

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 635 (Senators Lewis Young and Rosapepe)
 Education, Energy, and the Environment

Wildlife - Protections and Highway Crossings

This bill establishes the Maryland Connectivity Coalition (MCC) and the Wildlife Connectivity Fund (WCF) to, generally, improve wildlife habitat connectivity and reduce wildlife and motor vehicle collisions in the State. The bill establishes responsibilities related to the coalition and fund for the Department of Natural Resources (DNR) and the State Highway Administration (SHA). Local jurisdictions must consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing their comprehensive plans; the Maryland Department of Planning (MDP) must coordinate with DNR and SHA to provided related and specified information to local governments. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: General fund expenditures increase by \$3.0 million annually beginning in FY 2026 to capitalize WCF, under the assumptions discussed below. Special fund revenues to and expenditures from WCF increase correspondingly as funds are received and used for authorized purposes. General fund expenditures may be less to the extent any federal funds or donations are received to support the fund (not reflected in the table below). Transportation Trust Fund (TTF) revenues and expenditures may also be affected (not shown in the table below).

(\$ in millions)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
SF Revenue	\$3.0	\$3.0	\$3.0	\$3.0	\$3.0
GF Expenditure	\$3.0	\$3.0	\$3.0	\$3.0	\$3.0
SF Expenditure	\$3.0	\$3.0	\$3.0	\$3.0	\$3.0
Net Effect	(\$3.0)	(\$3.0)	(\$3.0)	(\$3.0)	(\$3.0)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local government revenues and expenditures increase beginning as early as FY 2026 to the extent that the fund is used to provide matching grants to counties and municipalities, as discussed below.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Maryland Connectivity Coalition

The purpose of MCC is to foster collaboration among State and federal agencies, nongovernmental organizations, and other stakeholders to (1) protect threatened and endangered species from habitat fragmentation that reduces access to resources such as food or potential mates; (2) protect motorists and wildlife in the State by reducing collisions between vehicles and wildlife; and (3) facilitate the sharing of resources, data, and expertise relating to wildlife habitat connectivity.

Although the bill does not specify which State agency must provide staff for MCC, the bill requires DNR and SHA to adopt rules for MCC, including membership rules, the roles and responsibilities of the leadership of MCC, the role of specified members, and meeting rules and procedures.

MCC must:

- develop criteria for prioritizing wildlife connectivity projects, which may include locations that meet specified conditions, equity in distributing funds between different regions of the State and urban, suburban, and rural areas, and any other criteria identified by MCC;
- develop performance metrics to evaluate the success of funded projects, including measurable outcomes, as specified, and enhancements to habitat connectivity;
- meet quarterly to (1) share new data, analyses, and research; (2) identify any additional data, analyses, or research needed; (3) update the members on the status of planned or ongoing wildlife crossings; (4) identify locations where additional wildlife connectivity is needed; and (5) make recommendations on disbursements from WCF; and
- develop a website and publish specified information on the website relating to MCC and its activities, information to educate the public on the importance of wildlife connectivity and wildlife crossings and completed crossings and crossings under development.

SHA has final decision-making authority regarding any decision relating to the placement, funding, or design of wildlife crossings.

Wildlife Connectivity Fund

WCF is established as special, nonlapsing fund. DNR must administer the fund in consultation with SHA. The purpose of WCF is to protect (1) any terrestrial or semiaquatic threatened species, endangered species, or Species of Greatest Conservation Need whose habitat or movement corridors intersect with a State highway and (2) motorists and wildlife in the State by reducing collisions between vehicles and wildlife.

WCF consists of money appropriated in the State budget to the fund, interest earnings of the fund, and any other money from any other source accepted for the benefit of the fund. However, interest earnings of the fund must accrue to the general fund through fiscal 2028 pursuant to Chapter 717 of 2024 (the Budget Reconciliation and Financing Act of 2024).

WCF fund may be used to:

- advance wildlife crossing or wildlife-vehicle collision mitigation projects and assist with preparations necessary for any such projects, as specified;
- develop methods and tools for identifying locations where a project would reduce collisions between vehicles and wildlife or connect habitats of terrestrial or semiaquatic threatened species, endangered species, or Species of Greatest Conservation Need;
- develop regional or statewide habitat maps to improve habitat connectivity or reduce collisions between vehicles and wildlife;
- construct exclusionary fencing;
- provide matching funds for federal grants;
- provide maintenance for completed projects;
- monitor and evaluate completed projects;
- provide education and outreach regarding specified issues;
- provide matching grants to counties and municipalities for projects related to the purpose of the fund;
- cover the costs of relevant administration and personnel expenses, including cost recovery, geographic information system data, and any other related administrative costs; and
- cover the costs of asset management for wildlife crossing infrastructure, as specified.

Expenditures from the fund may be made only in accordance with the State budget. Money expended from the fund for the protections identified in the stated purpose of the fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for these protections.

In consultation with SHA, DNR may transfer funds to TTF in order to advance the goals and purposes of the fund.

DNR and SHA must coordinate efforts with federal programs and funding opportunities to maximize project impacts and use all available resources.

DNR must develop a website to be used for accepting donations to the fund and, if feasible, work with the Motor Vehicle Administration (MVA) to provide the option, appearing on the vehicle registration portal, to donate to the fund.

Local Government Comprehensive Plans

Local jurisdictions must consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing their comprehensive plans. MDP must coordinate with DNR and SHA to provide each local jurisdiction with updated information on habitat connectivity concerns and current and planned wildlife crossings.

Reporting

SHA must report on wildlife crossings in each Consolidated Transportation Program (CTP) of the State. The report must include TTF expenditures for wildlife crossings, wildlife crossings planned and in process, and performance metrics and measurable outcomes evaluating the success of completed wildlife crossings.

Current Law:

State Highway Administration

SHA is responsible for more than 5,200 miles or approximately 16,800 lane miles of road, 2,500 bridges, 3,500 small stream crossing structures, and 80 miles of sound/noise barriers in the State. It also has responsibility for planning, designing, constructing, and maintaining these roads and bridges to safety and performance standards while considering sociological, ecological, and economic concerns. SHA must construct, reconstruct, and repair State highways as necessary and maintain them in good condition.

Endangered Species Protections

The Nongame and Endangered Species Conservation Act governs the protection of threatened and endangered species at the State level. Among other things, the Act includes specifications for the Secretary of Natural Resources in adding or removing plants and animals from the [threatened and endangered species lists](#), prohibits certain activities that involve threatened and endangered species, including the possession and export of any such species; and establishes special additional protections for certain species.

Additionally, DNR's [Maryland State Wildlife Action Plan](#) outlines strategic conservation approaches for wildlife and wildlife habitats in the State. The plan is a strategy to guide the conservation of the State's wide range of fish, wildlife, and habitats, providing the framework and overall direction for wildlife and broader biodiversity conservation efforts in Maryland. The plan is required for the State to receive funding from the federal government's [State Wildlife Grants Program](#). Among other federal requirements, the plan compiles, evaluates, and presents summary status information for Species of Greatest Conservation Need.

Local Comprehensive Plans

Local jurisdictions are required to enact, adopt, amend, and execute a comprehensive plan in accordance with State law. Certain elements must be included in a comprehensive plan and a comprehensive plan also must include and implement specified visions stated in the law. At least once every 10 years, the planning commission of a local jurisdiction must review the comprehensive plan and, if necessary, revise or amend the plan to include all required elements and the specified visions. A sensitive areas element is one of the required elements of a plan, which must include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development.

State Fiscal Effect:

Capitalization and Anticipated Spending of the Wildlife Connectivity Fund

Although the bill does not establish a dedicated source of funding, mandate funding, or otherwise specify an intended funding level for WCF or the activities of MCC, the funding needed to support a viable program is assumed to be substantial. For example, the [National Wildlife Foundation](#) reports that wildlife crossing projects often cost millions of dollars to complete.

While it is possible that federal grants (for example, from the Federal Highway Administration's [Wildlife Crossings Program](#)) and/or donations (through the website DNR must develop and/or through the MVA vehicle registration portal) could be realized, the extent to which any such funding will materialize is unknown.

In the absence of federal grants or voluntary donations, it is assumed that general funds are needed to capitalize WCF. Assuming sufficient funding for a viable program, general fund expenditures increase by an estimated \$3.0 million annually beginning in fiscal 2026 to capitalize the fund. Special fund revenues to and expenditures from WCF increase correspondingly as funds are received and used for authorized purposes. **Exhibit 1** shows the anticipated spending from the fund from fiscal 2026 through 2030, including for the administrative costs discussed below, under this assumed level of funding.

Exhibit 1
Estimated Spending from the Wildlife Connectivity Fund
Fiscal 2026 through 2030

	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
Administrative Costs	\$213,535	\$243,861	\$252,476	\$261,514	\$270,522
Other Authorized Uses	2,786,465	2,756,139	2,747,524	2,738,486	2,729,478
Total	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000

Source: Department of Legislative Services

Administrative Costs

Special fund administrative expenditures increase by \$213,535 in fiscal 2026, which accounts for a 90-day start up delay from the bill’s July 1, 2025 effective date. This estimate reflects the cost of hiring two natural resources biologists within DNR to staff MCC, manage WCF, and oversee the various projects funded by WCF. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. It also includes \$50,000 in consultant costs for SHA to assist with staffing MCC and managing WCF; it is assumed that these costs are also paid from WCF.

Positions	2.0
Salaries and Fringe Benefits	\$148,797
Consultant Costs for SHA	50,000
Operating Expenses	<u>14,738</u>
Total FY 2026 Administrative Expenditures	\$213,535

Future year administrative expenditures reflect full salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses, including ongoing consultant costs of \$50,000 annually.

MDP can work with DNR, SHA, and local governments as required by the bill using existing budgeted resources. In addition, SHA can include the required information in the CTP using existing budgeted resources.

Potential Transfers to the Transportation Trust Fund

The bill authorizes funding from WCF to be transferred to TTF in order to advance the goals and purposes of the fund; for example, funding could be transferred to help pay the planning or construction costs of a highway crossing project to be implemented by SHA. To the extent that any such transfer takes place, TTF revenues and expenditures increase correspondingly as the funding is transferred and used for authorized purposes. However, any such impact cannot be predicted in advance.

Local Fiscal Effect: The bill authorizes WCF to be used to provide matching grants to counties and municipalities for projects related to the purpose of the fund. Therefore, local government revenues and expenditures increase to the extent that any such grants are provided.

The bill also requires that local jurisdictions consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing their comprehensive plans. Based on a limited survey of local governments, this requirement is not anticipated to significantly affect local government operations or finances.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 902 and HB 1129 of 2024.

Designated Cross File: HB 731 (Delegate Ruth, *et al.*) - Environment and Transportation.

Information Source(s): Department of Natural Resources; Maryland Department of Planning; Maryland Department of Transportation; Maryland Department of the Environment; Maryland Association of Counties; Harford and Montgomery counties; Maryland Municipal League; City of Frederick; National Wildlife Federation; Federal Highway Administration; Department of Legislative Services

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