

Colorado Wildlife & Biodiversity Protection Act

SECTION 1: TITLE

This Act shall be known as the "Colorado Wildlife & Biodiversity Protection Act."

SECTION 2: PURPOSE

The People of Colorado recognize that:

- Wildlife corridors are essential for biodiversity, preventing habitat fragmentation, and ensuring species survival while also reducing wildfire risk by maintaining ecosystem health.
- Keystone species are crucial to maintaining ecosystem balance and must receive targeted protections.
- Current federal and state endangered species lists are often influenced by political and industry interests, requiring an independent scientific body to assess species status.
- Conservation enforcement must be independent and science-driven, not subject to political pressures.

To achieve these goals, this Act shall:

- Establish an independent **Wildlife & Ecosystem Conservation Commission (WECC)** to oversee species protection while **working in collaboration with existing federal and state agencies (e.g., Colorado Parks and Wildlife (CPW), U.S. Fish & Wildlife Service (USFWS))**.
- **Ensure continuity of wildlife protections by granting WECC the authority to assume CPW's and other state conservation agencies' responsibilities if they are defunded, disbanded, or rendered nonfunctional due to legislative action or budgetary cuts.**
- Create a **Colorado Wildlife Corridor Network** to connect fragmented habitats **without conflicting with existing state-led conservation initiatives.**
- Strengthen protections for **keystone species and ecosystems critical to biodiversity** while allowing for **practical mitigation measures for industries.**
- Enforce violations with strict penalties, independent oversight, and a self-sustaining funding mechanism **without imposing unfunded mandates on landowners.**

SECTION 3: DEFINITIONS

For the purposes of this Act:

- **"Wildlife Corridor"** – A designated area that connects separate habitats to allow safe movement of wildlife, reducing genetic bottlenecks and human-wildlife conflicts.
- **"Keystone Species"** – Any species classified by the **WECC in partnership with CPW and USFWS** as having a disproportionately large impact on its ecosystem, such that its removal would cause ecosystem collapse.
- **"Endangered Species"** – Any species that faces a significant risk of extinction, as determined by the WECC based on scientific assessments in alignment with, but not limited to, existing federal and state endangered species lists.
- **"Mitigation"** – The scientifically validated process of reducing, offsetting, or fully compensating for environmental damage caused by human activities, **which may include habitat restoration, conservation easements, or impact fees paid into a designated fund.**
- **"WECC (Wildlife & Ecosystem Conservation Commission)"** – An independent, nonpartisan, and apolitical body responsible for assessing and enforcing wildlife protections based on ecological science **without overriding existing state conservation programs, unless those programs are disbanded or defunded.**

SECTION 4: CREATION OF THE WILDLIFE & ECOSYSTEM CONSERVATION COMMISSION (WECC)

A. Establishment & Structure

The **WECC shall be an advisory and enforcement body** that collaborates with **CPW, USFWS, and other conservation organizations.**

The Commission shall be composed of:

- **3 independent ecologists** (appointed by Colorado universities).
- **2 conservation biologists** (appointed by nonpartisan environmental groups).
- **1 wildlife advocate** (appointed by a citizens' panel, which shall be selected through a randomized lottery system from a pool of Colorado residents who apply. The panel shall be composed of 10 members and must include individuals with backgrounds in conservation, outdoor recreation, or environmental advocacy)..
- **1 Indigenous representative** (appointed by tribal governments).
- **1 environmental policy specialist** (appointed by a legal or policy institute specializing in conservation law).
- **1 wildlife management expert** (appointed by a national or state-level wildlife agency).

Restrictions:

- No members may have financial ties to extractive industries (logging, mining, ranching, development).

- **The WECC does not replace CPW or USFWS but supplements their work to ensure scientific integrity, unless such agencies cease to function due to state or federal actions.**

B. Powers & Responsibilities

- **The WECC may designate species as endangered but must consult CPW and USFWS before enforcement actions.**
- **Conduct independent ecological impact studies in collaboration with state and federal agencies before major infrastructure projects.**
- **If a project poses a threat to endangered species or wildlife corridors, the project must fully mitigate the impact through conservation offsets.**
- **Develop voluntary compliance programs and incentives for businesses and private landowners to maintain habitat connectivity.**
- **In the event CPW or another relevant agency is defunded or dissolved, the WECC shall assume all wildlife management responsibilities previously assigned to those agencies, ensuring uninterrupted conservation efforts.**

SECTION 5: COLORADO WILDLIFE CORRIDOR NETWORK

- **The WECC shall map and designate wildlife corridors statewide, using existing scientific data from CPW and conservation nonprofits to avoid redundancy.**
- **Landowners who voluntarily participate in conservation efforts will receive tax credits equal to 20% of conservation-related expenses or a property tax reduction, subject to the following conditions:**
 - Eligibility requires at least 30% of the property to be designated as a protected wildlife corridor.
 - Property tax reductions are scaled based on land dedication:
 - 30%-49% of land protected → 25% property tax reduction
 - 50%-100% of land protected → 50% property tax reduction
 - Land must remain under conservation protection for a minimum of 10 years.
 - Protection is defined as maintaining natural habitat conditions, prohibiting development or harmful land uses, and ensuring connectivity for wildlife movement.
 - WECC must verify land use annually to maintain eligibility.
 - New infrastructure projects must be designed to accommodate wildlife movement but may apply for waivers if they implement approved mitigation measures.

SECTION 6: KEYSTONE SPECIES PROTECTION

- The WECC shall identify **keystone species in consultation with CPW, Indigenous representatives, and conservation scientists.**
- Industries that harm keystone species (e.g., killing beavers, poisoning prairie dogs) must demonstrate **scientifically backed mitigation strategies.**
- **Reintroduction programs shall be reviewed and approved directly by the WECC,** which shall include conservation biologists, ecologists, environmental policy specialists, and experts in wildlife management to ensure feasibility and ecosystem compatibility, minimizing unnecessary costs and administrative redundancies.

SECTION 7: ENFORCEMENT & PENALTIES

A. Fines & Criminal Penalties for Violations

- **Illegal destruction of a wildlife corridor:** \$1,000 per square foot destroyed **or the cost of full habitat restoration, whichever is higher.**
- **Killing or harming an endangered or keystone species:** \$500,000 fine and up to 5 years in prison **unless part of a state-approved wildlife management program.**

B. Investigations, Enforcement & Prosecution

- The **Colorado Attorney General's Office** shall prosecute major violations based on referrals from the WECC. The WECC shall work in coordination with law enforcement agencies to build cases, ensuring that violators face legal consequences.
- The WECC shall have full investigative authority, including the power to subpoena records, conduct site inspections, and refer cases for prosecution. Compliance reviews shall be conducted internally, with an external audit required only once every three years to minimize administrative costs while maintaining accountability.

C. Whistleblower Protections & Corporate Accountability

- Whistleblowers who report illegal wildlife destruction will receive **10% of the fines collected.**
- Corporations found guilty of intentional environmental destruction will face **triple damages and permanent bans on operating in protected areas.**

SECTION 8: FUNDING & REVENUE SOURCES

A. Self-Sustaining Funding Model

- **20% of all collected fines** will fund WECC operations.
- **30% of fines** will fund **wildlife corridor land acquisitions.**
- **30% will go to habitat restoration & rewilding efforts.**
- **20% to public outreach & education on conservation.**

B. Additional Revenue Sources

- **Impact fees on industries impacting wildlife corridors** (e.g., developers, energy companies, large-scale agricultural operations, and infrastructure projects exceeding 50 acres). A minimum impact fee of 0.5% of total project costs shall be assessed, with the WECC authorized to adjust rates based on scientific and economic analysis.
- **Carbon credit trading for conservation projects**, specifically targeting reforestation, wetland restoration, and land conservation efforts in designated wildlife corridors. A minimum of 5% of all state-generated carbon credit revenues shall be allocated to WECC conservation initiatives, with adjustments based on environmental priorities.
- **Federal and nonprofit conservation grants**, including but not limited to funding from the Land and Water Conservation Fund (LWCF), U.S. Fish & Wildlife Service programs, and private conservation trusts. The WECC members shall be responsible for securing external funding through grant applications, ensuring that conservation initiatives remain financially supported without unnecessary administrative overhead.

C. TABOR Compliance Measures

- The WECC shall receive a **one-time voter-approved \$2 million allocation from the Colorado General Fund** to ensure operational stability.
- **No additional taxpayer burden beyond voter approval.**
- Any surplus revenue shall be placed in a **reserve conservation fund.**

SECTION 9: TRANSPARENCY & PUBLIC OVERSIGHT

- The WECC shall publish an **annual report** detailing:
 - Species assessments & new protections.
 - Status of wildlife corridors.
 - Fines & penalties collected.
 - Funding sources & expenditures.
- **Public comment sessions shall be held twice annually** to balance accessibility with operational efficiency.

SECTION 10: SEVERABILITY CLAUSE

If any provision of this Act is found unconstitutional or invalid, the remaining provisions shall remain in full effect.

SECTION 11: EFFECTIVE DATE

This Act shall take effect immediately upon passage by the voters of Colorado.

