

# WILDLIFE INFRASTRUCTURE AT-A-GLANCE

## Rural and INFRA Funding Opportunities under the New Infrastructure Law

**Next Steps:** USDOT has released a common application process for the submission of multiple discretionary grant programs including the Rural Surface Transportation Grant Program (Rural) and the Nationally Significant Multimodal Highway and Freight Projects (known as INFRA). Per that [Guidance](#): “Final Applications must be submitted through Grants.gov. The Grants.gov ‘Apply’ function is now open. **Please be aware that you must complete the Grants.gov registration process before submitting the Final Application, and that this process usually takes 2-4 weeks to complete. Applicants are encouraged to start the Grants.gov registration process now. Final Applications must be submitted by 11:59 PM E.D.T. on May 23, 2022.** Applicants are strongly encouraged to make submissions in advance of the deadline.”

### Key features of the Rural and INFRA grant programs are described below, including:

- The total amount of funding allocated to the program for Federal FY22-FY26
- A summary of eligible wildlife-related projects and eligible funding recipients
- An overview of the competitive grant process for accessing these funding sources
- The amount of the project that can be supported by Federal funds (this is commonly known as the “Federal-share payable”), including the required amount of project funding that typically has to come from non-Federal sources (*e.g.*, State, Tribal, local, private / philanthropic) (this is commonly known as the “non-Federal share” of project costs, or the required State / Tribal / local / private “match”)
- Other program details of potential interest
- Links to additional resources

### Additional Resources:

- [President Biden, U.S. DOT Announce \\$2.9 Billion of Bipartisan Infrastructure Law Funding for Major Infrastructure Projects of Regional or National Significance](#)
- [Notice of Funding Opportunity](#)
- [How to Apply](#)
- [Frequently Asked Questions](#)

**This fact sheet was prepared by Renee Callahan, ARC Solutions, on behalf of the following partners:**



**ARC (Animal Road Crossing) Solutions.** ARC Solutions is a not-for-profit network whose mission is to identify and promote leading-edge solutions to improve human safety, wildlife mobility and long-term landscape connectivity. ARC is fiscally sponsored by *Social and Environmental Entrepreneurs*. [Contact: Renee Callahan \(rcallahan@arc-solutions.org\)](mailto:rcallahan@arc-solutions.org)



**National Parks Conservation Association.** NPCA is a non-profit organization whose mission is to protect and enhance America's National Park System for present and future generations. [Contact: Bart Melton \(bmelton@npca.org\)](mailto:bmelton@npca.org)



**Wildlands Network.** Wildlands Network is a non-profit organization whose mission is to reconnect, restore and rewild North America so that life—in all its diversity—can thrive. [Contact: Erin Sito \(e.sito@wildlandsnetwork.org\)](mailto:e.sito@wildlandsnetwork.org)

## 1. RURAL SURFACE TRANSPORTATION GRANT PROGRAM (RURAL) (23 USC § 173)

**Amount:** \$1B total in FY2022-26; the current Rural [Notice](#) is for up to \$300M in funding (p. 9)

**Eligible wildlife-related projects (23 USC § 173(e)):** Wildlife-related projects located in Rural Areas that are otherwise eligible under the following programs:

- Highway, bridge, or tunnel projects eligible under the Surface Transportation Block Grant Program (23 USC § 133(b)). Eligible wildlife-related projects under Section 133 include
  - (1) “construction of . . . wildlife crossing structures” (23 USC § 133(b)(1)(G)),
  - (2) “projects and strategies designed to reduce the number of wildlife-vehicle collisions, including project-related planning, design, construction, monitoring, and preventative maintenance” (23 USC § 133(b)(14)), and
  - (3) projects eligible for the Transportation Alternatives set-aside including environmental mitigation activities to “reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.”<sup>1</sup>
- Projects eligible under the Tribal Transportation Program, including projects for “environmental mitigation in or adjacent to tribal land— (I) to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and (II) to mitigate the damage to wildlife, aquatic organism passage, habitat, and ecosystem connectivity, including the costs of constructing, maintaining, replacing, or removing culverts and bridges, as appropriate” (23 U.S.C. § 202(a)(1)(A)(vi)).
- Projects eligible under the Highway Safety Improvement Program, including projects that entail the “addition or retrofitting of structures or other measures to eliminate or reduce crashes involving vehicles and wildlife” (23 U.S.C. § 148(a)(4)(B)(xvii)).

### Eligible recipients:

- States
- Regional transportation planning organizations
- Local governments
- Tribal governments or a consortium of Tribal governments
- Combinations of the above entities (23 USC § 173(c)).

**Process:** Competitive grant. To receive a grant, projects must demonstrate that they (1) will be cost-effective; (2) will produce “regional economic, mobility, or safety benefits,” (3) will aid in meeting one or more national performance goals (including but not limited to safety and environmental sustainability), (4) are based on preliminary engineering, and (5) are expected to begin construction within 18 months after receipt of funding (23 USC § 173(g)).

**Federal-share payable:** In general, Federal funds may be used to pay for up to 80% of project costs (23 USC § 173(j)(1)); project partners are thus typically responsible for funding 20% of project costs. Exceptions exist for certain projects on the Appalachian Development Highway System (40 USC § 14501) and the Denali Access System Program (42 USC § 3121 *note*), which are eligible for up to 100% Federal funding (23 USC § 173(j)(2)). Federal funds from other sources may be used to satisfy the required non-Federal match (23 USC § 173(j)(3)). Pages 13-14 of the

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<sup>1</sup> <https://www.fhwa.dot.gov/fastact/factsheets/transportationalternativesfs.pdf>; MAP-21 § 1103(a)(13); 23 U.S.C. § 101(a)(29) (2012).

[Notice](#) provide additional information on the amount of Rural grant funds available for future eligible project costs.

**Other details:**

- **Definition of Rural Area:** The term “rural area” is defined as “an area that is outside an urbanized area with a population of over 200,000” (23 USC § 173(a)(2)).
- **Grant Selection Criteria:** Additional grant selection considerations include the extent to which the project will:
  - Improve the current state of repair of existing highway, bridge and tunnel facilities;
  - Improve mobility for residents of rural areas;
  - Aid in economic development and job creation;
  - Enhance recreational and tourism opportunities by providing access to Federal lands, wilderness areas, or State parks;
  - Contribute to the geographic diversity of grant recipients;
  - Employ innovative project delivery approaches or technologies;
  - Coordinate with projects that address broadband infrastructure needs; or
  - Improve access to emergency care and other related essential and healthcare resources (23 USC § 173(h)).
- **Eligible Project Costs:** Eligible project costs include development and planning activities (e.g., “feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities”) plus “construction, reconstruction, rehabilitation, acquisition of real property . . . , environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements” (23 USC § 173(f)).
- **Grant Size:** Except for Small Projects, the minimum grant size is \$25M (23 USC § 173(i)).
- **Small Projects:**
  - Small Projects may seek less than \$25M in funding (23 USC § 173(k)(1)).
  - Up to 10% of the total available Rural funds, or up to \$30M of funding under the current [Notice](#) (p. 57), may go to support Small Projects (23 USC § 173(k)(1)).
  - Twenty-five percent of annual funding is reserved for eligible projects on the Appalachian Development Highway System (23 USC § 173(k)(2)).
  - Fifteen percent of annual funding is reserved for eligible projects located in states that have a greater than average number of fatalities as a result of rural roadway lane departures (23 USC § 173(k)(3)).
- **Annual Reports:** USDOT is required to publish an annual report on its website listing all projects selected for a Rural grant award (23 USC § 173(n)(1)).

**Additional Rural Resources:**

- [About the Rural Surface Transportation Grant Program](#)
- [Additional Guidance](#)
- [Rural Areas Defined](#)
- [Areas of Persistent Poverty and Historically Disadvantaged Communities](#)

## 2. **NATIONALLY SIGNIFICANT MULTIMODAL FREIGHT AND HIGHWAY PROGRAM (INFRA)**

**Amount:** \$8B total in FY2022-26; the current INFRA [Notice](#) is for up to \$1.55B in funding (p. 9)

**Eligible wildlife-related projects:** The new infrastructure law revised the list of projects eligible under INFRA to include wildlife crossing projects (23 USC § 117(d)(1)(A)(v)).

**Eligible recipients** (23 USC § 117(c)):

- One or more states
- Metropolitan planning organizations
- One or more local government units
- Political subdivisions of a State or local government
- Special purpose districts or public transportation authorities, including port authorities
- Federal land management agencies applying jointly with one or more States
- Multistate corridor organizations
- Tribal governments or a consortium of tribal governments
- Combinations of the entities described above

**Process:** Competitive grant. The INFRA program provides Federal funding for projects of regional or national significance with the goal of improving the safety, efficiency, and reliability of moving people and freight in rural and urban areas (23 USC § 117(a)(1)).

**Federal-share payable:** With certain exceptions, up to 60% of the costs of a project receiving an INFRA grant may be paid for using Federal funds, except for Small Projects, where 80% of the total project costs may be paid for using Federal funds (23 USC § 117(j)(1)); project partners are thus typically responsible for funding 20% of the total costs for a Small Project, or 40% of the total costs for most other INFRA projects. In certain cases, other sources of Federal funding may be used to satisfy the required 20%-40% non-Federal / partner share of project costs, including (1) for projects involving Federal land management agencies, and (2) for projects in States with a population density equal to or less than 80 people per square mile of land area, including the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, and Wyoming (23 USC § 117(j)(2)-(3)).

Pages 12-13 of the [Notice](#) provide additional information on the amount of INFRA grant funds available for future eligible project costs.

**Other details:**

- **Definition of Rural Area:** As with the Rural program, “rural area” is an area that is outside of “an urbanized area with a population of over 200,000” (23 USC § 117(i)(3)).
  - At least 25% of the overall INFRA funding (including grants for Small Projects) must be awarded to projects in “rural areas” (23 USC § 117(i)(1)).
- **Grant Selection Criteria:** Grant selection considerations include but are not limited to the project’s effect on freight safety or resiliency to natural hazards, including “wildlife crossing onto the roadway” as well as other hazards such as high winds, heavy snowfall, flooding, rockslides, mudslides, wildlife or steep grades (23 USC § 117(e)(3)(C), (h)(4)).

- **Eligible Project Costs:** Eligible INFRA project costs include:
  - Pre-construction development activities, “including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;” and
  - Construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation (including a project to replace or rehabilitate a culvert, or to reduce stormwater runoff for the purpose of improving habitat for aquatic species), construction contingencies, acquisition of equipment, and operational improvements directly related to improving system performance” (23 USC § 117(f)).
- **Grant Size:** With the exception of Small Projects, the minimum INFRA grant amount is \$25M (23 USC § 117(b)(2)). The project must also meet one of the following total eligible cost thresholds:
  - Total eligible project costs of \$100M or more (23 USC § 117(d)(1)(B)(i)); or
  - Where the project is located within a single State, total eligible project costs greater than or equal to 30% of the total amount of Federal-Aid funds apportioned to that State during the most recent fiscal year (23 USC § 117(d)(1)(B)(ii)(I)); or
  - Where the project is located in two or more States, total eligible projects costs greater than or equal to 50% of the total amount of Federal-Aid funds apportioned to the State project partner with the highest apportionment during the most recent fiscal year (23 USC § 117(d)(1)(B)(ii)(II)).
  - Pages 23-24 of the [Notice](#) sets forth State-specific minimum grant sizes for single-State and multi-State projects.
- **Small Projects:** At least 15% of INFRA grant funds are reserved for Small Projects, which are not required to meet the cost thresholds described above (23 USC § 117(e)(1)).
  - Small Project grants must be for at least \$5M (23 USC § 117(e)(2)).
  - At least 30% of Small Project funds must be used for projects in rural areas (23 USC § 117(e)(4)).
- **Annual Report:** USDOT is required to make available an annual report on its website describing all projects selected for an INFRA grant award (23 USC § 117(p)(1)).

#### **Additional INFRA Resources**

- [About INFRA](#)
- [Additional Guidance](#)
- [Prior Awards](#)
- [Grant Implementation](#)
- [Rural and Urban Areas Defined](#)
- [Areas of Persistent Poverty and Historically Disadvantaged Communities](#)