STATE OF NEW YORK

10533

IN ASSEMBLY

July 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Carroll) -- read once and referred to the Committee on Environmental Conservation

AN ACT to direct the department of environmental conservation to conduct a study to identify potential sites along all highways and thruways in the state for wildlife crossings and directing the department of transportation to create a report on the fiscal impact of such study; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. For the purposes of this act:

(a) "Wildlife crossing" means a habitat structure that that joins two or more areas of wildlife habitat, allowing wildlife to cross human-caused barriers from one habitat area to another. Such crossings may include but not be limited to underpass tunnels and overpass bridges.

(b) "Human-caused barrier" means a road, culvert, commercial or residential development or other human-made structure that has the potential to affect the natural movement of wildlife across the landscape.

§ 2. The department of environmental conservation is hereby authorized and directed to conduct a study to identify potential sites along all highways and thruways in the state for wildlife crossings. The department of environmental conservation shall submit such study to the department of transportation no later than one year after the effective date of this act. Such study shall examine, at a minimum, the following:

(a) Identification of existing highway or thruway crossings that pose a risk to successful wildlife migration or that pose a risk to the traveling public because large animals use the crossing;

(b) Identification of other human-caused barriers, especially road segments that negatively affect wildlife habitat and movement;

(c) Information about the habitat and movement needs of wildlife with particular attention to large animals or other species that pose a risk to the traveling public;

(d) Information about the habitat quality needed to support and maintain viable populations of wildlife;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(e) Information about how increased movement of species could benefit overused and highly impacted habitat areas;

(f) Maps that identify locations of:

(i) existing wildlife crossings; and

(ii) potential sites for additional wildlife crossings based this study;

(g) Economic benefits anticipated from preserving wildlife movement patterns, including the potential impact of reduced wildlife-vehicle collisions;

(h) The feasibility and constructability of wildlife crossing infrastructure; and

(i) Any additional information that the department of environmental conservation deem necessary and appropriate to carry out the intent and purposes of this act.

§ 3. The department of transportation shall utilize the study submitted by the department of environmental conservation pursuant to section two of this act to conduct a report to identify the fiscal impact of implementing such study. Such report shall determine, at minimum, the following:

(a) The potential costs and economics of wildlife crossing infrastructure, including benefits or other effects on local communities;

(b) The value of the project to native large animals and other native species;

(c) Surrounding land-use and ownership and an evaluation of the need for conservation easements or other real estate instrument necessary to maintain the viability of a proposed wildlife crossing; and

(d) Any additional information that the department of transportation deem necessary and appropriate to carry out the intent and purposes of this act.

§ 4. The department of environmental conservation and the department of transportation may consult with any state or local office, agency, or department and request information from any such entity that is relevant and material to the completion of this study and report.

§ 5. No later than 18 months after the effective date of this act, the department of environmental conservation and the department of transportation shall deliver the study pursuant to section two of this act and the report made pursuant to section three of this act to the governor, the temporary president of the senate, and the speaker of the assembly.

§ 6. This act shall take effect immediately and shall expire and be deemed repealed two years after such effective date.