

114TH CONGRESS
1ST SESSION

H. R. 2738

To amend title 23, United States Code, to encourage and facilitate efforts by States and other transportation rights-of-way managers to adopt integrated vegetation management practices, including enhancing plantings of native forbs and grasses that provide habitats and forage for Monarch butterflies, native bees, and other native pollinators, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2015

Mr. HASTINGS (for himself, Mr. DENHAM, Ms. SPEIER, Mr. CONYERS, and Ms. PINGREE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to encourage and facilitate efforts by States and other transportation rights-of-way managers to adopt integrated vegetation management practices, including enhancing plantings of native forbs and grasses that provide habitats and forage for Monarch butterflies, native bees, and other native pollinators, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Highways Bettering
3 the Economy and Environment Pollinator Protection
4 Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The roadside vegetation management prac-
8 tices of both State governments and the Federal
9 Government aim to secure motorist safety, reduce
10 the presence of noxious weeds, manage stormwater
11 runoff, and stabilize the soil.

12 (2) Native forbs and grasses are less likely to
13 encroach onto roads than invasive species, such as
14 kudzu.

15 (3) Integrated vegetation management practices
16 could reduce the cost of maintaining roadside vege-
17 tation.

18 (4) Native forbs and grasses are better adapted
19 to local conditions and thus require less active man-
20 agement, reducing the need to replant, weed, and
21 mow the areas adjacent to the road.

22 (5) Pollinators, such as native bees, honey bees,
23 birds, bats, Monarch butterflies, and other butter-
24 flies, are suffering drastic population loss.

25 (6) Pollinators are vital for American agri-
26 culture.

1 (7) Responsible for 1 out of every 3 bites of
2 food we eat, a diverse pollinator population is nec-
3 essary for maintaining the diversity of our plant life
4 and food supply.

5 (8) Studies have shown supporting native forbs
6 and grasses along the roadside can be beneficial to
7 the pollinator population by providing migratory cor-
8 ridors and habitat and forage connectivity.

9 (9) Plantings of noninvasive, locally appropriate
10 milkweed species can create migratory way stations
11 for the endangered Monarch butterfly and can facili-
12 tate migrations of other pollinators.

13 (10) Enhancing pollinator populations on
14 rights-of-way can result in improved pollination serv-
15 ices for neighboring lands, including agriculture and
16 wildlife ecosystems.

17 (11) Highway rights-of-way managed by States
18 represent 17,000,000 acres of pollinator habitat con-
19 servation opportunity, and similar opportunities and
20 benefits exist on other transportation rights-of-way.

21 **SEC. 3. ADMINISTRATIVE PROVISIONS TO ENCOURAGE**
22 **POLLINATOR HABITAT AND FORAGE ON**
23 **TRANSPORTATION RIGHTS-OF-WAY.**

24 (a) IN GENERAL.—Section 319 of title 23, United
25 States Code, is amended—

1 (1) in subsection (a) by striking “beauty adja-
2 cent” and inserting “beauty (including the enhance-
3 ment of habitat and forage for pollinators) adja-
4 cent”; and

5 (2) by adding at the end the following:

6 “(c) ENCOURAGEMENT OF POLLINATOR HABITAT
7 AND FORAGE DEVELOPMENT AND PROTECTION ON
8 TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any
9 program administered by the Secretary, the Secretary
10 shall, in conjunction with willing States, as appropriate—

11 “(1) conduct or encourage integrated vegetation
12 management practices on roadsides and other trans-
13 portation rights-of-way, including reduced mowing;

14 “(2) enhance the development of habitat and
15 forage for Monarch butterflies, other native polli-
16 nators, and honey bees through plantings of native
17 forbs and grasses, including noninvasive, native
18 milkweed species that can serve as migratory way
19 stations for butterflies and can facilitate migrations
20 of other pollinators;

21 “(3) encourage leveraging through partnerships
22 and coordination with stakeholders in support of pol-
23 linators and plantings of native forbs and grasses,
24 such as environmental groups, research institutions,

1 other agencies, businesses, and community organiza-
2 tions;

3 “(4) conduct or facilitate research and dem-
4 onstration projects on the economic and environ-
5 mental benefits and best practices for integrated
6 vegetation management, reduced mowing, and plant-
7 ings of native forbs and grasses for pollinator habi-
8 tat, forage, and migratory way stations for Monarch
9 butterflies and other migrating pollinators; and

10 “(5) solicit participation in any activities out-
11 lined under paragraphs (1) through (4), by rep-
12 resentatives of transportation landscape manage-
13 ment, pollinator health, agriculture, horticulture,
14 and other affected communities.”.

15 (b) REPORT.—Not later than 18 months after the
16 date of enactment of this Act, the Secretary of Transpor-
17 tation shall transmit to Congress a report that includes—

18 (1) an analysis of current programs and au-
19 thorities available to carry out section 319(c) of title
20 23, United States Code;

21 (2) a summary of programs and authorities
22 being used to implement such section;

23 (3) an assessment of actions being taken by
24 willing State transportation departments and other
25 managers of transportation rights-of-way to imple-

1 ment integrated vegetation management practices,
2 reduce mowing, and enhance habitat and forage for
3 Monarch butterflies, other native pollinators, and
4 honey bees through plantings of native forbs and
5 grasses and migratory way stations for Monarch
6 butterflies and other migrating pollinators;

7 (4) a summary of Department of Transpor-
8 tation funds expended for activities undertaken pur-
9 suant to such section; and

10 (5) any recommendations for further action.

11 **SEC. 4. PROVISION OF HABITAT, FORAGE, AND MIGRATORY**
12 **WAY STATIONS FOR MONARCH BUTTERFLIES,**
13 **OTHER NATIVE POLLINATORS, AND HONEY**
14 **BEES.**

15 Section 329(a)(1) of title 23, United States Code, is
16 amended by inserting “provision of habitat, forage, and
17 migratory way stations for Monarch butterflies, other na-
18 tive pollinators, and honey bees,” before “and aesthetic
19 enhancement”.

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