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Office of Management and Budget
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This is a request for Office of Management and Budget (OMB) emergency clearance for a new information collection request (ICR) to enable the Federal Highway Administration (FHWA) to implement the Wildlife Crossings Pilot Program (Wildlife Crossings Program). The Wildlife Crossings Program was authorized in Section 11123(b) of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (Pub. L. 117-58) on November 15, 2021, and codified at 23 U.S.C. § 171. This historic Act is a once-in-a-generation opportunity to support transformational investments in our Nation's transportation infrastructure that will create good jobs, modernize our infrastructure, improve safety, tackle the climate crisis, and invest in communities that have too often been left behind. In creating the Wildlife Crossings Program, Congress found that there are more than 1,000,000 wildlife vehicle collisions annually that result in approximately tens of thousands of serious injuries and hundreds of fatalities on U.S. roadways, are estimated to cost over \$8 billion, and threaten the survival of species (23 U.S.C. § 171(a)). As a result, BIL established the Wildlife Crossings Program to provide grants for projects that seek to achieve a reduction in wildlife vehicle collisions and, in carrying out that purpose, improved habitat connectivity for terrestrial and aquatic species.

Critical Nature of the Information Collection Request

The Wildlife Crossings Program is critical to enable State Departments of Transportations, Indian tribes, metropolitan planning organizations, units of local government, regional transportation authorities, special purpose districts, public authorities with a transportation function, and Federal land management agencies (FLMA) to reduce wildlife vehicle collisions and improve habitat connectivity for terrestrial and aquatic species. The Wildlife Crossings Program will have significant safety and ecological contributions to communities across the United States, particularly Indian tribes and rural areas.

In BIL, Congress authorized \$350 million for Fiscal Years (FY) 2022 through 2026 to provide financial assistance to Wildlife Crossings Program eligible projects. For FY 2022 and FY23, FHWA plans to announce through a Notice of Funding Opportunity that up to \$125 million is available for awards. Considerations to make funds available under the Wildlife Crossings Program in this NOFO include the extent the propose project: (a) protects motorists and wildlife by reducing the number of wildlife-vehicle collisions; (b) improves habitat connectivity for terrestrial and aquatic species; (c) leverages Federal investment by encouraging non-Federal contributions to the project, including projects from public-private partnerships; (d) supports economic development and improves visitation opportunities; (e) incorporates innovative technologies, including advanced design techniques and other strategies to enhance efficiency and effectiveness; (f) provides educational and outreach opportunities; (g) includes monitoring and research to allow FHWA or others to evaluate, compare effectiveness of, and identify best practices in selected projects; (h) benefits birds, fish, reptiles, mammals, and amphibians that are

listed, candidates, or proposed to be listed as Federally threatened or endangered species; (i) incorporates considerations of climate change, extreme weather events, and resilience of infrastructure and ecosystems; and (j) improves equity and addresses barriers to opportunities.

FHWA developed an application checklist designed to help streamline the application process and submission of the information requested in the NOFO.

Need for Emergency Approval

The issuance of the FY 2022 - 2023 Wildlife Crossings Program NOFO is a high priority for the Administration so work can begin as soon as possible to improve our transportation infrastructure, the safety of motorist and wildlife, and habitat connectivity for terrestrial and aquatic species. The Administration set an FY 2022 - 2023 NOFO issuance date in early 2023, and the FHWA worked diligently since the enactment of BIL to develop the Wildlife Crossings Program NOFO and application checklist as quickly as possible. The DOT intends to issue the NOFO in early 2023.

The use of normal clearance procedures for ICR approval will prevent the Department from meeting the Administration's deadline. If the Department does not receive emergency approval for this ICR, implementation of the Wildlife Crossings Program will be delayed.

Due to the urgency of executing the newly enacted Act, the Department respectfully ask OMB for emergency approval of the ICR within 30 days of receipt of this letter.

If you have any questions regarding this request, please contact Colleen Fletcher, National Program Manager, colleen.fletcher@dot.gov.

Sincerely,

Tim Hess
Associate Administrator for Federal Lands
Federal Highway Administration