

**U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
Notice of Funding Opportunity for Fiscal Years 2024-2026 Promoting Resilient Operations
for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program**

AGENCY: U.S. Department of Transportation (DOT), Federal Highway Administration (FHWA).

ACTION: Notice of Funding Opportunity (NOFO)

SUMMARY:

SUMMARY OVERVIEW OF KEY INFORMATION: NOFO for Fiscal Years (FY) 2024-2026 PROTECT Discretionary Grant Program	
Issuing Agency	FHWA
Program Overview	The purpose of this NOFO is to provide grants on a competitive basis for projects that seek to strengthen surface transportation to be more resilient to natural hazards, including climate change, sea level rise, heat waves, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure.
Objective	Plan for and strengthen surface transportation to be more resilient to natural hazards, including climate change, sea level rise, flooding, heat waves, extreme weather events, and other natural disasters.
Eligible Applicants	<p><u>Planning Grants, Resilience Improvement Grants, and Community Resilience and Evacuation Route Grants (23 U.S.C. § 176(d)(2))</u></p> <ol style="list-style-type: none"> 1. A State or political subdivision of a State. (Includes the District of Columbia and Puerto Rico) 2. A metropolitan planning organization (MPO). 3. A unit of local government. 4. A special purpose district or public authority with a transportation function, including a port authority.¹ 5. An Indian Tribe (as defined in 23 U.S.C. § 207(m)(1)). 6. A Federal land management agency that applies jointly with a State or group of States. 7. A multi-State or multijurisdictional group of entities described in (1) through (6). <p><u>At-Risk Coastal Infrastructure Grants (23 U.S.C. § 176(d)(4)(C)(i)(I-VIII))</u></p> <ol style="list-style-type: none"> 1. A State (including the U.S. Territories Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana

¹ Public authorities with a transportation function can include public transportation and transit agencies (see PROTECT NOFO Q&A: https://www.fhwa.dot.gov/environment/protect/discretionary/protect_nofq_qa.pdf)

	<p>Islands) in, or bordering on, the Atlantic, Pacific, or Arctic Oceans, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes.</p> <ol style="list-style-type: none"> 2. A political subdivision of a State described in (1.) above 3. An MPO in a State described in (1.) above 4. A unit of local government in a State described in (1.) above. 5. A special purpose district or public authority with a transportation function, including a port authority, in a State described in (1.) above. 6. An Indian Tribe in a State described in (1.) above. 7. A Federal land management agency that applies jointly with a State or group of States described in (1.) above. 8. A multi-State or multijurisdictional group of entities described in (1.) through (7.) above.
Eligible Project Types	<p>PROTECT Discretionary Grant funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related.</p> <p>The PROTECT Program has four different categories of projects:</p> <ul style="list-style-type: none"> • Planning Grants (23 U.S.C. § 176(d)(3)) • Resilience Improvement Grants (23 U.S.C. § 176(d)(4)(A)(ii)) • Community Resilience and Evacuation Route Grants (23 U.S.C. § 176(d)(4)(B)(ii)) • At-Risk Coastal Infrastructure Grants (23 U.S.C. 176(d)(4)(C)(iii))
Eligible Facilities	<p>A PROTECT Discretionary Grant Program Planning Grant or Resilience Grant may be awarded only for the following facilities (23 U.S.C. § 176(d)(5)(C)):</p> <ol style="list-style-type: none"> 1. A highway² project eligible for assistance under this title. 2. A public transportation facility or service eligible for assistance under chapter 53 of title 49. 3. A facility or service for intercity rail passenger transportation (as defined in section 24102 of title 49). 4. A port facility, including a facility that: <ol style="list-style-type: none"> a) connects a port to other modes of transportation; b) improves the efficiency of evacuations and disaster relief; or c) aids transportation.

² The term “highway” includes a road, street, and parkway; a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department, including such facilities as may be required by the U.S. Customs and Immigration Services in connection with the operation of an international bridge or tunnel. 23 U.S.C. § 101(a)(11).

Funding	<p>Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021), also known as the “Bipartisan Infrastructure Law,” provides \$300 million annually for FY 2024-2026.</p> <p>This NOFO announces two application periods:</p> <ul style="list-style-type: none"> • FY 2024 and 2025 Funding: up to \$576 million • FY 2026 Funding: up to \$300 million <p>The FY 2024 and 2025 application period includes up to \$16 million in unawarded FY 2023 funds.</p> <p>The actual amount available to be awarded under this Notice will be subject to the availability of funds.</p>
Opening Dates	<ul style="list-style-type: none"> • FY 2024 and 2025 Opening: October 25, 2024 • FY 2026 Opening: October 27, 2025
Deadline	<ul style="list-style-type: none"> • FY 2024 and 2025 Deadline: February 24, 2025, 11:59 p.m. ET • FY 2026 Deadline: February 24, 2026, 11:59 p.m. ET
Cost-Share	<p>For PROTECT Discretionary Grant Program Planning Grants, the Federal share of an eligible planning activity shall be 100 percent. (23 U.S.C. § 176(d)(5)(E)(i)).</p> <p>For PROTECT Discretionary Grant Program Resilience Grants, the Federal share of an eligible project shall not exceed 80 percent of the total cost of the project. (23 U.S.C. § 176(d)(5)(E)(ii)(I)). If an Indian Tribe (as defined in 23 U.S.C. § 207(m)(1)) receives a Resilience Improvement Grant, Community Resilience and Evacuation Route Grant, or At-Risk Coastal Infrastructure Grant, on the determination of the Secretary, the Federal share of an eligible project may be up to 100 percent. (23 U.S.C. § 176(d)(5)(E)(ii)(II)). For projects carried out in the U.S. Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands, the Federal share of an eligible project shall be 100 percent. (23 U.S.C. § 120(g)).</p> <p>The non-Federal share of the cost of a project carried out using PROTECT Discretionary Grant funds may be reduced by 7 percentage points if the State has developed a Resilience Improvement Plan and prioritized the project on that Resilience Improvement Plan (23 U.S.C. 176(e)(1)(B)(i)); and 3 percentage points if a State Resilience Improvement Plan developed in accordance with Section 176(e) is incorporated (directly or by reference) into the metropolitan transportation plan (MTP) under 23 U.S.C. 134 or the statewide long-range transportation plan under 23 U.S.C. 135, as applicable. (23 U.S.C. 176(e)(1)(B)(ii)).</p> <p>See Section C.2 of this NOFO for more information on cost share requirements.</p>

The purpose of this NOFO is to solicit applications for FHWA’s PROTECT Discretionary Program grants and will result in the distribution of up to \$876 million. The actual amount available to be awarded under this notice will be subject to the availability of funds.

Funds made available for Federal FYs 2024-2026 for the PROTECT Discretionary Grant Program are to be awarded on a competitive basis to make transportation infrastructure and service more resilient to climate change and extreme weather events under 23 U.S.C. § 176. This Notice describes the application requirements, selection and evaluation criteria, applicable program and Federal requirements, and available technical assistance during the grant solicitation period.

DATES:

See the table below for important dates and deadlines for FYs 2024-2026 applications. The minimum number of days of an application open period represents calendar days (i.e., not working days).

Activity	Funding (Fiscal Year)	
	FY24-25	FY26
NOFO Release	10/25/2024	10/27/2025
Minimum Number of Days of Application Open Period	120 days	120 days
NOFO Close	2/24/2025	2/24/2026

Applicants must ensure they are properly registered³ in Grants.gov. Applicants can only submit applications starting with the NOFO release date and ending on the NOFO close date indicated above for each fiscal year. Applications must be submitted electronically through Grants.gov no later than 11:59 p.m., Eastern Standard Time, on those “NOFO Close” dates for any funding year the applicant wishes to apply for funding. The Grants.gov “Apply” function will open by the NOFO Release Date and will close after the NOFO Close Date.

Applicants are encouraged to submit applications in advance of the relevant application deadline; however, applications will not be assessed, and awards will not be made, until after the respective application deadline.

For each Application Open Period, FHWA plans to conduct outreach regarding PROTECT Discretionary Program grants in the form of virtual meetings (Webinars) after the NOFO period opens, and before the NOFO period closes. To view upcoming Webinars and register, please follow the instructions posted on <https://www.fhwa.dot.gov/environment/protect/discretionary>. The Webinars will be recorded and posted on FHWA's PROTECT Discretionary Grant Program Website at <https://www.fhwa.dot.gov/environment/protect/discretionary>.

ADDRESSES:

Applications must be submitted electronically through [Grants.gov](https://www.grants.gov). Refer to Assistance Listing: 20.205 – Highway Planning and Construction.

³ <https://www.grants.gov/applicants/applicant-registration>