SENATE BILL REPORT
SB 5203

As Reported by Senate Committee On:
Transportation, February 6, 2025

Title: An act relating to ensuring connectivity for Washington wildlife through safe passages.

Brief Description: Ensuring connectivity for Washington wildlife through safe passages.

Sponsors: Senators Salomon, Shewmake, Cortes, Hasegawa, Liias and Nobles.

Brief History:
Committee Activity: Transportation: 1/27/25, 2/06/25 [DPS-WM, w/oRec].

Brief Summary of First Substitute Bill

- Requires the Department of Transportation and the Department of Fish and Wildlife to develop an integrated Wildlife Habitat Connectivity Strategy to implement the Washington Wildlife Habitat Connectivity Action Plan.
- Creates the Washington Wildlife Corridors Account and the Washington Wildlife Crossings Account in the state Treasury and defines authorized uses for each account.
- Requires periodic reporting on expenditures from the accounts, implementation of the action plan, and additional funding needs, contingent on the availability of appropriations.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5203 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Liias, Chair; Lovick, Vice Chair; Ramos, Vice Chair; King, Ranking Member; Chapman, Cortes, Fortunato, Harris, Holy, Krishnadasan, Lovelett, MacEwen, Nobles, Shewmake and Valdez.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: That it be referred without recommendation.
Signed by Senators Goehner, Assistant Ranking Member; Christian and Wilson, J..

Staff: Daniel Masterson (786-7454)

Background: Washington Department of Transportation. In 1977, the Department of Transportation (WSDOT) was established as the central governing body for Washington's transportation functions. WSDOT's mission is to provide safe, reliable and cost-effective transportation options to improve communities and economic vitality for people and businesses.

Washington Department of Fish and Wildlife. The Department of Fish and Wildlife (WDFW) was created in 1890 to preserve, protect, and perpetuate the state's fish, wildlife, and ecosystems while providing sustainable fish and wildlife recreational and commercial opportunities.

Vehicle-Wildlife Collisions. On average, WSDOT receives 1500 reports each year for wildlife-vehicle collisions. Based on tracking of wildlife carcass removal, these numbers suggest that a minimum of 5000 collisions with deer and 200 collisions with elk occur each year. Collisions also occur with other large mammals and smaller wildlife like raccoons, snakes, and salamanders. WSDOT uses tactics such as wildlife fencing, crossings, and median barriers to encourage animals to stay off highways. It is estimated that 1 to 2 million wildlife-vehicle collisions occur every year nationwide incurring at least $8 billion in property damage and other costs.

Habitat Connectivity. The degree to which the landscape facilitates or impedes wildlife movement across the landscape is known as habitat connectivity. Wildlife need to move through the landscape to fulfill daily or periodic foraging needs, access breeding resources or water, or escape predation. An example of wildlife movement is seasonal migration where wildlife move between summer and wintering grounds or to seasonal breeding areas. WSDOT partnered with WDFW and other stakeholders on a statewide habitat connectivity assessment that identified areas where wildlife require movement across highways and their findings have informed WSDOT projects statewide.

Treasury Income Account. The Treasury Income Account is used to hold the earnings of investments of surplus balances from various accounts and funds of the state Treasury. Monthly, the state treasurer distributes interest earnings credited in the Treasury Income Account to the general fund. There are specific exceptions in which the interest earnings are not distributed to the general fund, but are distributed to certain listed accounts and funds based upon each account's and fund's proportionate share of the average daily balance for the monthly period.

Summary of Bill (First Substitute): Integrated Wildlife Habitat Connectivity Strategy and Wildlife Action Plan. WSDOT and WDFW must develop an Integrated Wildlife Habitat

Connectivity Strategy (Integrated Strategy) to implement and periodically update the Washington Wildlife Habitat Connectivity Action Plan (Action Plan). When developing the Integrated Strategy, WSDOT and WDFW must consult with tribal governments, federal agencies, nongovernmental partners, and academia. The Integrated Strategy should advance projects that provide safe passage for wildlife and the traveling public while enhancing or maintaining connectivity for wildlife. The Integrated Strategy must establish a framework for prioritization, oversight, and funding recommendations for implementation of the Action Plan.

WDFW is given additional planning and reporting requirements related to implementing the Action Plan.

Wildlife Corridors and Wildlife Crossings Accounts. The Washington Wildlife Corridors Account and the Washington Wildlife Crossings Account are created in the state Treasury and money in these accounts may only be spent after appropriation.

The Washington Wildlife Corridors Account may be used to fund implementation of strategic activities that promote the protection and management of wildlife corridors as identified in the Action Plan including the purchase of land, landowner assistance programs, and updates to the Action Plan.

The Washington Wildlife Crossings Account may be used to fund the design, construction, identification, restoration, and protection of wildlife crossings and other highway features to reduce wildlife-vehicle collisions and habitat fragmentation.

Subject to the availability of appropriations for this purpose, WSDOT and WDFW must report on each account by June 30th of each even-numbered year to the appropriate committees of the Legislature and the Governor's Office. Additionally, the Wildlife Corridors Account Report must be submitted to the Fish and Wildlife Commission. The reports must include information on the expenditures from the accounts, how expenditures have furthered the Action Plan, estimates of preliminary costs, staffing needs, and federal grant funding that may be available to implement the Action Plan.

The Wildlife Corridors and the Wildlife Crossings accounts are added to the list of accounts that receive interest earnings monthly from the Treasury Income Account.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (First Substitute):

- Makes these requirements subject to the availability of appropriations from the Washington Wildlife Corridors Account for these purposes:
    1. creating biennial spending plans consistent with the integrated wildlife habitat connectivity strategy; and
    2. reporting every even-numbered year on expenditures from the account, how the

expenditures have furthered implementation of the action plan, and additional funding necessary to accomplish the goals of the action plan.

- Makes this requirement subject to the availability of appropriations from the Washington Wildlife Crossings Account for this purpose:
    1. reporting every even-numbered year on expenditures from the account, how the expenditures have furthered implementation of the action plan, and additional funding necessary to accomplish the goals of the action plan.
- Removes the requirement that WDFW develop recommendations and cost estimates on the purchase of conservation easements by WDFW or other appropriate state agencies or nonprofit land trusts.
- Removes the requirement that WDFW submit biennial reports to the appropriate committees of the Legislature regarding progress on implementation of the Washington Wildlife Habitat Connectivity Action Plan and funding needs to accomplish the plan's goals.
- Makes the requirement that WDFW update the Washington Wildlife Habitat Connectivity Action Plan every six years subject to appropriations.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: You can think of this as a transportation safety bill, an animal welfare bill, or a sportsman pro hunter bill. If we can reduce the number of collisions, all of those groups are going to benefit. The goal here is to create accounts that may receive state funds at some point, but are mainly for federal dollars. There are hundreds of millions of dollars for these types of projects in the Federal Inflation Reduction Act. We're trying to compete for these federal funds, and also maybe private dollars.

As a wildlife biologist with over 20 years of experience, I've witnessed first-hand the detrimental effects of habitat fragmentation on wildlife populations. Many species rely on the ability to move freely across the landscape; however, roads and other human-made barriers often disrupt these natural movements leading to increased fatality rates, poorer reproductive success and genetic isolation. Wildlife passage structures have proven to reduce wildlife vehicle collisions and facilitate save passage for animals.

This bill represents a forward thinking approach to wildlife conservation and public safety. Not only would wildlife crossings like the ones that are over or under I-90 on Snoqualmie Pass enable wildlife to cross these highways without death or injury, but they would more

than pay for themselves. The average monetary cost of a crash involving a deer has been estimated from $8,000 to $14,000. Simple arithmetic indicates that the cost to vehicles of carcass collisions each year in Washington is in the tens of millions of dollars. This is in addition to possible injury or death to humans.

This bill would support collaboration between the Departments of Transportation and Fish and Wildlife to support competition for grant funding. Seeing dead animals on the side of the highway is disturbing, and being involved in a car wreck with a large animal is even worse. These collisions cost people who live and drive in our state over $75 million per year. The resulting injuries can change the trajectory of someone's life, and potentially end it. Building wildlife crossings at key locations are both biologically and economically effective ways to keep our roads safe for both humans and wildlife. The bill allows crucial funding on where to build these crossings to move forward, and will make Washington competitive for federal grant funds.

While the bill creates a Wildlife Crossings Account, we are not asking that it be capitalized with state funds this year. WDFW's planning positions Washington well for federal grant opportunities and other funding opportunities, as well as directing existing funding to high priority locations. This bill would help ensure that the action plan is implemented as intended. The bill would help ensure healthy wildlife populations now and as the climate changes.

Tribes in Washington State got two grants in 2022-2023 from the wildlife crossings pilot project, the Kwalhioqua people got $216,000 on SR 12 in Lewis county, and the Stillaguamish got $8.5 million for work on State Route 20. There's money out there, we want to be in a position to receive it.

The safest driver cannot control when an animal jumps in front of their car and causes a collision. Roughly 5200 deer and elk carcasses are removed from Washington roads every year. Wildlife crossings can reduce these collisions by up to 90 percent. A study found that the reduction in collisions due to wildlife crossings saves Washington and its residents $230,000 to $440,000 per crossing every year, not including the value of animal and human lives that can be saved by preventing collisions in the first place.

OTHER: Nowhere in the state of Washington do we need more wildlife safety passages than on the Olympic Peninsula. When I drive from Sequim to Seattle, I see way more deer carcasses before I get to highway 3, which is a legitimate freight corridor, it's not even close. It's part of why where I live it's so dangerous. We need a lot of overpasses for wildlife, probably more than most places.

Persons Testifying: PRO: Senator Jesse Salomon, Prime Sponsor; Claudine Reynolds, Port Blakely; Sam Merrill, WA State Audubon Conservation Committees; Paula Swedeen, Conservation Northwest; Julia Michalak, WDFW; John Rosapepe, Endangered Species Coalition; Cat Kelly, Animal Legal Defense Fund.

OTHER: JOHN WORTHINGTON.

Persons Signed In To Testify But Not Testifying: No one.