

117TH CONGRESS
1ST SESSION

S. _____

To establish a pilot program for native plant species, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. COLLINS (for herself and Ms. CANTWELL) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To establish a pilot program for native plant species, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native Plant Species
5 Pilot Program Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the United States has a significant interest
9 in—

1 (A) preserving the worldwide system of
2 richly varied habitats;

3 (B) protecting native plant biodiversity and
4 the ecosystems that support that biodiversity;
5 and

6 (C) protecting the quality of life of people
7 in the United States;

8 (2) native plants are an inseparable part of the
9 natural beauty of the landscape of the United
10 States, which must be preserved;

11 (3) the extensive root systems of native plants
12 control erosion, moderate floods, filter water to im-
13 prove water quality, decrease the amount of water
14 needed for landscape maintenance, and sequester
15 carbon to combat climate change;

16 (4) native plants provide food and habitat for
17 pollinators and wildlife;

18 (5) native plants supply an important genetic
19 record for future food, agriculture, and plant-derived
20 products;

21 (6) native plant communities are important
22 components of cultural landscapes;

23 (7) the use of native plant materials for res-
24 toration or enhancement contributes to the preserva-
25 tion of cultural landscapes;

1 (8) the use of native plant species in revegeta-
2 tion efforts after construction activities and adjacent
3 to roadways increases habitat for a variety of polli-
4 nators and other native animal species;

5 (9) supporting native plant communities within
6 or adjacent to agricultural areas provides important
7 wildlife habitat that would not otherwise be avail-
8 able;

9 (10) the use of native plants in landscaping can
10 reduce the need for herbicides and water use; and

11 (11) of the 20,000 known native plant species
12 in North America, it has been estimated that nearly
13 25 to 30 percent are at risk of extinction as a result
14 of factors such as habitat loss, invasive species, tem-
15 perature shifts, and pesticide use.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) CONTROL.—The term “control” means,
19 with respect to invasive species, containing, sup-
20 pressing, or reducing populations of invasive species.

21 (2) ERADICATE.—The term “eradicate” means,
22 with respect to invasive species, removing or destroy-
23 ing an entire population of invasive species.

24 (3) INVASIVE SPECIES.—The term “invasive
25 species” means, with respect to a particular eco-

1 system, a nonnative organism, the introduction of
2 which causes or is likely to cause economic or envi-
3 ronmental harm or harm to human, animal, or plant
4 health.

5 (4) **LOCALLY ADAPTED.**—The term “locally
6 adapted” means, with respect to plants, plants
7 that—

8 (A) originate from an area that is geo-
9 graphically proximate to a planting area; and

10 (B) are environmentally adapted to and
11 likely to become established and persist in that
12 planting area.

13 (5) **NATIONAL PARK SERVICE REGION.**—The
14 term “National Park Service region” means each of
15 the following unified Interior regions designated by
16 the Secretary of the Interior:

17 (A) Alaska.

18 (B) Arkansas-Rio Grande-Texas-Gulf.

19 (C) Columbia-Pacific Northwest.

20 (D) California-Great Basin.

21 (E) Great Lakes.

22 (F) Lower Colorado-Basin.

23 (G) Mississippi-Basin.

24 (H) Missouri-Basin.

25 (I) North Atlantic-Appalachian.

1 (J) Pacific Islands.

2 (K) South Atlantic-Gulf.

3 (L) Upper Colorado-Basin.

4 (6) NATIVE PLANT SPECIES.—The term “native
5 plant species” means, with respect to a particular
6 ecosystem, a species that, other than as a result of
7 an introduction, historically occurred or currently oc-
8 curs in that ecosystem.

9 (7) NONNATIVE OR ALIEN.—The term “non-
10 native or alien” means, with respect to a particular
11 ecosystem, an organism, including the seeds, eggs,
12 spores, or other biological material of the organism
13 capable of propagating that species, that occurs out-
14 side of the natural range of the organism.

15 (8) PLANT MATERIAL.—The term “plant mate-
16 rial” means a plant or the seeds, eggs, spores, or
17 other biological material of a plant capable of propa-
18 gating the species of the plant.

19 (9) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior, acting through the Di-
21 rector of the National Park Service.

22 **SEC. 4. PILOT PROGRAM FOR NATIVE PLANT SPECIES.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of enactment of this Act, the Secretary shall es-

1 establish a pilot program in 2 or more National Park Service
2 regions to promote the use of native plant materials.

3 (b) IMPLEMENTATION.—In carrying out land man-
4 agement activities on Federal land under the jurisdiction
5 of the Secretary, including maintenance and restoration
6 in response to degradation caused by human activity or
7 natural events (such as fire, flood, or infestation), the Sec-
8 retary shall—

9 (1) to the extent practicable, give preference to
10 the use of locally adapted native plant materials;

11 (2) incorporate efforts to prevent, control, or
12 eradicate the spread of invasive species; and

13 (3) identify situations in which the use of non-
14 native or alien plant materials may be warranted, in-
15 cluding situations in which—

16 (A) emergency conditions require the pro-
17 tection of basic resource values;

18 (B) an interim nonpersistent measure is
19 needed to aid in the reestablishment of a native
20 plant species;

21 (C) native plant materials are not reason-
22 ably available; and

23 (D) the plant community subject to a land
24 management activity has been permanently al-
25 tered.

1 (c) COORDINATION.—To accelerate the adoption of
2 native plants throughout programs of the Department of
3 the Interior, the Secretary shall, in carrying out the pilot
4 program, coordinate activities with—

5 (1) the National Seed Strategy of the Bureau
6 of Land Management;

7 (2) the Plant Conservation Alliance; and

8 (3) the Plant Materials Centers of the Natural
9 Resources Conservation Service.

10 (d) DURATION.—The authority to carry out the pilot
11 program terminates on the date that is 5 years after the
12 date on which the pilot program is established under sub-
13 section (a).

14 (e) REPORT.—Not later than 1 year after the date
15 on which the authority to carry out the pilot program ter-
16 minates under subsection (d), the Secretary shall submit
17 to Congress a report describing the results of the pilot pro-
18 gram.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated such sums as are nec-
21 essary to carry out this Act.

1 **SEC. 5. STUDY ON COST-EFFECTIVENESS OF USING NATIVE**
2 **PLANT MATERIALS IN CARRYING OUT LAND**
3 **MANAGEMENT ACTIVITIES ON FEDERAL**
4 **LAND.**

5 (a) IN GENERAL.—As soon as practicable after the
6 date of enactment of this Act, the Secretary shall, con-
7 sistent with section 4, conduct a study to review existing
8 data to determine the cost-effectiveness of using native
9 plant materials in land management activities on Federal
10 land under the jurisdiction of the Secretary or other Fed-
11 eral land management agencies.

12 (b) REPORT.—Not later than 1 year after the date
13 of enactment of this Act, the Secretary shall submit to
14 the Committee on Energy and Natural Resources of the
15 Senate and the Committee on Natural Resources of the
16 House of Representatives a report describing the results
17 of the study required under subsection (a).