STATE OF NEW YORK

11477

IN ASSEMBLY

May 22, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. R. Carroll) -- read once and referred 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:

Section 1. Short title. This act shall be known and may be cited as the "New York wildlife crossing act".

§ 2. For the purposes of this act:

"Wildlife crossing" means a structure designed or retrofitted to enable wildlife to successfully cross roads and other human-caused barriers to wildlife movement. Such crossings may include but not be limited to culverts, bridges, wildlife underpass tunnels, wildlife overpass bridges, and fencing associated with such structures.

§ 3. The department of transportation, in conjunction with the New York state thruway authority, and in consultation with the department of environmental conservation and the department of motor vehicles, shall identify opportunities for wildlife crossings in connection with the planning, design, construction, reconstruction, or significant rehabilitation of state highways, bridges, culverts, and roadways.

Such identification shall be based on available data, including but not limited to wildlife-vehicle collision data, habitat connectivity needs, and environmental considerations to improve wildlife habitat connectivity, reduce wildlife vehicle collisions, and increase public safety for New York motorists. The department of transportation shall develop and maintain a prioritized list of wildlife crossing opportunities 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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updated periodically. The list of crossing sites shall be determined by the following:

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

(ii) Any available or subsequently collected data, or recommendations provided by the department of environmental conservation, the department of transportation, and the department of motor vehicles on needed roadway mitigation measures to improve wildlife movement and habitat connectivity.

(b) Identification of bridges and culverts that block or impede, especially road segments that negatively affect wildlife habitat and movement;

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

(d) Maps that identify locations of:

(i) existing wildlife crossings; and

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

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

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

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

§ 4. The department of transportation and the New York state thruway authority shall incorporate the wildlife crossing list developed pursuant to section three of this act into the development of the department of transportation's capital program and state transportation improvement program.

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

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

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

§ 8. The department of transportation shall coordinate with the department of environmental conservation to ensure that wildlife movement, habitat connectivity, and ecological benefits are considered during project scoping, environmental review, and design phases.

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

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

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

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

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

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

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

§ 12. The department of transportation is hereby directed to additionally update appropriate design guidance, including the Highway Design Manual, by July 1, 2028, to incorporate design concepts for wildlife passage features and related standard plans and specifications as appropriate.

§ 13. This act shall take effect immediately.