

113TH CONGRESS  
2D SESSION

# H. R. 4790

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 and other native pollinators and honey bees, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 30, 2014

Mr. HASTINGS of Florida (for himself and Mr. DENHAM) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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 and other native pollinators and honey bees, 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, and stabilize the soil.

11 (2) Federal and State highway departments are  
12 facing severe budget shortfalls.

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

16 (4) Integrated vegetation management practices  
17 will reduce the cost of maintaining roadside vegeta-  
18 tion.

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

23 (6) Pollinators, such as native bees, honey bees,  
24 birds, bats, Monarch butterflies, and other butter-  
25 flies, are suffering drastic population loss due in  
26 part to loss of habitat and forage.

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

6           (8) Studies have shown supporting native forbs  
7           and grasses along the roadside can be beneficial to  
8           the pollinator population by providing migratory cor-  
9           ridors and habitat and forage connectivity and by  
10          helping such populations adapt to climate change.

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

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

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

1 **SEC. 3. ADMINISTRATIVE PROVISIONS TO ENCOURAGE**  
2 **POLLINATOR HABITAT AND FORAGE ON**  
3 **TRANSPORTATION RIGHTS-OF-WAY.**

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

6 (1) in subsection (a) by striking “beauty adja-  
7 cent” and inserting “beauty (including the enhance-  
8 ment of habitat and forage for pollinators) adja-  
9 cent”; and

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

11 “(c) ENCOURAGEMENT OF POLLINATOR HABITAT  
12 AND FORAGE DEVELOPMENT AND PROTECTION ON  
13 TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any  
14 program administered by the Secretary, the Secretary  
15 shall, in conjunction with willing States, as appropriate—

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

19 “(2) enhance the development of habitat and  
20 forage for Monarch butterflies, other native polli-  
21 nators, and honey bees through plantings of native  
22 forbs and grasses, including noninvasive, native  
23 milkweed species that can serve as migratory way  
24 stations for the endangered Monarch butterfly and  
25 to facilitate migrations of other pollinators.

1           “(3) encourage leveraging through partnerships  
2           and coordination with stakeholders in support of pol-  
3           linators and plantings of native forbs and grasses,  
4           such as environmental groups, research institutions,  
5           other agencies, businesses, and community organiza-  
6           tions; and

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

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

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

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

22                 (3) an assessment of actions being taken by  
23                 willing State transportation departments and other  
24                 managers of transportation rights-of-way to imple-  
25                 ment integrated vegetation management practices,

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

6 (4) any recommendations for further action.

7 **SEC. 4. PROVISION OF HABITAT, FORAGE, AND MIGRATORY**  
8 **WAY STATIONS FOR MONARCH BUTTERFLIES,**  
9 **OTHER NATIVE POLLINATORS, AND HONEY**  
10 **BEES.**

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

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