

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Introduced**

### **House Bill 3180**

By Delegate Walker

[Introduced January 31, 2023; Referred to the  
Committee on Agriculture and Natural Resources  
then Technology and Infrastructure]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated §20-2D-1, §20-2D-2, §20-2D-3, and §20-2D-4, all relating to establishment of  
 3 enacting the Wildlife Corridors Act; identifying and protecting wildlife corridors; requiring a  
 4 Wildlife Corridors Action Plan that will provide comprehensive guidance to state agencies  
 5 for identifying, prioritizing, and maintaining important areas for wildlife movement;  
 6 providing powers and duties; directing that a list of priority projects be developed.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2D. WEST VIRGINIA WILDLIFE CORRIDORS ACT.**

**§20-2D-1. Short title.**

1 This article shall be known as the "West Virginia Wildlife Corridor Act."

**§20-2D-2. Purpose.**

1 (a) The purpose of this article is to declare that it is the duty of the state, as a trustee of  
 2 West Virginia's wildlife and natural resources, to identify, designate and mitigate obstacles to  
 3 habitat corridors, including existing and future highway networks;

4 (b) Provide direction for the Department of Transportation to proactively implement  
 5 projects designed to enhance public safety and mitigate barriers to wildlife movement across state  
 6 roads and highways by reducing the threat of wildlife-vehicle collisions at high-use wildlife  
 7 crossing areas;

8 (c) Provide direction to the Department of Natural Resources to proactively plan and  
 9 provide for the needs of wildlife such as large mammals in the face of changing conditions caused  
 10 by drought, development, and other natural and human-made wildlife stressors;

11 (d) Require the preparation of a wildlife corridors action plan by the Division of Natural  
 12 Resources, in cooperation with the Department of Transportation, that will, in one unified  
 13 document, detail the opportunities, research and actions needed in West Virginia to identify and  
 14 maintain seasonal dispersals, daily movements and migrations of wildlife throughout the state;

15 and

16 (e) Identify priority wildlife corridors projects by specifying locations, projects and actions  
17 needed to preserve long-term habitat corridors for wildlife.

**§20-2D-3. Definitions.**

1 As used in the

2 Wildlife Corridors Act:

3 (a) "Human-caused barrier" means a road, culvert, commercial or residential development  
4 or other human-made structure that has the potential to affect the natural movement of wildlife  
5 across the landscape;

6 (b) "Large mammal" includes mule deer, elk, pronghorn antelope, bighorn sheep, black  
7 bear and mountain lions;

8 (c) "Species of concern" means a wildlife species identified by the Division of Natural  
9 Resources as being adversely affected by habitat fragmentation exacerbated by human-caused  
10 barriers and the high potential of wildlife-vehicle collisions; and

11 (d) "Wildlife corridors" means those areas used routinely by wildlife to travel through their  
12 habitat and includes corridors used by migrating wildlife.

**§20-2D-4. Wildlife Corridors action plan; creation; department coordination.**

1 (a) The Division of Natural Resources, in coordination with the Department of  
2 Transportation, shall create a state "wildlife corridors action plan";

3 (b) The wildlife corridors action plan shall contain:

4 (1) Identification of existing highway crossings that pose a risk to successful wildlife  
5 migration or that pose a risk to the traveling public because large mammals use the crossing;

6 (2) Identification of other human-caused barriers, especially road segments that negatively  
7 affect wildlife habitat and movement;

8 (3) Information about the habitat and movement needs of species of concern with

9 particular attention to large mammals or other species that pose a risk to the traveling public;

10 (4) Projections of anticipated effects that drought and other stressors will have on wildlife  
11 habitat, dispersal and movement;

12 (5) Information about the habitat quality needed to support and maintain viable populations  
13 of wildlife;

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

16 (7) Maps that identify locations of:

17 (A) Existing populations of species of greatest concern;

18 (B) Existing wildlife crossings; and

19 (C) Areas requiring additional monitoring or research;

20 (8) Protocols for post-completion monitoring of wildlife corridors projects in order to assess  
21 their effectiveness in establishing, maintaining and promoting wildlife movements;

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

24 (10) The wildlife corridors project list; and

25 (11) Additional information that the Division of Natural Resources and the Department of  
26 Transportation deem necessary and appropriate to carry out the intent and purposes of the West  
27 Virginia Wildlife Corridors Act.

28 (c) The department of Division of Natural Resources and the Department of Transportation  
29 shall:

30 (1) Consult with and actively seek the involvement of tribal governments and tribal  
31 members in the development of the wildlife corridors action plan;

32 (2) Solicit advice and recommendations from environmental groups, hunters and guides  
33 and other interested persons during development of the wildlife corridors action plan; and

34 (3) Rely on the best available science and data to be shared with key state, tribal and  
35 federal land management agencies to ensure cross-jurisdictional and multi-state collaboration and  
36 to facilitate further collaborative work with such agencies in gathering existing and future science-  
37 related data to continue to improve wildlife habitat and mitigate wildlife-human interactions.

38 (d) The wildlife corridors action plan shall be:

39 (1) Open for public comment before being finalized; provided that, once finalized, the  
40 Division of Natural Resources and the Department of Transportation shall publish the action plan  
41 on their websites and shall submit the action plan to the Governor and the Legislature on or before  
42 January 15, 2024; and

43 (2) Updated at least every 10 years and may be amended prior to a full update depending  
44 on changes in conditions affecting wildlife and wildlife-human interactions.

NOTE: The purpose of this bill is to create wildlife corridors, identify and protect wildlife corridors; require a Wildlife Corridors Action Plan that will provide comprehensive guidance to state agencies for identifying, prioritizing, and maintain important areas for wildlife movement; provide powers and duties; direct that a list of priority projects be developed.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.