

118TH CONGRESS
1ST SESSION

H. R. 2786

To amend the Cooperative Forestry Assistance Act of 1978 to prioritize urban and community forestry assistance for areas with low tree equity scores, to establish a grant program to enhance public elementary and secondary school rooftop gardens, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2023

Mr. SCHIFF (for himself, Ms. BARRAGÁN, Ms. OCASIO-CORTEZ, Ms. BROWN, Ms. CLARKE of New York, Mr. ESPAILLAT, Mr. EVANS, Mr. GOMEZ, Mr. GRIJALVA, Ms. KAMLAGER-DOVE, Ms. MENG, Ms. SALINAS, Ms. SÁNCHEZ, Ms. SCANLON, Mr. TAKANO, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Cooperative Forestry Assistance Act of 1978 to prioritize urban and community forestry assistance for areas with low tree equity scores, to establish a grant program to enhance public elementary and secondary school rooftop gardens, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Climate Change Relief
3 for Urban Areas Act of 2023”.

4 **SEC. 2. PRIORITIZATION OF URBAN AND COMMUNITY FOR-**
5 **ESTRY ASSISTANCE TO AREAS WITH LOW**
6 **TREE EQUITY SCORES.**

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

9 (1) in subsection (c), by adding at the end the
10 following: “In carrying out this section, the Sec-
11 retary shall give priority to providing assistance to
12 State foresters or equivalent State officials serving
13 areas with the lowest tree equity scores, as deter-
14 mined by the Secretary”;

15 (2) in subsection (h)—

16 (A) in paragraph (2), by striking “and” at
17 the end;

18 (B) in paragraph (3), by striking the pe-
19 riod and adding “; and”; and

20 (C) by adding at the end the following:

21 “(4) the term ‘tree equity score’ means a tree
22 equity score, as determined by the Secretary, that
23 is—

24 “(A) either—

25 “(i) substantially similar to the tree
26 equity score established by American For-

1 ests (or a successor tree equity score devel-
2 oped by such conservation organization or
3 other similar organization); or

4 “(ii) a tree equity tool that the Sec-
5 retary determines is most appropriate for
6 the communities served by such tool; and

7 “(B) based on how the tree canopy and
8 surface temperature of an area align with in-
9 come, employment, race, age, and health factors
10 of that area as determined by consulting with
11 community representatives or community-based
12 organizations.”; and

13 (3) in subsection (i), by striking “fiscal years
14 1991 through 1995” and inserting “fiscal years
15 2023 through 2028”.

16 **SEC. 3. PILOT GRANT PROGRAM TO PUBLIC ELEMENTARY**
17 **AND SECONDARY SCHOOL ROOFTOP GAR-**
18 **DENS.**

19 (a) **PILOT PROGRAM ESTABLISHED.**—The Secretary
20 shall establish a competitive grant program under which
21 the Secretary shall make grants to eligible entities to es-
22 tablish or expand rooftop gardens.

23 (b) **APPLICATION.**—To be eligible to receive a grant
24 under this section, an eligible entity shall submit to the
25 Secretary an application at such time, in such manner,

1 and containing such information as the Secretary may re-
2 quire, including the square feet of the proposed rooftop
3 garden (or expansion of such rooftop garden).

4 (c) PRIORITY.—In awarding grants under this sec-
5 tion, the Secretary shall give priority to the eligible entities
6 that have the lowest garden equity score, as determined
7 by the Secretary based on, with respect to the area in
8 which the eligible entity is located, the population density,
9 racial composition, incidence of respiratory illness, number
10 of urban gardens, food sovereignty, and average surface
11 temperature.

12 (d) USE OF FUNDS.—An eligible entity that receives
13 a grant under this section shall use the grant funds to
14 carry out each of the following:

15 (1) Assessing (including through architectural
16 analysis) if the area identified for purposes of estab-
17 lishing or expanding a rooftop garden can support
18 such garden or expansion and the construction
19 thereof.

20 (2) Applying for permits with respect to such
21 rooftop garden.

22 (3) Establishing a financial plan with respect to
23 the establishment or expansion of such rooftop gar-
24 den.

25 (4) Designing a rooftop garden—

1 (A) of which at least 20 percent is com-
2 prised of native plants, fruits, or vegetables;

3 (B) that does not include plants identified
4 by the State in which such garden is located as
5 invasive species;

6 (C) using best practices to reduce risk of
7 contaminants (such as using cleaning soil in
8 raised garden beds); and

9 (D) either—

10 (i) a strategy for increasing energy ef-
11 ficiency and increasing the surface ability
12 of a building to reflect sunlight and absorb
13 less solar energy; or

14 (ii) if the strategy in clause (i) is not
15 feasible, a strategy to increase habitat and
16 food availability for pollinators, manage
17 rainwater, or provide other benefits to the
18 community.

19 (5) Incorporating into the science curriculum of
20 the entity—

21 (A) an urban agriculture lesson plan; or

22 (B) a lesson plan on pollinator habitat,
23 green infrastructure for heat or stormwater
24 management, or remediation of soil and water
25 contaminants by plants.

1 (e) ORGANIC REQUIREMENT.—An eligible entity that
2 receives a grant under this section may only use organic
3 farming methods with respect to a rooftop garden estab-
4 lished or expanded by such grant.

5 (f) ROUTINE INSPECTIONS.—

6 (1) IN GENERAL.—The Secretary shall inspect
7 each rooftop garden for which a grant is awarded
8 under this section once each year.

9 (2) CONTRACT AUTHORITY.—The Secretary
10 may enter into contracts with appropriate entities to
11 carry out the inspections required under paragraph
12 (1).

13 (g) DEFINITIONS.—In this section:

14 (1) ELIGIBLE ENTITY.—The term “eligible enti-
15 ty” means a public elementary school or secondary
16 school.

17 (2) ESEA TERMS.—The terms “elementary
18 school” and “secondary school” have the meanings
19 given the terms in section 8101 of the Elementary
20 and Secondary Education Act of 1965 (20 U.S.C.
21 7801).

22 (3) SECRETARY.—The term “Secretary” means
23 the Secretary of Agriculture.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$30,000,000 for each of fiscal years 2023 through 2028.

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