

STATE OF NEW YORK

3320

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law and the transportation law, in relation to establishing a wildlife corridor action plan

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 11-0331 to read as follows:

3 § 11-0331. Wildlife corridor action plan.

4 1. The department, in cooperation with the state department of trans-
5 portation, shall, not later than December thirty-first, two thousand
6 twenty-five, develop and establish a plan, to be known as the "wildlife
7 corridor action plan", to preserve long-term habitat connectivity for
8 wildlife in accordance with the provisions of this section.

9 (a) In developing such plan, the department shall collect, analyze and
10 develop the best available science and data regarding the connectivity
11 of wildlife habitat areas. Such plan shall provide for the designation
12 and protection of wildlife corridors in the state.

13 (b) For the purposes of this section:

14 (i) "habitat connectivity" shall mean the degree to which the land-
15 scape, including roads or other improvements thereon, facilitates or
16 impedes the movement of wildlife and other natural ecological processes.

17 (ii) "wildlife" shall have the same meaning as such term is defined in
18 section 11-0103 of this article.

19 2. The wildlife corridor action plan shall, at minimum, include:

20 (a) Identification of species of concern that are at risk from habitat
21 fragmentation or barriers to species movement.

22 (b) Identification of the known migration and dispersal corridors for
23 species identified pursuant to paragraph (a) of this subdivision.

24 (c) A description of the potential effects of climate change on the
25 movement of species identified under paragraph (a) of this subdivision.

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

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1 (d) Identification of known and potential human-caused barriers in the
2 state that negatively affect wildlife habitat connectivity.

3 (e) A contemporary map showing existing and potential wildlife corri-
4 dors and core high quality habitat areas.

5 (f) A list of areas for which designation of wildlife corridors, land
6 acquisition or other agency actions are of high priority to protect
7 wildlife movement or habitat connectivity. The bases for identification
8 of the high priority areas shall include but not be limited to the pres-
9 ence of a species designated by the federal government as an endangered
10 species or threatened species or otherwise subject to protection or
11 additional protection of the department pursuant to section 11-0311 of
12 this title.

13 3. (a) The department shall, not later than September fifteenth, two
14 thousand-twenty-five, publish a draft of the plan required pursuant to
15 this section, and shall, on or before such date:

16 (i) post the draft plan on the department website and shall provide a
17 meaningful opportunity for public comment; and

18 (ii) submit a copy of such draft plan to the senate and assembly envi-
19 ronmental conservation committees.

20 (b) The department shall review any comments or recommendations
21 received pursuant to subparagraphs (i) and (ii) of paragraph (a) of this
22 subdivision and shall adopt such draft together with any proposed
23 revisions thereto not later than December thirty-first, two thousand
24 twenty-five. The department shall thereafter implement such plan and
25 shall review and make revisions thereto as provided in subdivision four
26 of this section.

27 4. (a) Beginning on September fifteenth, two thousand thirty and every
28 five years thereafter, the department shall, prepare a report on the
29 implementation of the plan together with any proposed revisions thereto,
30 including but not limited to information concerning changes in the
31 number of high priority wildlife corridors established or planned.

32 (b) The department shall post such report, together with the revised
33 plan on its website and shall submit such report and revised plan to the
34 senate and assembly environmental conservation committees in the manner
35 required for the draft plan provided for in paragraph (a) of subdivision
36 three of this section. The department shall thereafter adopt and publish
37 such revised plan no later than December thirty-first, two thousand
38 thirty and every five years thereafter.

39 5. All agencies and authorities of the state, municipalities, and
40 political subdivisions of the state are hereby directed to cooperate
41 with the department to facilitate the development and adoption of the
42 wildlife corridor action plan, and each revision thereto, upon the
43 request of the department and to the extent practicable and not other-
44 wise inconsistent with law.

45 6. The department shall cooperate with the department of transporta-
46 tion in the development of the traffic safety program required pursuant
47 to section fourteen-aa of the transportation law, and shall, prior to
48 the adoption of such program, coordinate efforts to reduce wildlife-veh-
49 icle collisions based on data gathered pursuant to subdivisions one and
50 two of this section, and shall make such recommendations to the depart-
51 ment of transportation regarding the development and implementation of
52 such program as it deems necessary to accomplish the purposes thereof.

53 § 2. The transportation law is amended by adding a new section 14-aa
54 to read as follows:

55 § 14-aa. Wildlife corridor action plan; traffic safety. 1. The depart-
56 ment shall cooperate with the department of environmental conservation

1 in the development and implementation of the wildlife corridor action
2 plan and each subsequent revision thereto in accordance with the
3 provisions of section 11-0331 of the environmental conservation law and
4 this section.

5 2. (a) Not later than December thirty-first, two thousand twenty-six,
6 the department, in cooperation with the department of environmental
7 conservation, establish a program to reduce collisions between wildlife
8 and vehicles in areas where wildlife corridors identified in the wild-
9 life corridor action plan by the department of environmental conserva-
10 tion intersect with proposed or existing public roads. Such program
11 shall include, but shall not be limited to, plans for creating or modi-
12 fying road infrastructure in a manner that reduces wildlife-vehicle
13 collisions and promotes public safety. Such plans may include but need
14 not be limited to the use of wildlife crossing structures and roadway
15 fencing, including any recommendations made by the department of envi-
16 ronmental conservation pursuant to subdivision six of section 11-0331 of
17 the environmental conservation law.

18 (b) All agencies and authorities of the state, municipalities, and
19 political subdivisions of the state are hereby directed to cooperate
20 with the department to facilitate the development and adoption of the
21 plan required pursuant to this section, and any subsequent revision
22 thereto, upon the request of the department and to the extent practica-
23 ble and not otherwise inconsistent with law.

24 3. Beginning September fifteenth, two thousand twenty-seven and bien-
25 ennially thereafter, the department shall issue a report regarding the
26 status of the program established pursuant to subdivision two of this
27 section to the senate and assembly environmental conservation commit-
28 tees. Such report shall include, but need not be limited to, informa-
29 tion concerning the number and types of wildlife corridor infrastructure
30 projects established or planned and the realized or expected effect of
31 established or planned wildlife corridor infrastructure projects on the
32 number of wildlife-vehicle collisions.

33 § 3. This act shall take effect immediately.