

Federal Native Plant Legislation FAQs

What is a native plant?

A native plant is any plant identified by a State as historically existing as a natural member of that State's ecosystems and plant communities.

What are the benefits of using native vegetation?

Native plants are naturally water and soil conserving, given their biological adaptations to local ecosystems. Their root systems are typically longer than non-native species, allowing for higher levels of soil water retention and soil aeration. Native plants also provide many valuable ecosystem services including carbon sequestration, soil erosion control, and watershed protection. Native species are also essential to the support of the food webs on which local animals depend.

Which plants meet the legislative requirements?

Those that are native to a state and that thrive in the plant hardiness zone in which they are being planted.

What is a “plant hardiness zone”?

A “plant hardiness zone” is an area identified in each state pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture. It is a zone of temperature extremes within which a plant will thrive [1].

What are cultivars and hybrids?

Cultivars are plant genotypes that have been selected for cultivation because they have desirable traits, be it genetic, aesthetic, functional or otherwise. Hybrids are plants resulting from the cross breeding of two different plant species. Hybrids retain traits from both parent species, sometimes allowing them to be more suited to certain environmental conditions.

How are cultivars and hybrids addressed within the legislation?

Who is required to plant native plants?

The Federal Transportation Administration

When is the Federal Transportation Administration required to plant native plants?

The FTA is required to use native vegetation when conducting landscaping, land management, reforestation, or habitat restoration activities in each state.

How long does the FTA have to comply with this legislation?

The FTA has 180 days after the date of enactment of this legislation to transition to using only native plants for all landscaping, land management, reforestation, or habitat restoration activities in each State.

How long do the States have to comply with this legislation?

Each state has 90 days after the date of enactment of this legislation to identify, for each plant hardiness zone, all of the particular species of vegetation that are native to each State, and that thrive in each plant hardiness zone in the State. These native plant lists

[1] - Information provided by Dr. Doug Tallamy, Professor of Entomology at the University of Delaware and author of *Bringing Nature Home: How You Can Sustain Wildlife with Native Plants*.

will be used by the FTA to identify which native plants to use for landscaping, land management, reforestation, or habitat restoration activities in each State.

How many acres of plants could be planted?

There are around 350,000 miles of federal roads. Assuming an average 40ft combined width for medians and roadside vegetative buffer zones along the length of all federal roads, this translates to up to 700,000 hectares of potential native plant habitat.

Is there any previous legislation regarding native plant use by transportation authorities?

The following is an example of native plant legislation passed in NJ requiring the use of native plants by the New Jersey Transit Authority when conducting landscaping, land management, reforestation, or habitat restoration activities:

https://www.njleg.state.nj.us/2016/Bills/A1000/963_I1.HTM

How are insect populations impacted by the planting of native plants?

Native plant communities can support 96% more caterpillars, the foundation of terrestrial food webs, than non-native plants. Insect biodiversity is therefore inherently tied to the presence and abundance of native plants.

How are bird populations impacted by the planting of native plants?

Native plants provide habitats and food sources for insects, which are central to the diet of many bird populations. In fact, 96% of U.S. terrestrial bird species rear young on insects, primarily caterpillars [1]. Non-native plants are poorly suited to supporting caterpillars, and thus bird populations [1].

How does the planting of native plants impact local and regional biodiversity?

Diverse native plant communities support diverse animal communities because of the myriad specialized relationship that have evolved between native plants and animals over many millions of years [1]. These specialized relations have not yet developed with non-native plants and therefore non-native plant species fail to support diverse animal communities [1].

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