

Enrolled House Bill 2978

Sponsored by Representative HELM, Senator GORSEK, Representative MARSH; Representatives ANDERSEN, BOICE, BOWMAN, CHAICHI, DOBSON, FAHEY, FRAGALA, GAMBA, GOMBERG, GRAYBER, HARTMAN, HUDSON, KROPF, LEVY B, LEVY E, LIVELY, MCDONALD, MUNOZ, NELSON, NGUYEN H, OWENS, PHAM H, RESCHKE, WALTERS, WATANABE, Senators FREDERICK, GELSER BLOUIN, SMITH DB (Presession filed.)

CHAPTER

AN ACT

Relating to natural resources; creating new provisions; and amending ORS 366.161 and 366.162.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 366.161 is amended to read:

366.161. (1) The Department of Transportation shall establish a program to reduce wildlife-vehicle collisions **and promote public safety** in **priority** areas where wildlife corridors identified in the Wildlife Corridor Action Plan by the State Department of Fish and Wildlife intersect with proposed or existing public roads.

(2) The program *[shall]* **must** include, but need not be limited to[,]:

(a) **Feasibility studies;**

(b) Plans for creating or modifying road infrastructure in a manner that reduces wildlife-vehicle collisions and promotes public safety[.];

(c) **Updates to wildlife guidance materials and standards, and to specifications of highways, to incorporate wildlife crossing and wildlife-vehicle collision reduction features into the design, construction and modification of highways;**

(d) **A training program, established in coordination with the State Department of Fish and Wildlife, that is designed to educate relevant Department of Transportation employees and other stakeholders on the interaction of transportation systems and infrastructure with wildlife and wildlife habitats; and**

(e) **A list of priority projects to reduce collisions between wildlife and vehicles that:**

(A) **Is developed jointly with the State Department of Fish and Wildlife, with opportunity for public input; and**

(B) **Is made publicly available on a website of the Department of Transportation.**

(3) The *[plans]* **program** may include but need not be limited to the use of wildlife crossing structures and roadway fencing.

[(2)] (4) To the extent practicable, the Department of Transportation shall coordinate with local governments, as defined in ORS 174.116, and the tribal governments for tribes and bands listed under ORS 172.110, to achieve the goals of the program described in this section.

(5) **Under the program, and in coordination with the State Department of Fish and Wildlife, the Department of Transportation shall consider and, to the maximum extent feasible, plan for and incorporate measures and infrastructure to promote the avoidance, min-**

imization and mitigation of impacts to wildlife corridor connectivity from the construction, improvement, operation and maintenance of transportation infrastructure throughout this state.

(6) Projects under the program that impact threatened or endangered species, or species of greatest conservation need as identified by the State Department of Fish and Wildlife, must include mitigation of impacts and crossing infrastructure, to the greatest extent feasible.

SECTION 2. (1) To inform the program described in ORS 366.161, the Department of Transportation and the State Department of Fish and Wildlife shall enter into a joint memorandum of understanding under which the agencies shall establish an advisory group for:

- (a) Collaborating on the goals of the program;
- (b) Coordinating the capacity, resources and fundraising opportunities and assistance;
- (c) Sharing relevant science;
- (d) Coordinating community outreach; and
- (e) Assisting with identifying priority areas and priority projects to reduce wildlife-vehicle conflicts and improve habitat connectivity.

(2) The memorandum of understanding may designate a willing nongovernmental entity to serve as a neutral facilitator of the advisory group.

(3) The advisory group shall:

(a) Consist of diverse participants, such as participants from federal, state and local governments, academia and nonprofit organizations, as well as participants with biology and engineering backgrounds.

(b) Meet on a regular basis, and at least once annually through December 31, 2033.

(4) The Department of Transportation shall make available on a department website the materials from meetings of the advisory group and any recommendations from the advisory group.

SECTION 3. Section 2 of this 2025 Act is repealed on January 2, 2035.

SECTION 4. ORS 366.162 is amended to read:

366.162. [(1) *The Department of Transportation shall establish the program required under ORS 366.161 no later than December 31, 2023.*]

[(2) *Until the Department of Transportation establishes the program, the Department of Transportation and the State Department of Fish and Wildlife shall coordinate efforts to reduce wildlife-vehicle collisions based on the data gathered under ORS 496.272. The Department of Transportation shall consider the benefit of including a wildlife crossing as part of a project if the data suggests that such a crossing could significantly reduce wildlife-vehicle collisions.*]

[(3)] (1) The Department of Transportation shall report biennially regarding the status of the program required under ORS 366.161 to interim or regular Senate and House committees relating to natural resources in the manner provided by ORS 192.245.

(2) The report [*shall*] **must** include, but not be limited to[,]:

(a) Information concerning the number and types of wildlife corridor infrastructure projects **that have been** established, **studied** or planned [*and*];

(b) **A description of a timeline for implementing the proposed and prioritized wildlife corridor infrastructure projects;**

(c) **An estimate of the costs and funding sources for proposed and prioritized wildlife corridor infrastructure projects;**

(d) **A description of actions the department has taken to secure funding for the program, including from all relevant federal grant opportunities and other public and private funding sources;**

(e) **A strategy for ongoing funding for the program, including department plans to:**

(A) **Ensure the existence of one or more dedicated funding sources that meet program needs; and**

(B) **Secure federal competitive grants;**

(f) **A description of the realized or expected [effect] effects of established, studied or planned wildlife corridor infrastructure projects on the number of wildlife-vehicle collisions[.]; and**

(g) **A description of efforts and successes of the advisory group described in section 2 of this 2025 Act, including efforts and successes related to:**

(A) **Moneys directed to projects through public-private funding partnerships;**

(B) **Community and stakeholder engagement; and**

(C) **Addressing priority areas, as described in ORS 366.161 (1).**

SECTION 5. ORS 366.162, as amended by section 4 of this 2025 Act, is amended to read:

366.162. (1) The Department of Transportation shall report biennially regarding the status of the program required under ORS 366.161 to interim or regular Senate and House committees relating to natural resources in the manner provided by ORS 192.245.

(2) The report must include, but not be limited to:

(a) Information concerning the number and types of wildlife corridor infrastructure projects that have been established, studied or planned;

(b) A description of a timeline for implementing the proposed and prioritized wildlife corridor infrastructure projects;

(c) An estimate of the costs and funding sources for proposed and prioritized wildlife corridor infrastructure projects;

(d) A description of actions the department has taken to secure funding for the program, including from all relevant federal grant opportunities and other public and private funding sources;

(e) A strategy for ongoing funding for the program, including department plans to:

(A) Ensure the existence of one or more dedicated funding sources that meet program needs; and

(B) Secure federal competitive grants; **and**

(f) A description of the realized or expected effects of established, studied or planned wildlife corridor infrastructure projects on the number of wildlife-vehicle collisions[.]; *and*].

[(g) A description of efforts and successes of the advisory group described in section 2 of this 2025 Act, including efforts and successes related to:]

[(A) Moneys directed to projects through public-private funding partnerships;]

[(B) Community and stakeholder engagement; and]

[(C) Addressing priority areas, as described in ORS 366.161 (1).]

SECTION 6. The amendments to ORS 366.162 by section 5 of this 2025 Act become operative on January 2, 2035.

SECTION 7. (1) **Contingent on available funding, the State Department of Fish and Wildlife shall undertake or plan to undertake projects to support wildlife mobility and habitat connectivity within priority areas identified in the Oregon Connectivity Assessment and Mapping Project.**

(2) **In carrying out this section, the department shall consider opportunities to secure competitive federal grants, and other matching funds, for relevant projects.**

Passed by House March 31, 2025

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate April 30, 2025

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State