

**AMENDMENT**

**OFFERED BY MR. CARBAJAL OF CALIFORNIA**

At the end of subtitle F of title I of division B of the bill, insert the following:

1 **SEC. \_\_\_\_ . POLLINATOR-FRIENDLY PRACTICES ON ROAD-**  
2 **SIDES AND HIGHWAY RIGHTS-OF-WAY.**

3 (a) IN GENERAL.—Chapter 3 of title 23, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 331. Pollinator-friendly practices on roadsides and**  
7 **highway rights-of-way**

8 “(a) IN GENERAL.—The Secretary shall establish a  
9 program to provide grants to eligible entities to carry out  
10 activities to benefit pollinators on roadsides and highway  
11 rights-of-way, including the planting and seeding of na-  
12 tive, locally-appropriate grasses and wildflowers, including  
13 milkweed.

14 “(b) ELIGIBLE ENTITIES.—An entity eligible to re-  
15 ceive a grant under this section is—

16 “(1) a State department of transportation;

17 “(2) an Indian tribe; or

18 “(3) a Federal land management agency.

1       “(c) APPLICATION.—To be eligible to receive a grant  
2 under this section, an eligible entity shall submit to the  
3 Secretary an application at such time, in such manner,  
4 and containing such information as the Secretary may re-  
5 quire, including a pollinator-friendly practices plan de-  
6 scribed in subsection (d).

7       “(d) POLLINATOR-FRIENDLY PRACTICES PLAN.—

8           “(1) IN GENERAL.—An eligible entity shall in-  
9 clude in the application under subsection (c) a plan  
10 that describes the pollinator-friendly practices that  
11 the eligible entity has implemented or plans to im-  
12 plement, including—

13                   “(A) practices relating to mowing strate-  
14 gies that promote early successional vegetation  
15 and limit disturbance during periods of highest  
16 use by target pollinator species on roadsides  
17 and highway rights-of-way, such as—

18                           “(i) reducing the mowing swath out-  
19 side of the State-designated safety zone;

20                           “(ii) increasing the mowing height;

21                           “(iii) reducing the mowing frequency;

22                           “(iv) refraining from mowing monarch  
23 and other pollinator habitat during periods  
24 in which monarchs or other pollinators are  
25 present;

1                   “(v) use of a flushing bar and cutting  
2                   at reduced speeds to reduce pollinator  
3                   deaths due to mowing; or

4                   “(vi) reducing raking along roadsides  
5                   and highway rights-of-way;

6                   “(B) implementation of an integrated vege-  
7                   tation management plan that includes ap-  
8                   proaches such as mechanical tree and brush re-  
9                   moval, targeted and judicious use of herbicides,  
10                  and mowing, to address weed issues on road-  
11                  sides and highway rights-of-way;

12                  “(C) planting or seeding of native, locally-  
13                  appropriate grasses and wildflowers, including  
14                  milkweed, on roadsides and highway rights-of-  
15                  way to enhance pollinator habitat, including lar-  
16                  val host plants;

17                  “(D) removing nonnative grasses from  
18                  planting and seeding mixes, except for use as  
19                  nurse or cover crops;

20                  “(E) obtaining expert training or assist-  
21                  ance on pollinator-friendly practices, includ-  
22                  ing—

23                               “(i) native plant identification;

1                   “(ii) establishment and management  
2                   of locally-appropriate native plants that  
3                   benefit pollinators;

4                   “(iii) land management practices that  
5                   benefit pollinators; and

6                   “(iv) pollinator-focused integrated  
7                   vegetation management; or

8                   “(F) any other pollinator-friendly practices  
9                   the Secretary determines to be appropriate.

10                  “(2) COORDINATION.—In developing a plan  
11                  under paragraph (1), an eligible entity that is a  
12                  State department of transportation or a Federal  
13                  land management agency shall coordinate with appli-  
14                  cable State agencies, including State agencies with  
15                  jurisdiction over agriculture and fish and wildlife.

16                  “(3) CONSULTATION.—In developing a plan  
17                  under paragraph (1)—

18                         “(A) an eligible entity that is a State de-  
19                         partment of transportation or a Federal land  
20                         management agency shall consult with affected  
21                         or interested Indian tribes; and

22                         “(B) any eligible entity may consult with  
23                         nonprofit organizations, institutions of higher  
24                         education, metropolitan planning organizations,  
25                         and any other relevant entities.

1 “(e) AWARD OF GRANTS.—

2 “(1) IN GENERAL.—The Secretary shall provide  
3 a grant to each eligible entity that submits an appli-  
4 cation under subsection (c), including a plan under  
5 subsection (d), that the Secretary determines to be  
6 satisfactory.

7 “(2) AMOUNT OF GRANTS.—The amount of a  
8 grant under this section—

9 “(A) shall be based on the number of polli-  
10 nator-friendly practices the eligible entity has  
11 implemented or plans to implement; and

12 “(B) shall not exceed \$150,000.

13 “(f) USE OF FUNDS.—An eligible entity that receives  
14 a grant under this section shall use the funds for the im-  
15 plementation, improvement, or further development of the  
16 plan under subsection (d).

17 “(g) FEDERAL SHARE.—The Federal share of the  
18 cost of an activity carried out with a grant under this sec-  
19 tion shall be 100 percent.

20 “(h) BEST PRACTICES.—The Secretary shall develop  
21 and make available to eligible entities best practices for,  
22 and a priority ranking of, pollinator-friendly practices on  
23 roadsides and highway rights-of-way.

24 “(i) TECHNICAL ASSISTANCE.—On request of an eli-  
25 gible entity that receives a grant under this section, the

1 Secretary shall provide technical assistance with the imple-  
2 mentation, improvement, or further development of a plan  
3 under subsection (d).

4 “(j) ADMINISTRATIVE COSTS.—For each fiscal year,  
5 the Secretary may use not more than 2 percent of the  
6 amounts made available to carry out this section for the  
7 administrative costs of carrying out this section.

8 “(k) REPORT.—Not later than 1 year after the date  
9 on which the first grant is provided under this section,  
10 the Secretary shall submit to the Committee on Environ-  
11 ment and Public Works of the Senate and the Committee  
12 on Transportation and Infrastructure of the House of  
13 Representatives a report on the implementation of the pro-  
14 gram under this section.

15 “(l) AUTHORIZATION OF APPROPRIATIONS.—

16 “(1) IN GENERAL.—There is authorized to be  
17 appropriated to carry out this section \$2,000,000 for  
18 each of fiscal years 2022 through 2028.

19 “(2) AVAILABILITY.—Amounts made available  
20 under this section shall remain available for a period  
21 of 3 years after the last day of the fiscal year for  
22 which the funds are authorized.”.

1           (b) CLERICAL AMENDMENT.—The analysis for chap-  
2   ter 3 of title 23, United States Code, is amended by add-  
3   ing at the end the following:

“331. Pollinator-friendly practices on roadsides and highway rights-of-way.”.

