

1 AN ACT

2 RELATING TO WILDLIFE; ENACTING THE WILDLIFE CORRIDORS ACT;
3 IDENTIFYING AND PROTECTING WILDLIFE CORRIDORS; REQUIRING A
4 WILDLIFE CORRIDORS ACTION PLAN TO BE CREATED THAT PROVIDES
5 COMPREHENSIVE GUIDANCE TO STATE AGENCIES FOR IDENTIFYING,
6 PRIORITIZING AND MAINTAINING IMPORTANT AREAS FOR WILDLIFE
7 MOVEMENT; PROVIDING POWERS AND DUTIES; DIRECTING THE
8 DEVELOPMENT OF A LIST OF PRIORITY PROJECTS BASED ON THE
9 ACTION PLAN.

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

12 SECTION 1. SHORT TITLE.--This act may be cited as the
13 "Wildlife Corridors Act".

14 SECTION 2. DEFINITIONS.--As used in the Wildlife
15 Corridors Act:

16 A. "human-caused barrier" means a road, culvert,
17 commercial or residential development or other human-made
18 structure that has the potential to affect the natural
19 movement of wildlife across the landscape;

20 B. "large mammal" includes mule deer, elk,
21 pronghorn antelope, bighorn sheep, black bear and mountain
22 lions;

23 C. "species of concern" means a wildlife species
24 identified by the department of game and fish as being
25 adversely affected by habitat fragmentation exacerbated by

1 human-caused barriers and the high potential of
2 wildlife-vehicle collisions; and

3 D. "wildlife corridors" means those areas used
4 routinely by wildlife to travel through their habitat and
5 includes corridors used by migrating wildlife.

6 SECTION 3. WILDLIFE CORRIDORS ACTION PLAN--CREATION--
7 DEPARTMENT COORDINATION.--

8 A. The department of game and fish, in
9 coordination with the department of transportation, shall
10 create a state "wildlife corridors action plan".

11 B. The wildlife corridors action plan shall
12 contain:

13 (1) identification of existing highway
14 crossings that pose a risk to successful wildlife migration
15 or that pose a risk to the traveling public because large
16 mammals use the crossing;

17 (2) identification of other human-caused
18 barriers, especially road segments that negatively affect
19 wildlife habitat and movement;

20 (3) information about the habitat and
21 movement needs of species of concern with particular
22 attention to large mammals or other species that pose a risk
23 to the traveling public;

24 (4) projections of anticipated effects that
25 drought and other stressors will have on wildlife habitat,

1 dispersal and movement;

2 (5) information about the habitat quality
3 needed to support and maintain viable populations of
4 wildlife;

5 (6) information about how increased movement
6 of species could benefit overused and highly impacted habitat
7 areas;

8 (7) maps that identify locations of:

9 (a) existing populations of species of
10 greatest concern;

11 (b) existing wildlife crossings; and

12 (c) areas requiring additional
13 monitoring or research;

14 (8) protocols for post-completion monitoring
15 of wildlife corridors projects in order to assess their
16 effectiveness in establishing, maintaining and promoting
17 wildlife movements;

18 (9) economic benefits anticipated from
19 preserving wildlife movement patterns, including the
20 potential impact of reduced wildlife-vehicle collisions;

21 (10) opportunities to collaborate with and
22 enter into joint powers agreements as provided in the Joint
23 Powers Agreements Act as necessary with New Mexico Indian
24 nations, tribes or pueblos; relevant agencies or Indian
25 nations, tribes or pueblos in neighboring states; and

1 relevant federal agencies to protect wildlife corridors that
2 cross state or tribal lines;

3 (11) the wildlife corridors project list;
4 and

5 (12) additional information that the
6 department of game and fish and the department of
7 transportation deem necessary and appropriate to carry out
8 the intent and purposes of the Wildlife Corridors Act.

9 C. The department of game and fish and the
10 department of transportation shall consult with and actively
11 seek the involvement of tribal governments in the development
12 of the wildlife corridors action plan.

13 D. The initial wildlife corridors action plan
14 shall be:

15 (1) open for public comment before being
16 finalized; provided that, once finalized, the department of
17 game and fish and the department of transportation shall
18 publish the initial action plan on their websites and shall
19 submit the action plan to the governor and the legislature on
20 or before January 15, 2020; and

21 (2) updated at least every ten years and may
22 be amended prior to a full update as new research and data
23 become available or changes in conditions affecting wildlife
24 and wildlife-human interactions arise.

25 E. The wildlife corridors action plan or the

1 provisions of the Wildlife Corridors Act do not apply to
2 private property or private property owners, unless private
3 property owners choose to participate voluntarily.

4 SECTION 4. PRIORITIZED WILDLIFE CORRIDORS PROJECT
5 LIST--PUBLICATION.--

6 A. As part of the wildlife corridors action plan,
7 the department of game and fish and the department of
8 transportation shall publish a prioritized "wildlife
9 corridors project list" of projects to be undertaken.

10 B. The department of game and fish and the
11 department of transportation shall prioritize projects within
12 the wildlife corridors project list by assessing the
13 following criteria, listed in order of importance:

14 (1) the potential to reduce wildlife-vehicle
15 collision and enhance safety to the traveling public;

16 (2) the relative current population size of
17 select large mammal species and species of concern or the
18 value of proposed infrastructure that will improve wildlife
19 corridors;

20 (3) the feasibility and constructability of
21 wildlife corridors infrastructure;

22 (4) the potential costs and economics of
23 wildlife corridors infrastructure, including benefits or
24 other effects on local communities;

25 (5) local community support for proposed

1 wildlife corridors infrastructure;

2 (6) the value of the project to native large
3 mammals and other native species; and

4 (7) surrounding land-use and ownership,
5 especially tribal lands, and an evaluation of the need for
6 conservation easements or other real estate instrument
7 necessary to maintain the viability of a proposed wildlife
8 corridor.

9 C. On an annual basis following the issuance of
10 the first wildlife corridors project list, the department of
11 game and fish and the department of transportation shall issue
12 a report to the governor and the legislature stating the
13 progress toward completing the enumerated projects as of the
14 current fiscal year. The report shall represent progress
15 toward completion of a project as a percentage, with a
16 corresponding explanation for the represented number and plans
17 for future progress. _____