

# STATE OF NEW YORK

10404

## IN SENATE

May 15, 2026

Introduced by Sens. COMRIE, ADDABBO, ASHBY, BRISPORT, HARCKHAM, JACKSON, KAVANAGH, MAY, PALUMBO, RHOADS, ROLISON, SEPULVEDA, SERRANO, TEDISCO, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to enact the "New York wildlife crossing act"; to direct the department of transportation and the New York state thruway authority to identify sites along all highways, thruways, and parkways in the state where wildlife crossings are most needed to increase public safety and improve habitat connectivity; and to create a list of wildlife crossing opportunity areas where federal grant monies may be available to implement the top five projects identified

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "New York wildlife crossing act".  
3 § 2. For the purposes of this act:  
4 "Wildlife crossing" means a structure designed or retrofitted to  
5 enable wildlife to successfully cross roads and other human-caused  
6 barriers to wildlife movement. Such crossings may include but not be  
7 limited to culverts, bridges, wildlife underpass tunnels, wildlife over-  
8 pass bridges, and fencing associated with such structures.  
9 § 3. The department of transportation, in conjunction with the New  
10 York state thruway authority, and in consultation with the department of  
11 environmental conservation and the department of motor vehicles, shall  
12 identify opportunities for wildlife crossings in connection with the  
13 planning, design, construction, reconstruction, or significant rehabili-  
14 tation of state highways, bridges, culverts, and roadways.  
15 Such identification shall be based on available data, including but  
16 not limited to wildlife-vehicle collision data, habitat connectivity  
17 needs, and environmental considerations to improve wildlife habitat  
18 connectivity, reduce wildlife vehicle collisions, and increase public  
19 safety for New York motorists. The department of transportation shall  
20 develop and maintain a prioritized list of wildlife crossing opportu-  
21 nities identified through such project-based evaluations, which shall be

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

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1 updated periodically. The list of crossing sites shall be determined by  
2 the following:

3 (a) (i) Identification of road segments that pose a risk to successful  
4 wildlife movement and habitat connectivity, or that pose a risk to the  
5 traveling public due to wildlife-vehicle collisions in connection with  
6 the planning, design, construction, reconstruction, or significant reha-  
7 bilitation of state highways, bridges, culverts, and roadways;

8 (ii) Any available or subsequently collected data, or recommendations  
9 provided by the department of environmental conservation, the department  
10 of transportation, and the department of motor vehicles on needed road-  
11 way mitigation measures to improve wildlife movement and habitat connec-  
12 tivity.

13 (b) Identification of bridges and culverts that block or impede, espe-  
14 cially road segments that negatively affect wildlife habitat and move-  
15 ment;

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

18 (d) Maps that identify locations of:

19 (i) existing wildlife crossings; and

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

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

25 (f) The feasibility and constructability of wildlife crossing infras-  
26 tructure; and

27 (g) Any additional information that the department of environmental  
28 conservation deems necessary and appropriate to carry out the intent and  
29 purposes of this act.

30 § 4. The department of transportation and the New York state thruway  
31 authority shall incorporate the wildlife crossing list developed pursu-  
32 ant to section three of this act into the development of the department  
33 of transportation's capital program and state transportation improvement  
34 program.

35 § 5. For any highway, bridge, culvert, or roadway project that is  
36 included in the department of transportation's capital plan, or that  
37 involves construction, reconstruction, or significant rehabilitation,  
38 the department shall evaluate the feasibility of incorporating wildlife  
39 crossing infrastructure at locations identified in the priority list or  
40 otherwise identified through the assessment conducted pursuant to this  
41 act.

42 § 6. Where such projects are located within or adjacent to a priority  
43 wildlife crossing site, the department of transportation shall, to the  
44 maximum extent practicable, include wildlife crossing infrastructure or  
45 mitigation measures in the project scope.

46 § 7. If the department of transportation determines that inclusion of  
47 wildlife crossing infrastructure is not feasible for a given project  
48 located at a priority site, such department shall provide a written  
49 explanation documenting the reasons, including cost, engineering  
50 constraints, or environmental considerations.

51 § 8. The department of transportation shall coordinate with the  
52 department of environmental conservation to ensure that wildlife move-  
53 ment, habitat connectivity, and ecological benefits are considered  
54 during project scoping, environmental review, and design phases.

55 § 9. Nothing in this section shall be construed to require the  
56 construction of wildlife crossings where the department of transporta-

1 tion determines such construction would be infeasible; however, such  
2 determinations shall be documented and made publicly available.

3 § 10. Two years after the effective date of this act, the department  
4 of transportation, in conjunction with the New York state thruway  
5 authority, shall make public its identified list of wildlife crossing  
6 opportunities. The opportunity list and accompanying information listed  
7 below shall be updated every five years after publication of the initial  
8 list. The publicized list of the top ten wildlife crossing opportunities  
9 shall be accompanied by the following information:

10 (a) Feasibility factors impacting construction for the top five of the  
11 top ten wildlife crossing opportunities, which should include any avail-  
12 able and helpful estimate costs, the availability and habitat quality of  
13 the land on either side of the crossings, and any relevant public  
14 support for the crossings;

15 (b) A description of any methodologies used beyond the requirements  
16 listed in subdivisions (a) and (b) of section three of this act to  
17 create the top ten list; and

18 (c) A list of available federal grant funds that the top five projects  
19 are eligible for.

20 § 11. The department of transportation may consult with any state or  
21 local office, agency, or department and request or receive information  
22 from any such entity that is relevant and material to the completion of  
23 this study and report.

24 § 12. The department of transportation is hereby directed to addi-  
25 tionally update appropriate design guidance, including the Highway  
26 Design Manual, by July 1, 2028, to incorporate design concepts for wild-  
27 life passage features and related standard plans and specifications as  
28 appropriate.

29 § 13. This act shall take effect immediately.