



**United States
Department of
Agriculture**

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DATE: TBD

TO: Austin Mudd
Desk Officer
Office of Management and Budget

THROUGH: Levi Harrell
Departmental Clearance Officer
Office of the Chief Information Officer

FROM: Jaelith Hall-Rivera
Forest Service, Deputy Chief, State & Private Forestry

SUBJECT: Request for Emergency Approval for a New Information Collection
Request (ICR)—Bipartisan Infrastructure Law Provision 40804(b)5
Temporary Bridge Program

The Forest Service (FS) is requesting emergency clearance and review through 5 CFR 1320.13 for a new information collection for the Notice of Funding Opportunity (NOFO) for the Bipartisan Infrastructure Law (BIL) Provision 40804(b)5 Temporary Bridge Program. This NOFO was developed and is being offered by the USDA Forest Service.

The intent of this funding opportunity is to support the establishment of temporary bridge rental/loan/cost-share programs with States and Indian Tribes to protect water resources and reduce water quality degradation. This is a completely new program for the Forest Service, and the implementation plan was developed by State & Private Forestry in collaboration with the National Association of State Foresters, State utilization specialists, Intertribal Timber Council, and several professional logging associations.

The collection of information in the NOFO is needed sooner than the regular time period associated with the Paperwork Reduction Act and is essential to the Agency's mission. Deployment of funding for this provision is essential to support the acquisition of temporary bridges and their use to mitigate damage to sensitive watersheds during forestry operations.

The Agency cannot reasonably comply with the normal clearance procedures because public harm is likely to occur. Extended time periods for deployment of this program will cause constraints to the ability of the Agency to manage a funding application process and enter into funding agreements with States and Tribes. This will potentially result in extended order times for bridges, potential cost increases for purchase, and

delays in deployment to protect forest lands and waters during harvesting, thinning, or other operations.

The NOFO is very high priority for the agency and USDA Natural Resources and Environment. It was briefed and cleared by the Chief's office on 8/3 and NRE on 8/4. A Office of Communication new release has been prepared and will be used to announce the program. We are receiving weekly requests for program announcement from the Bipartisan Infrastructure Law implementation team. This funding will significantly help deployment of the BIL provision.

Upon approval of this emergency collection, a NOFO will be sent to all States and Tribes to complete and return to the Forest Service, leading to execution of funding agreements.

The NOFO application and review process is summarized as:

- State Forestry Agencies or their equivalent forestry agency will be the lead entity for State applications and should coordinate and collaborate with other State agencies and non-government partners including State-recognized Tribes.
- Federally recognized Indian Tribes can apply directly.
- All funding requests that meet the intent and direction of the program will be honored. If year 1 funding requests exceed funds available, some requests will be deferred to year 2. The maximum amount an entity may apply for in year 1 is \$175,000. Preference for year 1 funding will be given to entities that:
 - Do not have an active temporary bridge program
 - Describe how they will support underserved communities (EO 13985)
 - Demonstrate collaborative partnerships in implementing their programs
- Bridge types will vary depending on location, terrain, and vehicle weight requirements within each State or Tribe. Options include short- and medium-span temporary timber bridges, short- and medium-span temporary steel bridges, and temporary metal or timber roadway mats.
- Outreach for this NOFO will be sent to all States and Tribes through the National Association of State Foresters, Intertribal Timber Council, and Forest Service Office of Tribal Relations. Only States and Tribes are eligible to apply.

Applications will be submitted to the USDA Forest Service, State & Private Forestry for review and consideration. Funding recommendations will be made to the Forest Service and review by USDA Natural Resources and Environment (NRE).

We are requesting emergency approval of this new information collection package by October 11, 2022.

If there are any questions or concerns, please call Brian Brashaw at 608-334-5819.