vermont Department of Forests, Parks and Recreation

This bill, primarily focusing on timber harvesting regulations, also stated that it is a goal of Vermont to manage forestlands to maintain and improve “forest blocks and habitat connectors.” The bill also called for a study “to protect contiguous areas of forestland from fragmentation and promote habitat connectivity between forestlands” that would include any needed potential revisions to state regulations.

Virginia

HB 309 (April 2, 2024)

Forestland and Urban Tree Canopy Conservation Plan



Agencies Affected: Department of Forestry (“DOF”)

Required the development of a Forest Conservation Plan including the identification of forest conservation threats, goals, funding opportunities, and priority areas with highest priority given to areas adjacent to wildlife corridors or large contiguous blocks of forest.

SB 1274 (January 22, 2021) An Act Relating to Government Planning; Wildlife Corridors



Agencies Affected: Department of Wildlife Resources (“DWR”), Department of Transportation (“VDOT”), and Department of Conservation and Recreation (“DCR”), and DOF

Directed state agencies to incorporate, where applicable, wildlife corridors and other recommendations made in the state WCAP; and directed DWR to incorporate wildlife corridors and recommendations of the WCAP when developing any governmental strategic plan, map, or action.

SB1004 (April 6, 2020) **An Act Relating to Wildlife Corridor Action Plan**



Agencies Affected: DWR, VDOT, and DCR

Directed DWR to work with the VDOT and DCR to create a WCAP that would identify barriers to wildlife movement, prioritize and recommend wildlife crossing projects to protect motorists and wildlife, and to create a public-facing map that highlights that detail high-priority areas for wildlife corridor infrastructure. The bill also required VDOT to include in any “environmental impact statement a list of any existing terrestrial or aquatic wildlife corridor identified” in the WCAP.

Washington

HB 2134 (March 28, 2024) **Making supplemental transportation appropriations for the 2023-2025 fiscal biennium**



Agencies Affected: Washington Department of Transportation (“WSDOT”)

Appropriated \$1 million to DOT to be used as matching funds to apply to the Federal Highway Administration's Wildlife Crossings Pilot Program for wildlife underpasses on U.S. 97.

HB 1216/SB 5196 (May 3, 2023) **Concerning Clean Energy Siting**



Agencies Affected: Department of Ecology

Directed the department to prepare non-project environmental impact statements that assess and disclose the probable significant adverse environmental impacts, and identify related mitigation measures, for clean energy projects and colocated battery energy storage projects, including green electrolytic or renewable hydrogen projects, utility-scale solar energy projects, and Onshore utility-scale wind energy projects. The Impact statement must consider direct, indirect, and cumulative impacts to landscape scale habitat connectivity and wildlife migration corridors, among several other priorities.

SB 5689 (March 25, 2022)



Agencies Affected: WSDOT

As part of the Move Washington Forward Budget, \$2,738,000 was appropriated to the WSDOT motor vehicle account, solely for the US 97 Wildlife Crossing Improvements project. WSDOT was also encouraged to apply for matching federal funds, treating this money as a state match, so additional wildlife crossing improvements might also be implemented along the same corridor. Additionally, WSDOT must now report to the transportation

committees of the legislature with additional corridors that could benefit from wildlife crossing improvements and are likely competitive projects for federal funding consideration.

Wyoming

SF 60 (March 7, 2024) Large Project Funding



Appropriates \$1 million from the Wyoming Wildlife and Natural Resource Trust Fund Income Account to the go the Little Snake River Conservation District to help maintain primary migration corridors for native ungulates projects and maintain key seasonal habitats for mule deer, elk, moose, antelope and other species.

SF 106 Natural Resource Fund (February 27, 2023)



Agencies Affected: Wyoming Game and Fish Commission (“WGFC”) (and several NGOs, county governments, conservation districts, and land trusts)

Authorized approximately \$5.3 million for large wildlife crossing projects in the state including a combination of land protection and restoration, conservation easements, and fish

passage projects from the Wyoming Wildlife and Natural Resource Trust Income Account.

SF 48 (March 15, 2022) Large Project Funding



Agencies Affected: Wyoming Department of Transportation (“WYDOT”), WGFC (and several NGOs, county governments, conservation districts, and land trusts).

Authorized several habitat connectivity-focused appropriations including \$1.38 million from the Wyoming Wildlife and Natural Resource Trust Income Account to fund fencing, roadway replacement, and underpass construction on approximately 15 miles of I-25.

HB 66 (February 8, 2021) Large Project Funding



Agencies Affected: WYDOT and WGFC

Authorized \$1.9 million for large wildlife crossing projects from the Wyoming Wildlife and Natural Resource Trust Fund.

HB 69 (July 1, 2020) **An Act Relating to Wildlife Conservation**



Agencies Affected: WYDOT and WGFC

Established a system where funds from outdoor recreation could go towards wildlife conservation efforts within the state's transportation system. Voluntary donation opportunities were made available on application forms for hunting and fishing licenses, conservation stamps, and state park permits. The account created by the bill can only be used for wildlife conservation projects "related to the transportation system, including signage, wildlife corridors, wildlife crossings and game fences."

SF 1 (March 12, 2020) **General government appropriations**



Appropriated \$3,000,000.00 into the Wyoming wildlife and natural resource trust income account to be used only for wildlife crossings and game fences in support of the highway system. Expenditures of this funding were "conditioned upon a match of funds from available highway safety funds or other available department of transportation funds or, if highway safety funds or department of transportation funds are unavailable, a like amount of matching funds from any other source."

SF 18 (March 10, 2020) **Wildlife conservation efforts**



Authorized voluntary snowmobile registration fees of any whole dollar to go toward wildlife conservation efforts related to the transportation system.

SF 4 (March 5, 2020) **Wildlife conservation account**



Gave a person purchasing a Wildlife Conservation license plate the opportunity to voluntarily donate an additional amount, at the time of purchase and when remitting the annual fee, to support wildlife conservation efforts related to the transportation system. The bill also made changes to the way the relevant departments should administer the funding collected under this program for wildlife conservation efforts related to the transportation system.

HB 39 (March 13, 2018)
**Wildlife Conservation License
Plates**



Agencies Affected: WYDOT

Established a wildlife conservation license plate. Proceeds from the license plate are allocated to a special account in the state highway fund for wildlife connectivity improvements to the state transportation system, including signage, fences, and crossings.

Citations

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- ⁱⁱ Haddad, Nick M et al. "Habitat fragmentation and its lasting impact on Earth's ecosystems." *Science advances* vol. 1,2 e1500052. 20 Mar. 2015, doi:10.1126/sciadv.1500052.
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- ^v Jeff Young, *Earth Day Success Story: Wildlife Crossings Keep Animals and People Safe*, NEWSWEEK (Apr. 22, 2024), <https://www.newsweek.com/earth-day-success-story-wildlife-crossings-keep-animals-people-safe-1892744#:~:text=Research%20by%20Cramer%20and%20others,by%2075%20to%2090%20percent.&text=That%20success%20has%20helped%20Cramer%20make%20an%20economic%20argument%20for%20building%20structures>.
- ^{vi} CENTER FOR LARGE LANDSCAPE CONSERVATION, <https://largelandscapes.org/wp-content/uploads/2020/07/Corridor-Vs-Crossing.pdf> (last visited Apr. 25, 2024).
- ^{vii} Annual Report, Wildlife and Natural Resource Trust (2005-2018), <https://wyoleg.gov/InterimCommittee/2018/SNR-20181227STATUSREPORT2019v2.pdf>
- ^{viii} FLA. STAT. § 259.1055 (2021).
- ^{ix} VA. CODE ANN. §§ 10.1-1188.1, 29.1-578, and 29.1-579; Wildlife Corridor Action Plan, VA Dept. of Wildlife Res. (2023), <https://dwr.virginia.gov/wildlife/corridors/>.
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- ^{xi} CO Exec. Order No. D-2019-011, *Conserving Colorado's Big Game Winter Range and Migration Corridors* (Aug. 21, 2019).

^{xii} Memorandum of Understanding Between the NC Wildlife Res. Comm'n and the NC Dept. of Transp. (Apr. 6, 2023), https://www.ncwildlife.org/Portals/0/News/documents/MOU_NCDOT-NCWRC_Wildlife_Stewardship_2023.pdf

^{xiii} CO WILDLIFE & TRANSP. ALLIANCE, <https://www.coloradowta.com/home/> (last visited Apr. 26, 2024).

^{xiv} FLA. STAT. § 259.105 (1999).

^{xv} CAL. FISH & GAME CODE 333 § 1930;1932 (2008).

^{xvi} ALA. CODE § 41-23-140 (2016).

^{xvii} N.H. Rev. Stat. Ann. § 243:1-2 (2016).

^{xviii} U.S. Dept. of Interior Sec. Order No. 3362, Improving Habitat Quality in Western Big Game Winter Range and Migration Corridors (2018).

^{xix} NATIONAL FISH & WILDLIFE FOUNDATION, Western Big Game Seasonal Habitat and Migration Corridors Fund, <https://www.nfwf.org/programs/rocky-mountain-rangelands/western-big-game-seasonal-habitat-and-migration-corridors-fund> (last visited Apr. 26, 2024).

^{xx} In 2007, the Western Governors' Association unanimously passed resolution 07-01, to protect wildlife migration corridors and crucial wildlife habitat. This resolution launched a Wildlife Corridors Initiative that included six working groups of multi-state participants that developed findings and recommendations on how to protect critical corridors and habitat. In 2016, the New England Governors and Eastern Canadian Premiers also adopted Resolution 40-3, which recognized the need to collectively work towards conserving habitat connectivity across jurisdictions. The resolution also committed each governor and premiere to instruct agencies within their jurisdiction to elevate connectivity conservation and cross-border collaboration, to create regional connectivity work plans where possible, and to collaborate to assess the current state of forest and habitat connectedness across the landscape.

^{xxi} ORS § 496.272 (2019); N.M. Stat. Ann. § 17-9-3 (2019); Va. Code Ann. §§ 10.1-1188.1, 29.1-578, and 29.1-579 (2020).

^{xxii} Interview/Survey Report, Implementing Wildlife Crossing Infrastructure: Understanding DOT Culture (2014), <https://arc-solutions.org/wp-content/uploads/2014/03/FINAL-ARC-DOT-Survey-Results-and-Tool-Jan-2014.pdf>

^{xxiii} Infrastructure Investment and Jobs Act (IIJA) Pub. L. 117-58, November 15, 2021).

^{xxiv} ARC Solutions, *Wildlife Infrastructure Funding Opportunities within the Infrastructure Investment & Jobs Act* (March 28, 2024) https://arc-solutions.org/wp-content/uploads/2022/09/IIJA-Wildlife-Infrastructure-Funding-Guide_FINAL.pdf

^{xxv} 23 USC 171 Sec. 11123(b); U.S. DEPT. OF TRANSP. FED. HIGHWAY ADMIN., Wildlife Crossings Pilot Program, [https://highways.dot.gov/federal-lands/wildlife-crossings#:~:text=The%20Wildlife%20Crossings%20Pilot%20Program,for%20terrestrial%20and%20aquatic%20species.&text=The%20Bipartisan%20Infrastructure%20Law%20\(BIL,Jobs%20Act%20of%202021%20\(Pub.\(last visited Apr. 26, 2024\).](https://highways.dot.gov/federal-lands/wildlife-crossings#:~:text=The%20Wildlife%20Crossings%20Pilot%20Program,for%20terrestrial%20and%20aquatic%20species.&text=The%20Bipartisan%20Infrastructure%20Law%20(BIL,Jobs%20Act%20of%202021%20(Pub.(last%20visited%20Apr.%2026,%202024).)

^{xxvi} Federal Highway Administration's Wildlife Crossings Pilot Program FY 2022-FY 2023 Grant Selections (2023), <https://highways.dot.gov/sites/fhwa.dot.gov/files/wcpp-grant-selections-table.pdf>.

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^{xxviii} Inflation Reduction Act of 2022 Public Law 117-169; NCEL, *Inflation Reduction Act Briefing Book* (Dec. 1, 2022), <https://www.ncelenviro.org/resources/inflation-reduction-act-briefing-book/>.

^{xxix} ANNENBERG FOUNDATION, Wallis Annenberg Wildlife Crossing, <https://annenberg.org/initiatives/wallis-annenberg-wildlife-crossing/> (last visited Apr. 26, 2024).

^{xxx} See n. 26.

^{xxxi} N.M. Stat. Ann. § 17-9-3.

^{xxxii} New Mexico Wildlife Corridors Action Plan, (2022), https://wildlifeactionplan.nmdotprojects.org/wp-content/uploads/sites/39/2022/07/Wildlife-Corridors-Action-Plan_June-2022_FINAL-reduced.pdf.

^{xxxiii} NM General Appropriation Act of 2022, 2022 Bill Text H.B. 2; N.M. Stat. Ann. § 17-9-5; General Appropriation Act of 2023, 2023 Bill Text NM H.B. 2.

^{xxxiv} Chaptered as ORS § 496.272.

^{xxxv} Oregon Wildlife Corridor Action Plan (2023), https://www.dfw.state.or.us/wildlife/management_plans/docs/WCAP%20Final%20January%202024.pdf.

^{xxxvi} The Oregon Conservation Strategy, Priority Wildlife Connectivity Areas, <https://oregonconservationstrategy.org/success-story/priority-wildlife-connectivity-areas-pwcas/> (last visited Apr. 26, 2024).

^{xxxvii} Oregon Conservation Strategy, ODFW (2016), <https://www.dfw.state.or.us/conservationstrategy/>.

^{xxxviii} 2022 Ore. HB 5202; 2023 Ore. HB 5030.

^{xxxix} VA. CODE ANN. §§ 10.1-1188.1, 29.1-578, and 29.1-579 (2020).

^{xi} *Id.* at § 10.1-1188.1.

^{xlii} VA. CODE ANN. § 10.1-207 (2021).

^{xliii} *Id.*

^{xliiii} VA. CODE ANN. § 29.1-579 (2021).

^{xliiv} Virginia’s Wildlife Corridor Action Plan (May 2023), <https://dwr.virginia.gov/wildlife/corridors/>.

^{xliiv} *Id.* at iv.

^{xlivi} Culvert AOP Program Grant Recipients, U.S. Dept. of Transp. Fed. Highway Admin. (2023), <https://www.fhwa.dot.gov/engineering/hydraulics/culverthyd/aquatic/2022recipients.cfm>; Federal Highway Administration’s Wildlife Crossings Pilot Program FY 2022–FY 2023 Grant Selections (2023), <https://highways.dot.gov/sites/fhwa.dot.gov/files/wcpp-grant-selections-table.pdf>.

^{xlvii} Dave Neudeck, Project to protect 1,900 acres of forest in Southeast Virginia receives federal grant (April 23, 2024), (press release) <https://www.dcr.virginia.gov/pr-relz-detail?id=2024-04-19-16-03-10-471155-r0z>.

^{xlviii} Parker C. Agelasto, New Wildlife Corridor Through Powhatan County Gets Protection from CRLC Conservation Easement (Dec. 13, 2023), (press release) <https://capitalregionland.org/2023/12/benonis-easement/>.

^{xlix} E.g. Nev. Rev. Stat. § 408 (2023).

ⁱ Colo. Rev. Stat. § 43-4-1402 (2022).

ⁱⁱ CO PARKS & WILDLIFE, Reducing Wildlife–Vehicle Collisions Through Colorado Senate Bill 151 (May 31, 2023), <https://www.youtube.com/watch?v=Gv1LFT5FzFA>.

ⁱⁱⁱ See n. 50.

ⁱⁱⁱⁱ See n. 51.

^{lv} See n. 7.

^{lv} 2021 Wy. HB 66; 2022 Wy. SF 48; 2023 Wy. S.B. 106.

^{lvi} 2020 Wy. SF 1; 2022 Wy. SF 1.

^{lvii} WY Wildlife and Roadway team releases top 43 projects to reduce wildlife–vehicle collisions, WY GAME & FISH DEPT. (October 18, 2018)(news release),

<https://www.dot.state.wy.us/news/wy-wildlife-and-roadway-team-releases-top-43-projects-to-reduce-wildli>.

^{lviii} WY Exec. Order No. 2020-1, WY Mule Deer and Antelope Migration Corridor Protection (Feb. 13, 2020).

^{lix} Matt Skroch, *Utah Governor Signs Budget Designating Annual Funding for Wildlife Crossings*, THE PEW CHARITABLE TRUSTS (Mar. 27, 2024), <https://www.pewtrusts.org/en/about/news-room/press-releases-and-statements/2024/03/27/utah-governor-signs-budget-designating-annual-funding-for-wildlife-crossings#:~:text=On%20March%2021%2C%202024%2C%20Utah,ongoing%20funding%20in%20U.S.%20history>.

^{lx} *E.g. Oregon* also offers a “Watch for Wildlife” vanity license plate, which provides modest annual funding that supports wildlife crossing projects in the state (<https://myowf.org/watchforwildlife>). This statement only refers to states that have set aside perpetual funding for wildlife crossing infrastructure. It does not represent other state efforts to perpetually fund conservation of large, connected landscapes, which Florida has done.

^{lxi} Final Report, *Funding for Wildlife Crossing Infrastructure: An Evaluation of Revenue and Funding Mechanisms*, commissioned by The Pew Charitable Trusts (Apr. 2023), https://www.pewtrusts.org/-/media/assets/2023/04/econw_wildlifecrossings_final_apr26-highres.pdf

^{lxii} CONNECTING HABITAT ACROSS NEW JERSEY (CHANJ), <https://dep.nj.gov/njfw/conservation/connecting-habitat-across-new-jersey-chanj/> (last visited Apr. 26, 2024).

^{lxiii} Guidance Document Version 1.0, CHANJ (2019), https://dep.nj.gov/njfw/wp-content/uploads/njfw_chanjguidance.pdf.

^{lxiv} N.J.S.A. 58:16A-50 et seq. https://dep.nj.gov/wp-content/uploads/rules/rules/njac7_13.pdf

^{lxv} CHANJ Webviewer, https://www.arcgis.com/apps/webappviewer/index.html?id=53339ff12f27488d8462e5e2c4c21b5c&extent=-8825576.8616%2C4595402.8459%2C-7651504.1071%2C5132908.0288%2C102100&showLayers=Environmental_1036%3BDEP_CHANJ_RCC_9265_0%3Bwms_5628_Natural2020%3Bwms_7662_Natural2017%3Bwms_6804_Natural2015%3Bwms_7889_Infrared2015%3Bwms_7938_Natural2012%3Bwms_6320_Infrared2012 (last visited Apr. 26, 2024).

^{lxvi} See n. 15.

^{lxvii} CAL. FISH & GAME CODE § 1930.5 (2015).

^{lxviii} CAL. STS. & HIGH. CODE § 158 (2022)

^{lxi} FLORIDA WILDLIFE CORRIDOR FOUNDATION, About the Corridor, <https://floridawildlifecorridor.org/about/about-the-corridor/#:~:text=Benefits%20to%20Wildlife-,The%20Florida%20Wildlife%20Corridor%20comprises%20nearly%2018%20million%20acres%20of,and%20black%20bear> (last visited Apr. 26, 2024).

^{lxx} See n. 14.

^{lxxi} FL DEPT. OF ENV. PROTECTION, Florida Forever, <https://floridadep.gov/floridaforever> (last visited Apr. 26, 2024).

^{lxxii} See n. 8.

^{lxxiii} *Id.*

^{lxxiv} 2021 Fla. SB 2500.

^{lxxv} 2023 Fla. SB 2500.

^{lxxvi} 2023 Fla. HB 1379.

^{lxxvii} *Saving the Florida Wildlife Corridor*, NATIONAL GEOGRAPHIC (July 2, 2021), <https://www.youtube.com/watch?v=K9-7WEPyZ4o>.