

**AMENDMENT TO RULES COMMITTEE**

**PRINT 117-8**

**OFFERED BY MR. CARBAJAL OF CALIFORNIA**

At the end of subtitle C of title I of division B of the bill, add the following:

1 **SEC. 1313. POLLINATOR-FRIENDLY PRACTICES ON ROAD-**  
2 **SIDES AND HIGHWAY RIGHTS-OF-WAY.**

3 (a) IN GENERAL.—Section 329 of title 23, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 “(d) POLLINATOR-FRIENDLY PRACTICES ON ROAD-  
7 SIDES AND HIGHWAY RIGHTS-OF-WAY.—

8 “(1) IN GENERAL.—The Secretary shall estab-  
9 lish a program to provide grants to eligible entities  
10 to carry out activities to benefit pollinators on road-  
11 sides and highway rights-of-way, including the plant-  
12 ing and seeding of native locally-appropriate grasses  
13 and wildflowers, including milkweed.

14 “(2) ELIGIBLE ENTITIES.—An entity eligible to  
15 receive a grant under this subsection is—

16 “(A) a State department of transportation;

17 “(B) an Indian tribe or tribal organization;

18 “(C) a territory; or

1 “(D) a Federal land management agency.

2 “(3) APPLICATION.—To be eligible to receive a  
3 grant under this section, an eligible entity shall sub-  
4 mit to the Secretary an application at such time, in  
5 such manner, and containing such information as  
6 the Secretary may require, including a pollinator-  
7 friendly practices plan described in paragraph (4).

8 “(4) POLLINATOR-FRIENDLY PRACTICES  
9 PLAN.—

10 “(A) IN GENERAL.—An eligible entity shall  
11 include in the application under paragraph (3)  
12 a plan that describes the pollinator-friendly  
13 practices that the eligible entity has imple-  
14 mented or plans to implement, including—

15 “(i) practices relating to mowing  
16 strategies that promote early successional  
17 vegetation and limit disturbance during pe-  
18 riods of highest use by target pollinator  
19 species on roadsides and highway rights-of-  
20 way, such as—

21 “(I) reducing the mowing swath  
22 outside of the State-designated safety  
23 zone;

24 “(II) increasing the mowing  
25 height;

1                   “(III) reducing the mowing fre-  
2                   quency;

3                   “(IV) refraining from mowing  
4                   monarch and other pollinator habitat  
5                   during periods in which monarchs or  
6                   other pollinators are present;

7                   “(V) use of a flushing bar and  
8                   cutting at reduced speeds to reduce  
9                   pollinator deaths due to mowing; or

10                  “(VI) reducing raking along  
11                  roadsides and highway rights-of-way;

12                  “(ii) implementation of an integrated  
13                  vegetation management plan that includes  
14                  approaches such as mechanical tree and  
15                  brush removal, targeted and judicious use  
16                  of herbicides, and mowing, to address weed  
17                  issues on roadsides and highway rights-of-  
18                  way;

19                  “(iii) planting or seeding of native, lo-  
20                  cally-appropriate grasses and wildflowers,  
21                  including milkweed, on roadsides and high-  
22                  way rights-of-way to enhance pollinator  
23                  habitat, including larval host plants;

1                   “(iv) removing nonnative grasses from  
2                   planting and seeding mixes, except for use  
3                   as nurse or cover crops;

4                   “(v) obtaining expert training or as-  
5                   sistance on pollinator-friendly practices, in-  
6                   cluding—

7                               “(I) native plant identification;

8                               “(II) establishment and manage-  
9                               ment of locally-appropriate or native  
10                              plants that benefit pollinators;

11                             “(III) land management practices  
12                             that benefit pollinators; and

13                             “(IV) pollinator-focused inte-  
14                             grated vegetation management; or

15                             “(vi) any other pollinator-friendly or  
16                             vegetation management practices the Sec-  
17                             retary determines to be appropriate.

18                   “(B) CONSIDERATION.—In developing the  
19                   plan under subparagraph (A), the eligible entity  
20                   shall consider other vegetation management  
21                   best management practices established by the  
22                   Secretary, including—

23                             “(i) fuel breaks for the prevention and  
24                             control of wildfires;

1                   “(ii) abating stormwater runoff and  
2                   stabilizing soil;

3                   “(iii) habitat for forage for native  
4                   fauna; and

5                   “(iv) the economy of maintenance of  
6                   the right-of-way.

7                   “(C) COORDINATION.—In developing a  
8                   plan under subparagraph (A), an eligible entity  
9                   that is a State department of transportation or  
10                  a Federal land management agency shall co-  
11                  ordinate with applicable State agencies, includ-  
12                  ing State agencies with jurisdiction over agri-  
13                  culture and fish and wildlife.

14                  “(D) CONSULTATION.—In developing a  
15                  plan under subparagraph (A)—

16                         “(i) an eligible entity that is a State  
17                         department of transportation or a Federal  
18                         land management agency shall consult with  
19                         any affected Indian tribes or tribal organi-  
20                         zations; and

21                         “(ii) any eligible entity may consult  
22                         with nonprofit organizations, institutions  
23                         of higher education, units of local govern-  
24                         ment, or any other relevant entities.

25                   “(5) AWARD OF GRANTS.—

1           “(A) IN GENERAL.—The Secretary shall  
2           provide a grant to each eligible entity that sub-  
3           mits an application under paragraph (3), in-  
4           cluding a plan under paragraph (4), that the  
5           Secretary determines to be satisfactory.

6           “(B) AMOUNT OF GRANTS.—The amount  
7           of each grant provided under this subsection  
8           may not exceed \$150,000.

9           “(6) USE OF FUNDS.—An eligible entity that  
10          receives a grant under this subsection shall use the  
11          funds for the implementation, improvement, or fur-  
12          ther development of the plan under paragraph (4).

13          “(7) FEDERAL SHARE.—The Federal share of  
14          the cost of an activity carried out with a grant under  
15          this subsection shall be up to 80 percent.

16          “(8) TECHNICAL ASSISTANCE.—On request of  
17          an eligible entity that receives a grant under this  
18          subsection, the Secretary may provide technical as-  
19          sistance with the implementation, improvement, or  
20          further development of a plan under paragraph (4).

21          “(9) ADMINISTRATIVE COSTS.—For each fiscal  
22          year, the Secretary may use not more than 5 percent  
23          of the amounts made available to carry out this sub-  
24          section for the administrative costs of carrying out  
25          this subsection.

1           “(10) AUTHORIZATION OF APPROPRIATIONS.—

2                   “(A) IN GENERAL.—There is authorized to  
3           be appropriated from the general fund of the  
4           Treasury to carry out this subsection  
5           \$2,000,000 for each of fiscal years 2023  
6           through 2026.

7                   “(B) AVAILABILITY.—Amounts made  
8           available under this subsection shall remain  
9           available as described under section 118(b).

10          “(e) BEST PRACTICES AND GUIDANCE.—

11                   “(1) IN GENERAL.—Not later than 1 year after  
12          the date of enactment of the INVEST in America  
13          Act, and periodically thereafter, the Secretary shall  
14          develop or update best practices for, and a priority  
15          ranking of, pollinator-friendly practices on roadsides  
16          and highway rights-of-way.

17                   “(2) GUIDANCE.—The Secretary shall provide  
18          guidance on sources of funds made available under  
19          this title that are eligible for activities described  
20          under this section, including any best management  
21          practices identified under paragraph (1) that are eli-  
22          gible for funding under this title.”.

23          (b) REPORT.—Not later than 2 years after the date  
24          on which the first grant is provided under section 329(d)  
25          of title 23, United States Code, as added by this Act, the

- 1 Secretary shall publish a report on the implementation of
- 2 the program under such section.

