

Assembly Bill No. 131—Assemblymen Cohen,
Watts; Anderson, Newby and Peters

CHAPTER.....

AN ACT relating to forestry; creating the Urban and Community Forestry Program within the Division of Forestry of the State Department of Conservation and Natural Resources; setting forth the powers and duties of the State Forester Firewarden and the Division relating to the Program; authorizing the State Forester Firewarden to award grants to promote urban and community forestry; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Forester Firewarden, subject to the approval of the Director of the State Department of Conservation and Natural Resources, to negotiate for and enter into cooperative agreements with certain governmental entities and organizations to establish and develop nurseries in this State for various purposes, including urban forestry. (NRS 528.100) **Section 6** of this bill creates the Urban and Community Forestry Program within the Division of Forestry of the State Department of Conservation and Natural Resources to promote, create, improve and maintain urban and community forests in this State. **Section 6** requires the State Forester Firewarden to administer the Program and sets forth the duties of the State Forester Firewarden, which include: (1) the development of local and regional targets for urban and community tree canopies; (2) cooperating with federal, state and local agencies to promote and advance urban and community forests; and (3) the development and dissemination of best practices for maintaining the health of urban and community forests. **Sections 3-5** of this bill define various terms relating to the Program.

Section 7 of this bill requires the Division to provide technical assistance to political subdivisions in this State for certain purposes relating to urban and community forestry.

Section 8 of this bill authorizes the State Forester Firewarden to develop a program to award grants to political subdivisions of this State, Indian tribes and nonprofit organizations for certain purposes relating to urban and community forestry.

Section 9 of this bill authorizes the State Forester Firewarden, subject to the approval of the Director, to enter into cooperative agreements to carry out the duties and functions of the Program. **Section 9** further authorizes the State Forester Firewarden to: (1) accept gifts, grants, services and donations; and (2) adopt regulations.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 528 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Historically underserved community” has the meaning ascribed to it in NRS 704.78343.*

Sec. 4. *“Urban and community forest” means native or introduced trees and related plant materials in or near urban or community areas, including, without limitation, urban and community watersheds, soils, natural riparian habitats, street trees, park trees and residential trees.*

Sec. 5. *“Urban and community forestry” means the science of developing, caring for, cultivating, managing and maintaining native and introduced trees and related plant materials in an urban or community environment to enhance air and water quality, provide shade protection, stabilize soils, promote water conservation, reduce noise levels, reduce fire hazards, improve human health, provide wildlife habitat, sustain local economies and improve esthetics.*

Sec. 6. 1. *The Urban and Community Forestry Program is hereby created within the Division. The State Forester Firewarden shall administer the Program.*

2. *The Urban and Community Forestry Program must, without limitation, promote, create, improve and maintain urban and community forests in this State and advance and promote improvements that include, without limitation:*

(a) Carbon sequestration and reductions in greenhouse gas emissions;

(b) Energy conservation;

(c) Air and water quality;

(d) Urban and community parks;

(e) Riparian corridors;

(f) River parkways;

(g) School greening or sun-safe schoolyards;

(h) Urban and community revitalization;



- (i) *Green infrastructure and sustainable landscapes;*
- (j) *Food forests that provide access to healthy and nutritious foods in urban areas and communities that have been designated as food deserts; and*
- (k) *Solid waste prevention.*

3. *In carrying out the requirements of subsection 2, the State Forester Firewarden shall:*

(a) *Develop local and regional targets for urban and community tree canopies and prioritize the development of such targets in historically underserved communities and areas that are particularly vulnerable to heat island effects. The targets must include, without limitation, local or regional targets for:*

- (1) *Urban and community forest diversity;*
- (2) *The resistance of urban and community forests to future climate conditions;*
- (3) *The resistance of urban and community forests to insects, pests and diseases; and*
- (4) *Any other target determined to be relevant by the State Forester Firewarden.*

(b) *Cooperate with state and regional urban and community forestry organizations or associations, arboricultural organizations or associations and any other relevant federal, state or local agency, district, board or other entity or public or private organization or persons in the advancement and promotion of urban and community forests.*

(c) *Develop and disseminate best practices for maintaining the health of urban and community forests, which may include, without limitation, the control of forest pests, insects and diseases.*

Sec. 7. 1. *As part of the Urban and Community Forestry Program created pursuant to section 6 of this act, the Division shall provide technical assistance to state and local agencies, governing bodies of cities and counties and other political subdivisions of this State in the following areas relating to urban and community forests:*

- (a) *Local and regional planning and land use;*
- (b) *The development and coordination of training programs for planting and maintaining neighborhood and local trees;*
- (c) *Urban and community forest health, including, without limitation, tree disease, insect problems, planting and maintaining trees and best practices for forest health;*
- (d) *The role of forest ecology in planning for the future of urban and community areas, including, without limitation, climate change, reductions in greenhouse gas emissions, carbon*



sequestration, air quality, proper watershed functions and energy conservation;

(e) The retention of native trees and riparian habitats;

(f) The role of urban and community forests as food forests in urban and community areas that have been designated as food deserts; and

(g) Any other matter the State Forester Firewarden deems relevant.

2. The Division may provide technical assistance to state and local agencies, governing bodies of cities and counties and other political subdivisions of this State relating to the utilization and composting of organic waste.

Sec. 8. 1. *As part of the Urban and Community Forestry Program, the State Forester Firewarden may establish a program to distribute grants to political subdivisions of this State, Indian tribes and nonprofit organizations to support and advance urban and community forestry in this State, which may include, without limitation:*

(a) Urban and community forestry planning, including, without limitation, programs to promote community involvement in urban and community forestry planning, the coordination of local agencies or across multiple jurisdictions in urban and community forestry planning, and urban and community forestry planning for historically underserved communities;

(b) The planting of urban and community forests and the purchasing of seeds and nursery stock;

(c) The development and dissemination of training and educational materials on the benefits of urban and community forestry and best practices in maintaining the health of urban and community forests;

(d) Programs for the maintenance of urban and community forests, including, without limitation, programs in response to infestations and certain disruptive weather events such as droughts and storms;

(e) Projects that demonstrate methods of urban and community forestry, prioritizing those that promote achievement of the objectives of the Program set forth in subsection 2 of section 6 of this act;

(f) Partnerships between local agencies and nonprofit organizations that utilize urban and community forests to conserve energy, improve air quality or water management or mitigate greenhouse gases or heat island effects; or



(g) Other projects that promote achievement of the objectives of the Program set forth in subsection 2 of section 6 of this act, as determined by the State Forester Firewarden.

2. If a grant program is established pursuant to subsection 1, the State Forester Firewarden shall adopt regulations to carry out the program.

Sec. 9. *1. The State Forester Firewarden, subject to the approval of the Director, may act for the State of Nevada in negotiating for and entering into cooperative agreements with the United States of America, with political subdivisions of this State, with Indian tribes and with organizations and natural persons to carry out the duties and functions of the Urban and Community Forestry Program in accordance with the provisions of sections 2 to 9, inclusive, of this act.*

2. The State Forester Firewarden may:

(a) Apply for and accept gifts, grants, services and donations from any source for the purposes of carrying out the provisions of sections 2 to 9, inclusive, of this act; and

(b) Adopt regulations to carry out the provisions of sections 2 to 9, inclusive, of this act.

Sec. 10. *1. This section becomes effective upon passage and approval.*

2. Sections 1 to 9, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2024, for all other purposes.



