

118TH CONGRESS  
1ST SESSION

# S. 1380

To amend the Cooperative Forestry Assistance Act of 1978 to provide States and communities with additional assistance to plant and maintain trees, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 27, 2023

Mr. BROWN (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Cooperative Forestry Assistance Act of 1978 to provide States and communities with additional assistance to plant and maintain trees, 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 “Neighborhood Tree  
5 Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the presence of a healthy and well-main-  
9 tained urban forest can—

1 (A) support—

2 (i) the physical and mental health of  
3 community residents;

4 (ii) the regulation of air quality;

5 (iii) the mitigation of the urban heat  
6 island effect;

7 (iv) the reduction of energy demand;

8 and

9 (v) stormwater management; and

10 (B) provide other benefits;

11 (2) according to research of the Forest Service,  
12 the estimated value of benefits described in para-  
13 graph (1) exceeds \$18,000,000,000;

14 (3) the maintenance and management of an  
15 urban forest offers additional opportunities relating  
16 to workforce development, job creation, and enhance-  
17 ment of property values;

18 (4) urban forest canopy cover is inequitably dis-  
19 tributed among racial groups and income levels, ex-  
20 acerbating disparities in exposure, for example, to  
21 the urban heat island effect and in related health  
22 risks or financial burdens relating to cooling;

23 (5) the effects of historical discriminatory poli-  
24 cies, such as redlining, continue to have effects on  
25 urban environments;

1 (6) a recent analysis shows that—

2 (A) urbanized neighborhoods with mostly  
3 people of color have 33 percent less tree canopy  
4 on average than majority white neighborhoods;  
5 and

6 (B) low-income neighborhoods have 41 per-  
7 cent less tree cover than neighborhoods with  
8 low rates of poverty;

9 (7) additional analyses of cities in the United  
10 States found that—

11 (A) communities primarily inhabited by  
12 United States-born, white populations contain  
13 more than twice the urban forest canopy cover  
14 of communities primarily inhabited by racial  
15 and ethnic minorities; and

16 (B) there were elevated land temperatures  
17 in formerly redlined areas compared to their  
18 nonredlined counterparts, by an average 2.6 de-  
19 grees Celsius and up to 7 degrees Celsius; and

20 (8) to reduce disparities in the enjoyment of the  
21 social, environmental, and economic benefits of  
22 healthy and well-maintained urban forests and man-  
23 age risks relating to heat exposure and other urban  
24 stressors, the Federal Government should accelerate

1 actions to enhance the health and resilience of urban  
2 forests, with investment in priority communities.

3 **SEC. 3. NEIGHBORHOOD TREE FUND.**

4 Section 9 of the Cooperative Forestry Assistance Act  
5 of 1978 (16 U.S.C. 2105) is amended—

6 (1) by redesignating subsections (h) and (i) as  
7 subsections (i) and (j), respectively; and

8 (2) by inserting after subsection (g) the fol-  
9 lowing:

10 “(h) NEIGHBORHOOD TREE FUND.—

11 “(1) IN GENERAL.—Consistent with the pur-  
12 poses described in subsection (b), the Secretary shall  
13 establish the Neighborhood Tree Fund (referred to  
14 in this subsection as the ‘Fund’).

15 “(2) ASSISTANCE.—The Secretary shall use  
16 amounts from the Fund to provide assistance to eli-  
17 gible entities described in paragraph (3) to increase  
18 and improve the overall health of the tree canopy in  
19 a community.

20 “(3) ELIGIBILITY.—An entity that is eligible to  
21 receive assistance under paragraph (2) is—

22 “(A) a State;

23 “(B) an Indian Tribe; and

1           “(C) a local unit of government, approved  
2           organization, or local community tree volunteer  
3           group described in subsection (b)(4).

4           “(4) REQUIREMENTS.—The Secretary, in con-  
5           sultation with the Secretary of Housing and Urban  
6           Development, shall establish requirements for the re-  
7           ceipt of assistance under paragraph (2), including  
8           requirements with respect to—

9                   “(A) engagement with communities and  
10                   stakeholders;

11                   “(B) the conduct of a tree canopy assess-  
12                   ment;

13                   “(C) the use of climate change science in  
14                   the design of a project using the assistance;

15                   “(D) the conduct of site preparation and  
16                   tree species selection; and

17                   “(E) the conduct of monitoring and main-  
18                   tenance to ensure the successful establishment  
19                   of the tree canopy.

20           “(5) PRIORITY.—The Secretary shall give pri-  
21           ority to the provision of assistance under paragraph  
22           (2) to eligible entities that propose projects that—

23                   “(A) include and prioritize tree planting  
24                   and tree maintenance in—

1           “(i) a census tract with a poverty rate  
2           of not less than 20 percent, as measured  
3           by the 5-year data series available from the  
4           American Community Survey of the Bu-  
5           reau of the Census for the period of 2014  
6           through 2018, including such a census  
7           tract that includes an area that was des-  
8           ignated as ‘hazardous’ or ‘definitely declin-  
9           ing’ in maps drawn by the Home Owners’  
10          Loan Corporation; or

11          “(ii) a community or neighborhood  
12          with lower tree canopy and higher max-  
13          imum daytime summer temperatures com-  
14          pared to surrounding communities or  
15          neighborhoods, as determined by the Sec-  
16          retary, based on publicly available informa-  
17          tion; or

18          “(B) optimize outcomes for climate mitiga-  
19          tion and resilience for the purpose of public  
20          health, as determined by the Secretary.

21          “(6) LIMITATIONS ON USE OF AMOUNTS FOR  
22          COMMUNITY TREE ASSESSMENTS.—Not more than  
23          10 percent of the amount made available under  
24          paragraph (7) for a fiscal year may be used for the  
25          development of community tree assessments.

1           “(7) AUTHORIZATION OF APPROPRIATIONS.—

2           There are authorized to be appropriated for deposit  
3           into the Fund, for use by the Secretary to carry out  
4           this subsection, not less than—

5                     “(A) \$100,000,000 for fiscal year 2024;

6                     “(B) \$200,000,000 for fiscal year 2025;

7                     “(C) \$400,000,000 for fiscal year 2026;

8                     “(D) \$600,000,000 for fiscal year 2027;

9                     and

10                    “(E) \$700,000,000 for fiscal year 2028.”.

11 **SEC. 4. NATIONAL URBAN AND COMMUNITY FORESTRY AD-**

12                   **VISORY COUNCIL COMPOSITION.**

13           Section 9(g)(2)(A) of the Cooperative Forestry As-  
14           sistance Act of 1978 (16 U.S.C. 2105(g)(2)(A)) is amend-  
15           ed—

16                    (1) in the matter preceding clause (i), by strik-  
17                    ing “15” and inserting “16”;

18                    (2) in each of clauses (i) through (viii), by  
19                    striking the comma at the end and inserting a pe-  
20                    riod;

21                    (3) in clause (ix), by striking “, and” at the end  
22                    and inserting a period; and

23                    (4) by striking clause (x) and inserting the fol-  
24                    lowing:

1           “(x) 3 members who are not officers  
2           or employees of any governmental body  
3           and who have expertise and have been ac-  
4           tive in urban and community forestry, of  
5           whom—

6                       “(I) 1 is a resident of a commu-  
7                       nity with a population of less than  
8                       50,000 as of the most recent census;  
9                       and

10                      “(II) 1 is a resident of a low-in-  
11                      come community, as determined by  
12                      the Secretary.”.

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