

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. R21-0935.01 Darren Thornberry x4143

SJR21-021

SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

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Senate Committees

House Committees

SENATE JOINT RESOLUTION 21-021

101 **CONCERNING THE GENERAL ASSEMBLY'S SUPPORT OF THE STATE OF**
102 **COLORADO'S EFFORTS TO PRESERVE THE STATE'S FLORA AND**
103 **FAUNA THROUGH THE PROTECTION OF WILDLIFE HABITAT**
104 **CONNECTIVITY.**

1 WHEREAS, Colorado's natural environment and numerous native
2 plant and wildlife species contribute greatly to the economy and play a
3 vital role in ensuring a sustainable future for current and future
4 generations of Coloradans and enhancing their quality of life; and

5 WHEREAS, Sporting and outdoors enthusiasts and tourists from
6 across the world visit Colorado to experience our state's outdoor
7 landscapes and abundant wildlife; and

8 WHEREAS, Colorado boasts the largest Rocky Mountain elk herd

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 in the world, which contains over 250,000 animals, and the state is also
2 home to significant populations of other iconic big game species such as
3 mule deer, bighorn sheep, pronghorn, and moose, as well as numerous
4 other endemic wildlife species; and

5 WHEREAS, The 2019 Statewide Comprehensive Outdoor
6 Recreation Plan reports that outdoor recreation contributes more than \$62
7 billion to the state's economy, and in 2017 employed about 511,000
8 people, was responsible for about one-tenth (\$35 billion) of the state's
9 gross domestic product, and brought in \$9.4 billion in local, state, and
10 federal tax revenue; and

11 WHEREAS, One in five species is at risk of extinction in the
12 United States, and Colorado is home to 33 threatened or endangered
13 species; and

14 WHEREAS, Changing climate conditions are exacerbating the
15 existing pressures on the natural habitats of wildlife, and protecting
16 wildlife corridors and maintaining connected habitats is recognized as one
17 of the most ecologically effective climate adaptation and biodiversity
18 conservation measures; and

19 WHEREAS, Intact habitats and intact wildlife corridors that
20 connect those habitats are vital to ensuring that Colorado's wildlife
21 populations continue to thrive; and

22 WHEREAS, Protecting wildlife corridors has been shown to
23 improve the herd vitality of big game species that are critical to
24 Colorado's outdoor recreation economy; and

25 WHEREAS, Wildlife corridors serve to connect wildlife habitat
26 areas and allow for the movement, migration, and dispersal of native fish,
27 wildlife, and plant species; and

28 WHEREAS, Wildlife corridors provide benefits to humans,
29 including increased property values of land adjacent to wildlife corridors,
30 increased food security, and additional ecosystem services such as
31 pollination, carbon sequestration, erosion control, and air and water
32 purification; and

33 WHEREAS, Colorado's population continues to grow, placing
34 pressure on the natural habitats that wildlife depend upon for survival;

1 habitat loss and fragmentation are major contributors to declines in
2 populations of native fish and wildlife, particularly species that migrate
3 annually between seasonal habitats; and roadways disrupt annual big
4 game migration, and vehicular collisions with wildlife pose risks to
5 people, property, and the animals that contribute so much to Colorado's
6 reputation as a place to admire natural wonders; and

7 WHEREAS, In Colorado, nearly 4,000 vehicle crashes involving
8 wildlife are reported to law enforcement every year, resulting in injuries
9 and fatalities to humans and costing an estimated \$80 million annually;
10 this figure does not include the value of wildlife killed in vehicular
11 collisions, the impact on the health of wildlife populations, or the loss and
12 fragmentation of the vibrant habitats wildlife call home; and

13 WHEREAS, Wildlife crossing structures built within important
14 wildlife corridors increase public safety and are highly effective at
15 reducing wildlife-vehicle collisions and the costs associated with those
16 collisions; and

17 WHEREAS, The state of Colorado, through the governor's office
18 and state agencies including the Colorado department of transportation
19 (CDOT), the department of natural resources (DNR), Colorado parks and
20 wildlife (CPW), as well as tribal governments, counties, federal agencies,
21 and nongovernmental partners that represent academia, nonprofit
22 organizations, and biological and engineering sciences, have all
23 demonstrated commitments to protecting wildlife corridors and reducing
24 wildlife-vehicle collisions; and

25 WHEREAS, These efforts are reflected in, among other policies,
26 Colorado Executive Order (EO) D 2019 011, "Conserving Colorado's Big
27 Game Winter Range and Migration Corridors"; the CPW State Wildlife
28 Action Plan; the CPW "Colorado Action Plan", the 2020 Colorado State
29 Action Plan to implement U.S. Department of Interior Secretarial Order
30 3362: "Improving Habitat Quality in Western Big-Game Winter Range
31 and Migration Corridors"; the Colorado Wildlife and Transportation
32 Alliance, formed in 2018; the 2007 Western Governors' Association
33 Wildlife Corridors Initiative and subsequent multistate efforts including
34 the Critical Habitat Assessment Tool and CPW's collaboration with the
35 New Mexico Department of Game and Fish to develop and implement a
36 "decision support system" that will enable government decision-makers
37 and others to identify crucial habitats and wildlife corridors along the
38 states' border early in any planning process for development activities and

1 energy projects; the "Colorado Habitat Stewardship Act of 2007" and
2 implementing regulations that require oil and gas operators to review
3 maps of sensitive wildlife habitats and restricted-use occupancy areas that
4 are maintained by the Colorado Oil and Gas Conservation Commission
5 to determine whether a proposed drilling location is within such an area;
6 the Eagle County Comprehensive Plan (2005); and the Summit County
7 Connectivity Plan (2017-2019); and

8 WHEREAS, CPW has an existing statutory mandate to "maintain
9 records of areas used by wildlife for migration purposes" (and make such
10 information available upon request), section 33-3-105, C.R.S., and is
11 required to collect scientific information necessary to fulfill its duty to
12 protect wildlife habitats, section 33-1-110 (4), C.R.S.; and

13 WHEREAS, CDOT is already invested in wildlife crossing
14 projects across the state including but not limited to: The U.S. 285
15 Nathrop Wildlife Crossing Project, completed in 2018; a partnership
16 between the Southern Ute Indian Tribe, CDOT, and CPW to construct a
17 big game overpass and underpass near the US 160/State Highway 151
18 intersection between Bayfield and Pagosa Springs; on State Highway 9,
19 the construction of two overpass bridges, five underpasses, 20 miles of
20 wildlife fencing, and over 60 wildlife escape ramps between Silverthorne
21 and Kremmling; and the US 550-US 160 Connection Project that will
22 install two landscape bridges to allow for wildlife movements and one
23 large game underpass on US 550; and

24 WHEREAS, Dozens of Democratic and Republican state and local
25 elected officials have signed letters calling for legislative action to
26 conserve and restore habitat connectivity in Colorado; and

27 WHEREAS, In 2020, the Colorado House of Representatives
28 introduced a tribute recognizing the state's leadership in advancing
29 wildlife connectivity and calling for increased efforts to reconnect priority
30 landscapes, conserve migration routes for big game and other species, and
31 ensure habitat protection through partnerships, planning, and policies; and

32 WHEREAS, Legislation to increase funding available for
33 wildlife-vehicle collision mitigation measures and legislation to protect
34 wildlife corridors are under consideration in both the U.S. House of
35 Representatives and Senate, and such legislation would contribute to
36 highway safety, protect wildlife corridors on federal land holdings within
37 the state, and provide a source of revenue to the state to protect wildlife

1 corridors and pursue highway mitigation projects; and

2 WHEREAS, Comprehensive identification, designation, and
3 protection of wildlife corridors is a crucial strategy for bolstering
4 Colorado's ecosystem resiliency and for ensuring the long-term viability
5 of wildlife populations and communities; and

6 WHEREAS, Wildlife corridors are not bounded by property
7 ownership or administrative boundaries, and therefore their protection
8 requires recognition of private property rights and negotiations between
9 different sovereigns (tribal, states, federal) and land managers (federal,
10 tribal, state, county, municipal, and private); and

11 WHEREAS, Understanding the state's habitat connectivity status
12 and potential would benefit from consideration of all relevant data,
13 including data from federal, tribal, and state agencies and surrounding
14 states, nonprofit organizations, universities, and private landowners; and

15 WHEREAS, Many state agencies, nonprofit organizations, and
16 coalitions, as well as public-private partnerships, that are interested in
17 advancing connectivity across this state and in surrounding states could
18 benefit from a science-based understanding of current and potential
19 wildlife corridors; and

20 WHEREAS, Protecting wildlife habitats and wildlife corridors
21 requires significant financial investments, and the effectiveness and
22 cost-efficiency of all the existing efforts in the state would be enhanced
23 by a comprehensive and coordinated effort; now, therefore,

24 *Be It Resolved by the Senate of the Seventy-third General*
25 *Assembly of the State of Colorado, the House of Representatives*
26 *concurring herein:*

27 That the general assembly:

- 28 ● Supports EO D 2019 011 and its mandates;
- 29 ● Recommends the development of a working group
30 including representatives of CPW, DNR, CDOT, other
31 affected agencies, the governor's office, tribal nations and
32 communities, sporting organizations, wildlife conservation
33 organizations, the outdoor recreation industry, private

1 landowners, insurance companies, and other stakeholders,
2 to consider and develop policy proposals to assist in the
3 implementation of EO D 2019 011 and to assist the
4 legislature in crafting legislation necessary to support the
5 governor's vision and protect wildlife corridors across the
6 state of Colorado;

7 ● Encourages CPW, in coordination with DNR and CDOT,
8 pursuant to its mandate under section 33-3-105, C.R.S., to
9 extend the scope of activity under EO D 2019 011 to
10 develop or collect data regarding the relationship of all
11 wildlife habitat areas and the connectivity of those areas for
12 all game and nongame species. CPW is encouraged to use
13 the data to develop a plan to provide guidance for state
14 agency decisions and future policymaking and to develop
15 targets for the designation and protection of wildlife
16 corridors. CPW is encouraged to design the plan to
17 preserve long-term habitat connectivity for all native fish,
18 wildlife, and plant species to facilitate natural movements,
19 migration, dispersal, safe road crossing, genetic exchange,
20 and adaptation to climate and other environmental changes.

21 ● Supports the establishment of the Interim Committee on
22 Wildlife Habitat Connectivity to conduct a study and issue
23 a report identifying the following:

24 ● The economic benefits of wildlife habitat
25 connectivity attributed to increased opportunity for
26 outdoor recreation, tourism, and ecosystem services,
27 including but not limited to flood protection, crop
28 pollination, erosion control, carbon sequestration,
29 and clean air and water;

30 ● The economic and human safety benefits associated
31 with reducing wildlife-vehicle collisions by
32 establishing wildlife corridors and crossings in key
33 conflict areas;

34 ● Existing and needed wildlife corridors, including
35 riparian corridors and potential crossings of
36 transportation arteries, building upon the framework
37 established in the Western and Eastern Slope

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Wildlife Prioritization Studies;

- Voluntary programs and policies that would support willing landowners to improve habitat connectivity across the landscape; and
- Funding mechanisms for the long-term protection of wildlife habitats, wildlife corridors, and the construction, maintenance, and monitoring of wildlife crossing structures within the state;
- Requests that the Interim Committee on Wildlife Habitat Connectivity prepare a report of its findings and recommendations of the study and submit the report to the secretary of the Senate and the chief clerk of the House of Representatives no later than January 30, 2022; and
- Supports the 2019 federal "Wildlife Corridors Conservation Act" and programs included in 2020 federal transportation legislation (S. 2302 and H.R. 2) that would provide funding for states to build wildlife crossing structures and implement other measures to reduce wildlife-vehicle collisions, and urges Colorado's congressional delegation to support these provisions.

Be It Further Resolved, That copies of this Joint Resolution be sent to U.S. Secretary of Agriculture Tom Vilsack; U.S. Secretary of the Interior Deb Haaland; U.S. Secretary of Transportation Pete Buttigieg; each member of Colorado's congressional delegation; the Colorado Municipal League; Colorado Counties, Inc.; and the Colorado City and County Management Association, and that these entities be requested to share the resolution with the relevant planning commissions and highway authorities.