

House Bill 2834

Sponsored by Representative HELM, Senator PROZANSKI, Representative MARSH, Senator DEMBROW

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Department of Fish and Wildlife, in consultation with Department of Transportation, to develop Wildlife Corridor and Safe Road Crossing Action Plan for use by state agencies. Specifies certain content for inclusion in plan. Requires periodic plan updates. Requires department to post report of proposed plan or of proposed updates on website and deliver report to legislative committee relating to natural resources. Requires department to prepare report regarding operation of program, post report on website and deliver report to legislative committee relating to natural resources. Requires department to periodically review statutes and rules affecting wildlife corridors and to include findings in report of program operation. Requires state agencies to cooperate with department in plan development.

Requires Department of Transportation to develop program for reducing wildlife-vehicle collisions in areas where wildlife corridors intersect with proposed or existing public roads. Requires department to incorporate wildlife corridors into design options for road projects having potential to threaten wildlife habitat connectivity. Requires inclusion of mitigation plan in road project environmental impact statement.

A BILL FOR AN ACT

1
2 Relating to wildlife corridors.

3 Whereas the state of Oregon is home to a rich array of wildlife and landscapes; and

4 Whereas biodiversity and habitat connectivity play a vital role in Oregon's economy and in en-
5 suring a sustainable future for current and future generations of Oregonians; and

6 Whereas habitat loss and fragmentation are major contributors to declines in populations of
7 native fish, marine life and terrestrial wildlife; and

8 Whereas wildlife corridors serve to connect wildlife habitat areas and allow for the movement,
9 migration and dispersal of fish, wildlife and plant species; and

10 Whereas, in addition to other benefits, wildlife corridors provide ecosystem services such as
11 pollination, air and water purification, carbon sequestration and disturbance prevention; and

12 Whereas wildlife corridors increase public safety and are highly effective at reducing vehicle-
13 wildlife collisions and the costs associated with those collisions; and

14 Whereas formally designating and protecting wildlife corridors is a crucial strategy for
15 bolstering Oregon's ecosystem resiliency and for ensuring the long-term viability of wildlife popu-
16 lation and communities; now, therefore,

17 **Be It Enacted by the People of the State of Oregon:**

18 **SECTION 1. (1) The State Department of Fish and Wildlife, in consultation with the De-**
19 **partment of Transportation, shall develop or collect data regarding the relationship of**
20 **wildlife habitat areas and the connectivity of those areas. The State Department of Fish and**
21 **Wildlife shall use the data to develop a plan, to be known as the Wildlife Corridor and Safe**
22 **Road Crossing Action Plan, for use by all state agencies. The plan shall be designed to pro-**
23 **vide guidance for state agency decisions and to develop benchmarks for the designation and**
24 **protection of wildlife corridors. The department shall design the plan to preserve long-term**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 habitat connectivity for native fish, wildlife and plant species to facilitate migration, dis-
 2 persal, safe road crossing, genetic exchange and adaptation to climate and other environ-
 3 mental changes.

4 (2) The Wildlife Corridor and Safe Road Crossing Action Plan must, at a minimum, in-
 5 clude:

6 (a) Identification of species that are of highest concern due to rare, declining or vulner-
 7 able populations.

8 (b) Identification of the habitats for species identified under paragraph (a) of this sub-
 9 section that are at risk of fragmentation.

10 (c) Identification of the known migration and dispersal corridors for species identified
 11 under paragraph (a) of this subsection, including but not limited to the intersection of mi-
 12 gration and dispersal corridors with public roads.

13 (d) A description of the anticipated effect of climate change on species and corridors de-
 14 scribed in paragraphs (a) and (c) of this subsection.

15 (e) Identification of human-caused barriers in Oregon that negatively affect wildlife
 16 habitat connectivity, including but not limited to roads, dams, culverts and commercial or
 17 residential developments.

18 (f) A contemporary map showing existing and potential wildlife corridors and core high-
 19 quality habitat areas that support wildlife resiliency.

20 (g) A list of areas for which designation as wildlife corridors is of high priority. The
 21 identification of the high-priority areas shall be developed using ecological criteria and con-
 22 siderations related to the vulnerability of focus species, including but not limited to:

23 (A) A designation of a species by the federal government or the State Fish and Wildlife
 24 Commission as an endangered species or threatened species;

25 (B) The relative current population size of species and the likelihood of extermination;

26 (C) The likelihood that climate change will increase the number or severity of other
 27 negative impacts on the wildlife population;

28 (D) The number of species that could benefit from providing linkage between the area
 29 and other habitats;

30 (E) The potential for reducing vehicle-wildlife collisions; and

31 (F) The feasibility of linkage as indicated by the presence of sufficient adjacent or nearby
 32 protected land and the ability to enact a wildlife corridor design compatible with the ecolog-
 33 ical conditions in the area.

34 (3) The department shall review and update the Wildlife Corridor and Safe Road Crossing
 35 Action Plan once every five years. Prior to final adoption of the plan or a plan update the
 36 department shall:

37 (a) Post the proposed plan or update on the department website and provide an opportu-
 38 nity for public comment; and

39 (b) Deliver a copy of the proposed plan or update to a Senate interim or regular com-
 40 mittee relating to natural resources.

41 (4) Prior to final adoption of a proposed update, the department shall prepare a report
 42 on the operation of the wildlife corridor program, including but not limited to information
 43 concerning changes in the number of high-priority wildlife corridors designated and in the
 44 percentage of designated high-priority wildlife corridors established. The Department of
 45 Transportation shall provide information regarding the operation of the program described

1 in section 3 of this 2019 Act, including but not limited to numbers and types of infrastructure
 2 established, the use of mitigation plans and any resulting changes in the number of wildlife-
 3 vehicle collisions in areas where wildlife corridors intersect with public roads. The State
 4 Department of Fish and Wildlife shall post the report on the department website and deliver
 5 the report to a Senate interim or regular committee relating to natural resources.

6 (5) The department shall conduct a review at least once every five years to identify
 7 statutes and agency rules that impact or potentially impact the development of wildlife cor-
 8 ridors. The department shall include its findings in the report under subsection (4) of this
 9 section, along with any recommendations for proposed legislation to strengthen or lessen the
 10 impacts or potential impacts.

11 **SECTION 2.** All agencies of state government, as defined in ORS 174.111, are directed to
 12 assist and advise the State Department of Fish and Wildlife in the development and periodic
 13 updating of the Wildlife Corridor and Safe Road Crossing Action Plan required under section
 14 1 of this 2019 Act.

15 **SECTION 3.** (1) The Department of Transportation shall create a program to reduce
 16 wildlife-vehicle collisions in areas where wildlife corridors identified in the Wildlife Corridor
 17 and Safe Road Crossing Action Plan by the State Department of Fish and Wildlife intersect
 18 with proposed or existing public roads. The Department of Transportation program shall in-
 19 clude, but need not be limited to, plans for creating or modifying road infrastructure in a
 20 manner that promotes wildlife migration and dispersal and increases wildlife safety and
 21 public safety, which may include, but need not be limited to, the use of wildlife underpasses
 22 and roadway fencing.

23 (2) If a road project threatens wildlife habitat connectivity, the Department of Trans-
 24 portation shall incorporate wildlife corridors into the design options for the road project.
 25 The environmental impact study that the department submits for the road project must in-
 26 clude a list of identified wildlife corridors that might be threatened by the proposed road
 27 project. The statement must include a mitigation plan for minimizing the threat to the
 28 wildlife corridors.

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