



ARC



## WILDLIFE INFRASTRUCTURE AT-A-GLANCE

### PROMOTING RESILIENT OPERATIONS FOR TRANSFORMATIVE, EFFICIENT, AND COST-SAVING TRANSPORTATION (PROTECT) (23 USC § 176)

**The FY22-23 window for applying to the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program is now closed. Information provided in this At-A-Glance summary is based on the FY22-23 Notice of Funding Opportunity, and will be updated upon release of the FY24 Notice.**

**FY22-23 Next Steps:** The [FY22-23 Notice of Funding Opportunity](#) (NOFO) for the discretionary portion of the FHWA [Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation](#) (PROTECT) Program solicited applications for up to \$848 million in funding for projects to plan for and improve the resilience of our surface transportation system to natural hazards, including climate change, sea-level rise, flooding, extreme weather events, and other natural disasters. *FHWA anticipates awarding a total of 30 to 40 grants during the current funding cycle. Applications were due by 11:59 p.m., EST, on August 18, 2023, and had to be submitted electronically via [www.grants.gov](http://www.grants.gov).*

**Key features of the PROTECT discretionary grant program are described below, including:**

- ❖ The total amount of available program funding
- ❖ A summary of eligible wildlife-related projects and eligible funding applicants
- ❖ An overview of the process for applying for funding
- ❖ The amount of the project that can be supported by Federal funds, and the required amount of project funding that typically has to come from non-Federal sources
- ❖ Other program details of potential interest
- ❖ *Additional resources:*
  - [FY22-23 Notice of Funding Opportunity \(NOFO\)](#) (including Application Checklists for PROTECT Planning and Resilience Grant Applications)
  - [PROTECT Discretionary Grant Fact Sheet](#)
  - [Implementation Guidance](#)
  - [FY22-23 Webinar recordings](#)
  - [Additional PROTECT Resources](#)

**Amount:** Up to \$1.4B in IIJA funds authorized over FY22-26; \$400M in additional funding appropriated for FY22-23. A total of \$848M is available in FY22-23, including up to \$45M for Planning Grants; up to \$638M for Resilience Improvement Grants; up to \$45M for Community Resilience and Evacuation Route Grants; and up to \$120M for At-Risk Coastal Infrastructure Grants ([Notice](#) pp. 4, 6).

**Eligible wildlife-related projects:** *Although wildlife infrastructure is not expressly eligible and eligible project activities vary by grant type, PROTECT grants may be used to pay for eligible activities to improve infrastructure resiliency that, at the same time, co-benefit aquatic and terrestrial connectivity. Such eligible activities include lengthening or raising bridges, increasing the size or number of drainage structures, the incorporation of natural infrastructure, and any other protective features, as determined by the USDOT Secretary ([Notice](#) pp. 15-19; see also 23 USC § 101(17) (defining “natural infrastructure”).*

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

ARC (Animal Road Crossing) Solutions: Contact Renee Callahan ([rcallahan@arc-solutions.org](mailto:rcallahan@arc-solutions.org))

National Parks Conservation Association: Contact Bart Melton ([bmelton@npca.org](mailto:bmelton@npca.org))

Wildlands Network: Contact Erin Sito ([e.sito@wildlandsnetwork.org](mailto:e.sito@wildlandsnetwork.org))

**Eligible applicants:** Eligibility varies for (1) *Planning, Resilience Improvement, and Community Resilience and Evacuation Route Grants* and (2) *At-Risk Coastal Infrastructure Grants* ([Notice](#) pp. 11-12):

(1) *Planning, Resilience Improvement, and Community Resilience and Evacuation Route Grants*

- All 50 States (including the District of Columbia and Puerto Rico)
- A political subdivision of a State (including D.C. and Puerto Rico)
- Metropolitan planning organizations (MPOs)
- Tribes
- Local governments
- Special purpose district or transportation related public authority, including port authorities
- Federal land management agencies (FLMAs) applying jointly with one or more States
- Multi-State or multi-jurisdictional combinations of eligible entities

(2) *At-Risk Coastal Infrastructure Grants*

- A State (including D.C., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the North Mariana Islands) in, or bordering on, the Atlantic, Pacific, or Arctic Ocean; the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes
- A political subdivision of a State described above
- An MPO in a State described above
- A local government in a State described above
- A special purpose district or transportation related public authority, including a port authority, in a State described above
- An Indian Tribe in a State described above
- An FLMA applying jointly with a State or group of States described above
- A multi-State or multijurisdictional group of eligible entities listed above

**Process:** Competitive grant process including: (1) an initial application intake and eligibility review based on applicable statutory eligibility criteria including Eligible Entity; Eligible Project; Statutory Cost Sharing or Match requirements; and Statutory Applicant Requirements ([Notice](#) pp. 11-23); (2) an analysis of grant-specific merit criteria (described below); (3) a Technical Review, Economic Analysis Review, and assessment of responsiveness to FHWA Priority Considerations ([Notice](#) pp. 29-31, 38, 46-51); and (4) review and selection of recommended applications by the FHWA Senior Review Team (SRT) and final selection of PROTECT grant award recipients by the FHWA Administrator ([Notice](#) pp. 49-51), consistent with statutory set-asides ([Notice](#) p. 10). Specific merit criteria differ depending upon whether the application is for a planning or a resilience grant:

***Planning Grants*** are evaluated against the following four merit criteria “(1) Program Alignment; (2) Schedule and Budget; (3) Public Engagement, Partnerships and Collaboration; (4) Innovation” ([Notice](#) pp. 34-38).

***Resilience Improvement, Community Resilience and Evacuation Route, and At-Risk Coastal Infrastructure Grants*** are evaluated against the following eight merit criteria: “(1) Vulnerability and Risk; (2) Criticality to Community; (3) Design Elements; (4) Public Engagement, Partnerships and Collaboration; (5) Equity and Justice<sup>40</sup>; (6) Climate Change and Sustainability; (7) Schedule and Budget; (8) Innovation” ([Notice](#) pp. 34, 38-46).

**Federal-share payable:** PROTECT awards may be used to pay for 80-100% of total eligible costs, depending on project type, grant recipient, and other factors:

- **Planning Grants:** Federal funding may be used to pay for 100% of eligible planning activities ([Notice](#) p. 13).
- **Resilience Improvement; Community Resilience and Evacuation Route; At-Risk Coastal Infrastructure Grants:** Except as otherwise provided, Federal funding may be used to pay for up to 80% of total eligible project costs ([Notice](#) p. 13). Noted exceptions include:
  - *Indian Tribes.* Tribal recipients of a *Resilience Improvement; Community Resilience and Evacuation Route*; or *At-Risk Coastal Infrastructure* grant may qualify for up to 100% Federal funding, as determined by the USDOT Secretary ([Notice](#) p. 13).
  - *Priority Projects included in Resilience Improvement Plans that are Incorporated in Other Planning:* The non-Federal share may also be reduced by up to 10% if the following requirements are met:
    - The required non-Federal match may be reduced by 7% for projects that are prioritized within a Resilience Improvement Plan developed in accordance with Section 176(e) (23 USC § 176(e)(1)(B)(i)); and
    - The required non-Federal match may be reduced by 3% if the Resilience Improvement Plan is incorporated into the relevant metropolitan transportation plan or statewide long-range transportation plan, as appropriate ([Notice](#) pp. 13-15).
- Federal funds other than a PROTECT award may be used to meet the required non-Federal cost share ([Notice](#) p. 13).

**Additional details of potential interest:**

- **Award Sizes** ([Notice](#) p. 9):
  - *Planning Grants:* The minimum award size is \$100,000; there is no maximum award size.
  - *Resilience Improvement; Community Resilience and Evacuation Routes; and At-Risk Coast Infrastructure Grants:* The minimum award size is \$500,000; there is no maximum size.
- **Number of Anticipated Awards:** “FHWA anticipates awarding between 30 to 40 Resilience Improvement, Community Resilience and Evacuation Routes, and At-Risk Coast Infrastructure grants” during the current funding cycle ([Notice](#) p. 9).
- **Rural Set-Aside:** At least 25% of annual funding must go to projects in rural areas ([Notice](#) p. 10).
- **Tribal Set-Aside:** At least 2% of annual funding awards must go to Indian Tribes ([Notice](#) p. 10).
- **Eligible Project Costs:** PROTECT awards may only be used for “activities that are primarily for the purpose of resilience or inherently resilience related. As such, only the incremental cost of making assets more resilient are eligible for PROTECT funding” ([Notice](#) p. 13).
  - *Planning Grants:* Eligible project costs include “Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, other pre-construction activities, and other activities consistent with carrying out an eligible PROTECT Discretionary Grant Program Planning project”;
  - *Resilience Improvement; Community Resilience and Evacuation Routes; and At-Risk Coast Infrastructure Grants:* Eligible project costs include (1) Development phase activities (as described for Planning Grants); and (2) “Construction, reconstruction, rehabilitation, and

acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements” ([Notice](#) p. 22).

**Information provided in this At-A-Glance summary is based on USDOT’s FY22-23 Notice of Funding Opportunity for the PROTECT Discretionary Grant Program.**