



# Protect Our Progress

EFFECTIVENESS & ACCOUNTABILITY INITIATIVE



## Senate Select Committee on Infrastructure Streamlining and Workforce Equity

Thursday, June 29, 2023

### Issue:

Direct contracting authority for wildlife crossings over Interstate 15 as reflected in SB 145  
(Newman and Friedman)

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### Summary:

This bill requires the Department of Transportation (Caltrans) to ensure the construction of three wildlife crossings over I-15 if an intercity passenger rail project is constructed, as specified. Caltrans is authorized to contract with an entity seeking to build the rail project, and is required to consult with the Department of Fish and Wildlife and other experts on the development, design, and construction of the wildlife crossings, as provided. The bill establishes certain conditions and parameters for an authorized agreement implementing the wildlife crossings, including that there be environmental benefits. Caltrans is required to submit an authorized agreement to the Department of Finance for review prior to executing it, and is required to execute any authorized agreement prior to January 1, 2025. If Caltrans has not executed an authorized agreement before July 1, 2024, Caltrans is required to notify the Joint Legislative Budget Committee, and to submit a progress report to legislative budget committee. After construction, Caltrans will own the wildlife crossings and will maintain and operate them with support from the Department of Fish and Wildlife. Further, Caltrans is authorized to enter into an agreement to provide permanent funding for the habitat on the wildlife crossings, and is required to apply to federal grant programs for funding. Caltrans is also required to submit a legislative report annually starting January 1, 2024. This bill contains an urgency clause.

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## Comments:

In January 2023, a three-way agreement was reached between a private rail developer, Caltrans, and the Department of Fish and Wildlife to work together to provide three wildlife crossings over a proposed rail line between southern California and Nevada. The location and design of the proposed high speed rail line on the I-15 median will stop the ability of wildlife to cross I-15. There are protected lands on either side of the I-15 providing habitat and range for numerous species including bighorn sheep, and mountain lions, among others, and it has been documented that animals cross the I-15 with some frequency.

There is a general consensus that constructing the wildlife overcrossings at the same time as the rail line is being built is likely to be the most efficient and cost-effective approach.