

2021 SPECIAL SESSION I

ENROLLED

ENROLLED

SB1274ER

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend and reenact §§ 10.1-207, 10.1-1105, 29.1-579, and 33.2-353 of the Code of Virginia,  
3 relating to government planning; wildlife corridors.

4 [S 1274]  
5 Approved

6 Be it enacted by the General Assembly of Virginia:

7 1. That §§ 10.1-207, 10.1-1105, 29.1-579, and 33.2-353 of the Code of Virginia are amended and  
8 reenacted as follows:

9 § 10.1-207. Cooperation of other departments, etc.

10 All departments, commissions, boards, agencies, officers, and institutions of the Commonwealth, or  
11 any political subdivision thereof and park authorities shall cooperate with the Department in the  
12 preparation, revision and implementation of a comprehensive plan for the development of outdoor  
13 recreational facilities, and such local and detailed plans as may be adopted pursuant thereto. *The*  
14 *comprehensive plan shall consider and incorporate, where applicable, wildlife corridors and any*  
15 *recommendation of the Wildlife Corridor Action Plan developed pursuant to § 29.1-579.*

16 § 10.1-1105. Additional powers and duties of State Forester.

17 A. The State Forester shall supervise and direct all forest interests and all matters pertaining to  
18 forestry within the Commonwealth. He shall have charge of all forest wardens and shall appoint, direct  
19 and supervise persons he employs to perform labor in the forest reservations or the nurseries provided  
20 for herein, and he is authorized to employ temporary forest wardens to extinguish forest fires in the  
21 Commonwealth. He shall take such action as is authorized by law to prevent and extinguish forest fires;  
22 develop a program to promote the use of prescribed burning for community protection and ecological,  
23 silvicultural, and wildlife management; enforce all laws pertaining to forest and woodlands; prosecute  
24 any violation of such laws; develop silvicultural best management practices, including reforestation,  
25 prevention of erosion and sedimentation, and maintenance of buffers for water quality, pursuant to  
26 Article 12 (§ 10.1-1181.1 et seq.); collect information relative to forest destruction and conditions; direct  
27 the protection and improvement of all forest reservations; and, as far as his duties as State Forester will  
28 permit, conduct an educational course on forestry at the University of Virginia for credit toward a  
29 degree, at farmers' institutes and at similar meetings within the Commonwealth. He shall provide for the  
30 protection of state waters from pollution by sediment deposition resulting from silvicultural activities as  
31 provided in Article 12 (§ 10.1-1181.1 et seq.). In addition, the State Forester shall cooperate with  
32 counties, municipalities, corporations and individuals in preparing plans and providing technical  
33 assistance, based on generally accepted scientific forestry principles, for the protection, management and  
34 replacement of trees, wood lots and timber tracts and the establishment and preservation of urban  
35 forests, under an agreement that the parties obtaining such assistance shall pay the field and traveling  
36 expenses of the person employed in preparing such plans. The State Forester also shall assist landowners  
37 and law-enforcement agencies with regard to reported cases of timber theft. *The State Forester shall*  
38 *develop and implement forest conservation and management strategies to improve wildlife habitat and*  
39 *corridors, incorporating applicable elements of any wildlife action plan developed by the Department of*  
40 *Wildlife Resources and the Wildlife Corridor Action Plan developed pursuant to § 29.1-579.*

41 B. Records of the Department composed of confidential commercial or financial information supplied  
42 by individuals or business entities to the Department in the course of an investigation of timber theft are  
43 excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act  
44 (§ 2.2-3700 et seq.).

45 § 29.1-579. Wildlife Corridor Action Plan; adoption.

46 A. The Department, in collaboration with the Department of Transportation, *the Department of*  
47 *Forestry*, and the Department of Conservation and Recreation, shall create a Wildlife Corridor Action  
48 Plan.

49 B. The Plan shall:

50 1. Identify wildlife corridors, existing or planned barriers to movement along such corridors, and  
51 areas with a high risk of wildlife-vehicle collisions. The Plan shall list habitat that is identified as of  
52 high quality for priority species and ecosystem health; migration routes of native, game, and migratory  
53 species using the best available science and Department surveys, including landscape-scale data from the  
54 ConserveVirginia database or a similar land conservation strategy database maintained by the  
55 Department of Conservation and Recreation; lands containing a high prevalence of existing human  
56 barriers, including roads, dams, power lines, and pipelines; areas identified as of high risk of

57 wildlife-vehicle collisions; habitat identified by the Department as being occupied by rare or at-risk  
58 species; and habitat identified as Critical Habitat under the federal Endangered Species Act of 1973, P.L.  
59 93-205, as amended.

60 2. Prioritize and recommend wildlife crossing projects intended to promote driver safety and wildlife  
61 connectivity. The Plan shall describe each such project and include descriptions of wildlife crossing  
62 infrastructure or other mitigation techniques recommended to meet Plan goals.

63 3. Contain maps utilizing the ConserveVirginia public portal, or a similar land conservation strategy  
64 public portal maintained by the Department of Conservation and Recreation, and other relevant state  
65 databases that detail high-priority areas for wildlife corridor infrastructure and any other information  
66 necessary to meet the goals of the Plan.

67 C. The Secretary of Natural Resources and the Secretary of Transportation shall jointly submit the  
68 Plan to the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the  
69 Senate Committee on Agriculture, Conservation and Natural Resources no later than September 1, 2022,  
70 and shall jointly submit an updated version of the Plan every four years thereafter.

71 *D. The Department shall assist state agencies and political subdivisions, and by request any federal*  
72 *agency, in considering and incorporating, where applicable, wildlife corridors and the recommendations*  
73 *of the Plan when developing any governmental strategic plan, map, or action. The Department shall*  
74 *publish the plan and any subsequent updates on its website.*

75 **§ 33.2-353. Commonwealth Transportation Board to develop and update Statewide**  
76 **Transportation Plan.**

77 A. The Board shall, with the assistance of the Office of Intermodal Planning and Investment, conduct  
78 a comprehensive review of statewide transportation needs in a Statewide Transportation Plan setting  
79 forth assessment of capacity needs for all corridors of statewide significance, regional networks, and  
80 improvements to promote urban development areas established pursuant to § 15.2-2223.1. The  
81 assessment shall consider all modes of transportation. Such corridors shall be planned to include  
82 multimodal transportation improvements, and the plan shall consider corridor location in planning for  
83 any major transportation infrastructure, including environmental impacts and the comprehensive land use  
84 plan of the locality in which the corridor is planned. In the designation of such corridors, the Board  
85 shall not be constrained by local, district, regional, or modal plans.

86 The Statewide Transportation Plan shall be updated as needed but no less than once every four years.  
87 The plan shall promote economic development and all transportation modes, intermodal connectivity,  
88 environmental quality, accessibility for people and freight, and transportation safety.

89 B. The Statewide Transportation Plan shall establish goals, objectives, and priorities that cover at  
90 least a 20-year planning horizon, in accordance with federal transportation planning requirements. The  
91 plan shall include quantifiable measures and achievable goals relating to, but not limited to, congestion  
92 reduction and safety, transit and high-occupancy vehicle facility use, job-to-housing ratios, job and  
93 housing access to transit and pedestrian facilities, air quality, movement of freight by rail, and per capita  
94 vehicle miles traveled. The Board shall consider such goals in evaluating and selecting transportation  
95 improvement projects for inclusion in the Six-Year Improvement Program pursuant to § 33.2-214.

96 C. The plan shall incorporate the measures and goals of the approved long-range plans developed by  
97 the applicable regional organizations. Each such plan shall be summarized in a public document and  
98 made available to the general public upon presentation to the Governor and General Assembly.

99 D. It is the intent of the General Assembly that this plan assess transportation needs and assign  
100 priorities to projects on a statewide basis, avoiding the production of a plan that is an aggregation of  
101 local, district, regional, or modal plans.

102 *E. The plan shall consider and incorporate, where applicable, wildlife corridors and any*  
103 *recommendation of the Wildlife Corridor Action Plan developed pursuant to § 29.1-579.*

104 **2. That in the development of the Virginia Wildlife Action Plan, or any successor publication, the**  
105 **Department of Wildlife Resources shall consider and incorporate, where applicable, wildlife**  
106 **corridors and any recommendation of the Wildlife Corridor Action Plan developed pursuant to**  
107 **§ 29.1-579 of the Code of Virginia, as amended by this act.**