



U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject **INFORMATION: Guidance Implementing
Executive Memorandum on Landscaping**

From **Director, Office of Environment and Planning**

To **Regional Administrators
Federal Lands Highway Program Administrator**

Date **NOV 2 1995**

Reply to **HEP-42**
Attn. of:

The Office of the Federal Environmental Executive recently issued final guidance to implement an April 1994 Presidential Executive Memorandum (E.M.) on Federal landscaping practices. A copy of the guidance is attached for your information and use.

The guidance provides a framework for environmentally and economically beneficial landscaping activities on Federal lands and federally-assisted projects. The guidelines were developed to aid Federal Agencies in improving their current landscape practices. As such, they can be incorporated into Agency planning and implementation of landscape management measures.

In addition to this document, we have attached a paper providing answers to commonly asked questions about the E.M. and the implementing guidance. If you have further questions, please contact Ms. Bonnie Harper-Lore of my staff at (612) 290-3233. Please share copies with those in the divisions and States within your region having the responsibility for developing and monitoring highway landscaping.


Kevin E. Heanue

2 Attachments

FHWA:HEP-42:FBank:nb:9/28/95:x65004
revised:10/17/95:10/23/95:KHeanue
Disk:Fred's, File name:em_guid.mem
cc: HEP-1, HEP-40, HEP-41, HEP-30,
HEP-31, HEP-32, HEP-42(BHarper-Lore),
HEP-42(FBank), HEP-42(2Files)



EXECUTIVE MEMORANDUM ON LANDSCAPING GUIDANCE
Questions and Answers

Q. Final guidance implementing the Presidential Executive Memorandum (E.M.) on Environmentally and Economically Beneficial Landscape Practices was issued in the *Federal Register* on August 10 (pages 40837-41). What does this E.M. and the guidance document mean to our Agency?

A. In a nutshell, they suggest principles for environmentally and economically beneficial landscape practices. The E.M. was motivated by the 1993 National Performance Review Recommendation. The E.M. noted five landscape principles for landscape projects:

- 1. Use regionally-native plants for landscaping;**
- 2. Design, use, or promote construction practices that minimize adverse effects on natural habitat;**
- 3. Seek to prevent pollution;**
- 4. Implement water and energy efficient practices; and**
- 5. Create outdoor demonstration projects.**

The intent of the E.M. is for Federal Agencies, facilities, and funded projects to implement these principles, showing leadership to the Nation by demonstrating environmentally sensitive landscape practices. The E.M. is further intended to assist in planning and policy development for landscape management practices.

Q. A key definition established by the E.M. for Agency use is that of "native plant." What is considered a native plant species?

A. A native plant species is one that occurs naturally in a particular region, ecosystem and/or habitat without direct or indirect human actions. This definition is not new, but rather, borrowed from the 1994 Memorandum of Understanding that established the Federal Native Plant Conservation Committee.

The following questions have been raised about the E.M.'s application to the FHWA and State highway agencies, when Federal-aid funds are involved on landscape projects:

Q. Does the E.M. apply to all Federal-aid highway projects involving landscaping?

A. At every opportunity where they are determined to be appropriate and cost-effective, the guiding principles of the E.M. should be considered to the maximum extent practicable.

Q. Does the E.M. include habitat mitigation projects?

A. Although the guidelines do not address this question directly, the guidelines do assume that restorations (one type of mitigation) will be encouraged as large-scale demonstrations of the landscape principles. Successful mitigation projects have already used the principles of these guidelines. Successful projects take the best scientific information available and apply those solutions to mitigation problems.

Q. Do the E.M. and the implementing guidance create an unfunded mandate?

A. The E.M. and the guidelines do not require new programs to be established. They only suggest that existing project funds be used thoughtfully, with environmental protection and cost savings in mind.

Q. Does the E.M. infringe on State flexibility?

A. The intent of the guidelines is to give support to the many State highway agencies who have already taken this approach to landscape projects and encourage other States to duplicate their wisdom. States continue to have flexibility to choose solutions appropriate to their landscape problems.

Q. How does the E.M. relate to existing mandates?

A. Existing regulations, i.e., the 1965 Beautification, 1966 Historic Preservation, 1969 NEPA, 1973 Endangered Species, and the 1987 STURRA Acts are not affected by this guidance.

Q. Are naturalized species or named varieties considered "native plants?"

A. The definition of a native plant in the guidance states... "a native plant is one that occurs naturally in an area without direct or indirect human actions." Therefore, introduced exotic species or named varieties and hybrids should not be considered native plants. Such plants would not occur naturally in an area if it were not for human activities, such as species introduction, plant breeding, and other similar cultural activities.

Although the guidance encourages the collection and nursery propagation of native species, this does not mean such species become non-native once these human activities occur. Simple propagation does not alter a native species, as would intentional genetic selection for desired characteristics or other activities such as hybridizing. The guidance states that "plants selected for Federal landscape projects or federally-funded landscape projects shall be nursery-propagated, using plant materials from sources as close as practicable to the project area." In some cases this may require collection and propagation of regionally native plant material or seeds for a project until commercial seed/seedling sources become available.

Q. May native species be dug from the wild to meet these recommendations?

A. Commercial sources should always be your first source of plant materials. However, if the opportunity to salvage naturally growing native species in the path of construction occurs, an effort should be made to incorporate them into your design and implementation. Since wild-dug plants often diminish and have no guarantee of survival, commercial sources should be sought. Securing native species from the wild, except in salvage, is not acceptable.

Q. Will the use of fertilizers and herbicides be eliminated?

A. Fertilizers and herbicides are important tools in landscape work, including erosion control and vegetation management. The guidelines seek to reduce the use of chemicals in the environment and increase the use of alternatives, i.e., compost, mulches, and integrated pest management. Elimination of chemical tools is not possible at this time.

Q. Will irrigation solutions be allowed?

A. Although reducing the use of limited natural resources is a large part of this E.M., eliminating the use of irrigation is unlikely. However, reducing the use of irrigation and encouraging the use of alternative methods like xeriscape, drought tolerant native plants, recycled water, and advanced irrigation technology will be the solutions desired.

Q. Will new funding be available?

A. At this time, additional funding for demonstration projects is not budgeted. However, we encourage innovative funding to demonstrate the principles of the E.M..

Caltrans is partnering with a commercial seed source to find better establishment techniques of native plants. The Florida DOT, with the help of the Florida Federated Garden Clubs, is using a research grant to plant native plant interpretative gardens at

Welcome Centers to increase public awareness. Further partnerships with educational institutions, arboreta, commercial nurseries, botanic gardens and garden clubs are encouraged. These partnerships in themselves will improve public awareness.

- Q. Will "cultural landscapes" have to be replaced with environmentally and economically beneficial landscapes?**
- A. No. Cultural, historical, or existing landscapes are not expected to be replaced. The E.M. applies only to landscape projects implemented after August 10, 1995, or realistically, projects funded beginning October 1, 1995.**
- Q. Will the FHWA assist States in implementing the E.M.?**
- A. The FHWA will facilitate the implementation in every way possible. Further guidelines for the use of native plants in wildflower and treeways programs are in progress. State-by-State lists of what plants are native are also in progress. The FHWA is developing a training course/workshop mechanism to further share information about the E.M.'s approach. The FHWA will continue to share experiences and information for all States through the quarterly *Greener Roadsides*.**