

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:

- 1 Section 1. For the purposes of this act:
- 2 (a) "Wildlife crossing" means a habitat structure that that joins two
- 3 or more areas of wildlife habitat, allowing wildlife to cross human-
- 4 caused barriers from one habitat area to another. Such crossings may
- 5 include but not be limited to underpass tunnels and overpass bridges.
- 6 (b) "Human-caused barrier" means a road, culvert, commercial or resi-
- 7 dential development or other human-made structure that has the potential
- 8 to affect the natural movement of wildlife across the landscape.
- 9 § 2. The department of environmental conservation is hereby authorized
- 10 and directed to conduct a study to identify potential sites along all
- 11 highways and thruways in the state for wildlife crossings. The depart-
- 12 ment of environmental conservation shall submit such study to the
- 13 department of transportation no later than one year after the effective
- 14 date of this act. Such study shall examine, at a minimum, the following:
- 15 (a) Identification of existing highway or thruway crossings that pose
- 16 a risk to successful wildlife migration or that pose a risk to the trav-
- 17 eling public because large animals use the crossing;
- 18 (b) Identification of other human-caused barriers, especially road
- 19 segments that negatively affect wildlife habitat and movement;
- 20 (c) Information about the habitat and movement needs of wildlife with
- 21 particular attention to large animals or other species that pose a risk
- 22 to the traveling public;
- 23 (d) Information about the habitat quality needed to support and main-
- 24 tain viable populations of wildlife;

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

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

3 (f) Maps that identify locations of:

4 (i) existing wildlife crossings; and

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

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

10 (h) The feasibility and constructability of wildlife crossing infras-
11 tructure; and

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

15 § 3. The department of transportation shall utilize the study submit-
16 ted by the department of environmental conservation pursuant to section
17 two of this act to conduct a report to identify the fiscal impact of
18 implementing such study. Such report shall determine, at minimum, the
19 following:

20 (a) The potential costs and economics of wildlife crossing infrastruc-
21 ture, including benefits or other effects on local communities;

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

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

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

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

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

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