

**SUPPORTING STATEMENT
FOR
BRIDGE PERMIT APPLICATION GUIDE
OMB Control No.: 1625-0015
Collection Instruments: Instruction**

A. JUSTIFICATION

1. Circumstances which make the collection of information necessary.

Under the provisions of 33 U.S.C. 401, 491, and 525, it shall not be lawful to construct a bridge or causeway over navigable waters of the United States unless the plans and location of such structures have been approved by the Secretary of Homeland Security through the Commandant, U. S. Coast Guard. The plans and map of the location must be in such detail as may be required for a full understanding of the bridge project. The procedures of obtaining an individual bridge permit are set forth in 33 CFR 115.50 and 115.60. The procedure essentially calls for a letter of application with letter size drawings (plans) and map showing the proposed bridge project and its location.

Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), as amended, requires federal agencies to assess in detail the environmental impacts of proposed major federal actions on the quality of the human environment. 40 CFR 1500-1508 sets forth the procedures, and 40 CFR 1502.3 specifically mandates the requirement for impact statements.

2. Purpose of the Information Collection

It is against the law to build a bridge over the navigable waters of the United States without approval of the plans and location of such structures. The Coast Guard, before a bridge permit is issued or denied, uses the information provided by the applicant to evaluate the effect the bridge project will have on the reasonable needs of navigation and on the human environment. The applicants are private entities, Federal, state, or local government agencies, or organizations employing more than 100 persons.

3. Consideration of the use of improved information technology to reduce the burden.

Currently applicants can submit the required material electronically to the Coast Guard via email, CD-ROM or posting documents to applicant websites for Coast Guard download. Development of the Bridge Permit Application Guide (BPAG), COMDTPUB P16591.3 (series) and the Bridge Administration Manual (BAM), COMDTINST M16590.5 (series) have prevented waste within the Coast Guard. The BPAG provides a standard for assisting applicants in compiling the required information and documents. The BAM provides the same standard for Coast Guard field units and Headquarters to review and evaluate permit applications.

The Coast Guard Office of Bridge Programs owns the permitting process and developed and deployed a new version of the BPAG in July of 2016. The new version simplified the application process by modifying the application to a checklist-style document. The document now requires less information be presented by the applicant and is now easier to complete. The new document reduced both the time to complete an application for the applicant as well as the review time of the application by the Coast Guard. Overall the time savings is estimated to be 25% for application preparation and 35% for Coast Guard application review. These gains in efficiency are captured in this document's calculations.

4. Efforts to identify duplication.

The granting of a bridge permit over the navigable waters of the United States is a unique function that falls solely under the jurisdiction of the Coast Guard. There is no duplication in the collection of necessary information to complete an application. The procedures for developing environmental assessments or environmental impact statements (40 CFR 1506) require that duplicative efforts be

eliminated between federal, state and local governments. Thus, where practicable, joint public meetings or hearings are held, joint public notices can be issued, and environmental documents/statements, reports, and analyses can be referenced and/or adopted. Additionally, Executive Order 13604: Improving Performance of Federal Permitting and Review of Infrastructure Projects, directed federal agencies to improve the permitting and review process for infrastructure projects throughout the country. Agency implementation of the EO further reduced duplicative efforts for the collection of materials from bridge permit applicants between the Coast Guard and other federal agencies.

5. Methods used to minimize the burdens to small business.

Not applicable. The respondents are, with private entities, Federal, state, or local government agencies, or organizations employing more than 100 persons.

6. Consequences to the Federal program if collection were not done or conducted less frequently.

The result of either not collecting this information or conducting it less frequently would be noncompliance with statutory and regulatory requirements. The Coast Guard's bridge permit program would become ineffective and their inability to make informed decisions on whether proposed bridges or bridge modifications would meet the reasonable needs of navigation with due consideration of the effects on the human environment could jeopardize maritime navigation. Every application for a Coast Guard bridge permit must go through this collection process. The Coast Guard has no influence on how many bridge applications it receives annually. Federal funding for transportation projects is the largest influence.

7. Special circumstances that require collection to be conducted in an inconsistent manner.

None.

8. Solicitation of Comments.

A 60-day Notice (See [USCG-2018-0497], August 22, 2018, 83 FR 42522) and 30-day Notice (October 30, 2018, 83 FR 54607) were published in the Federal Register to obtain public comment on this collection. The Coast Guard has not received any comments on this information collection.

9. Provide any payment or gift to respondents.

Not applicable. Neither applicants nor respondents to public notices on bridge projects are compensated for providing data or information.

10. Assurances of confidentiality provided to respondents.

This information collection request is covered by the Marine Information Safety and Law Enforcement (MISLE) Privacy Impact Assessment (PIA) and System of Records Notice (SORN). Links to the MISLE PIA and SORN are provided below:

- https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf
- <https://www.gpo.gov/fdsys/pkg/FR-2009-06-25/html/E9-14906.htm>

11. Additional justification for any questions of a sensitive nature.

Not applicable. The Bridge Permit Application Guide contains no questions of a personal or private nature.

12. Estimate of annual hour and cost burden.

Frequency of Response: Usually once, when applying for Coast Guard approval of proposed bridge construction or bridge modification.

Applicant cost to provide the information contained in the Bridge Permit Application Guide can vary

greatly depending upon the level of environmental documentation required under NEPA. There are three levels of NEPA documentation: categorical exclusions (CE), environmental assessments (EA) and environmental impact statements (EIS). For the purposes of this OMB evaluation categorical exclusions shall be considered low impact projects by the Bridge Program since they typically require minimal coordination and documentation. EAs and EISs require a much more rigorous analysis and take more time and capital to produce so they are considered to be high impact projects by the Bridge Program.

All calculations presented in this document are based on the number of permit applications processed between FY15 and FY17. This includes permit pre-application coordination between the Bridge Program and the applicant that is required as an application is prepared for submission. Application preparation for low impact projects account for approximately 54% of Coast Guard Bridge Permit Applications. Application preparation for high impact projects account for approximately 46% of Coast Guard Bridge Permit Applications.

Number of Bridge Permit Applicants (Respondents):

FY15 – Low Impact 106 + High Impact 93 = 199 total

FY16 – Low Impact 79 + High Impact 60 = 139 total

FY17 – Low Impact 138 + High Impact 122 = 260 total

Low Impact total = 323 High Impact total = 275 Total = 598

For 81% of Coast Guard bridge permit applications the applicant is another federal agency (Federal Highway Administration (FHWA), Federal Railroad Administration (FRA)/Federal Transit Administration (FTA), etc). The Coast Guard is not the lead federal agency for NEPA on these projects but all Federal actions must comply with the provisions of NEPA. Any Federal applicant for a bridge permit becomes responsible as the lead federal agency under NEPA to conduct a NEPA evaluation. The NEPA documentation has already been complete at the time of application submission since the lead federal agency is required to prepare NEPA documentation when federal funding is involved. The below calculations do not include the number of hours and associated costs a federal applicant spends on preparing their NEPA documentation since the documentation is not a sole requirement of the Coast Guard, but a requirement that is met before a Coast Guard Bridge permit application is considered.

Due to staffing limitations, the Coast Guard typically requires the applicant to prepare the NEPA documentation when the Coast Guard is identified as the lead federal agency for NEPA, approximately 19% of the time. NEPA documentation requirements vary based upon the impacts and complexity of the project. Implementation procedures are based on Council on Environmental Quality (CEQ) Regulations found in 40 CFR 1500-1508. When a private entity/owner applies for a Coast Guard bridge permit the Coast Guard must now assume lead federal agency responsibilities for NEPA. The Coast Guard Bridge Program often coordinates with the private applicant to have them produce the NEPA documentation for the Coast Guard to expedite the permit process, as allowed by the CEQ regulations. The cost to do this then falls to the applicant. Market research suggests that low impact (CE) projects typically take 120 hours to produce a NEPA document at an estimated cost of \$12,000. High impact (EA and EIS) projects typically take between 500 (EA) and 5,000 (EIS) hours to produce a NEPA document at an estimated cost of between \$50,000 (EA) and \$500,000 (EIS). Sections a. and b. below represent low and high impact projects, respectively.

The calculations contained below are based upon the level of NEPA documentation required for the proposed project and reflect the low impact (CE) /high impact (EA/EIS) determination. The costs shown are based upon the 2018 schedule of hourly rates for personnel contained within enclosure (2) to COMDTINST 7310.1S. Total estimated respondent financial cost for FY15-FY17 is shown in Section d. at **\$4,530,393.00**. These calculations do not include the hours and cost for NEPA documentation

preparation described above.

- a. Application preparation by the applicant for low impact projects (categorical exclusions).** For FY15-FY17 the Program received 323 applications for low impact (CE) projects. These projects account for approximately 54% of Coast Guard Bridge Permit Applications. Rates are based on COMDTINST 7310.1S Coast Guard Reimbursable Standard Rate dated 24 April 2018.

Inside government (I/G)

Outside government (O/G)

| | | |
|--|---|-----------------------|
| Pre-application consultations w/federal, state, local govt. (GS-13/14, O/G \$109) X 8 hrs | = | \$872.00 |
| Application preparation (GS-11, O/G \$67) X 30 hrs | = | \$2,010.00 |
| Clerical (GS-5/8, O/G \$51) X 4 hrs | = | \$204.00 |
| Drawings prepared (GS-9, O/G \$53) X 10 hrs | = | \$530.00 |
| Respondent financial burden per application | = | \$3,616.00 |
| Respondent burden hours per application, low impact (8+30+4+10 hrs) | = | 52 hrs |
| Total Respondent hours - 52 hrs X 323 applications (54% of 598, FY15-17)= | | 16,796 hrs |
| Total Respondent Cost - \$3,616.00 X 323 applications | = | \$1,167,968.00 |

- b. Application preparation for high impact projects (environmental assessments and environmental impact statements).** FY15-FY17 the Program received 275 applications for high impact (EA/EIS) projects. These projects account for approximately 46% of Coast Guard Bridge Permit Applications.

Note: the hourly differences between an environmental assessment and an environmental impact statement are evident in the NEPA document preparation, and not with the other Bridge Permit Application requirements, as described below.

Within government (I/G)

Outside government (O/G)

| | | |
|---|---|-----------------------|
| Pre-application consultations w/federal, state, local govt. (GS-13/14, O/G \$109) X 87 hrs | = | \$9,483.00 |
| Application preparation (GS-11, O/G \$67) X 30 hrs | = | \$2,010.00 |
| Clerical (GS-5/8, O/G \$51) X 4 hrs | = | \$204.00 |
| Drawings prepared (GS-9, O/G \$53) X 10 hrs | = | \$530.00 |
| Respondent financial burden per application | = | \$12,227.00 |
| Respondent burden hours per application, high impact (87+30+4+10 hrs) | = | 131 hrs |
| Total Respondent hours - 131 hrs X 275 applications (46% of 598, FY15-17) = | | 36,025 hrs |
| Total Respondent Cost - \$12,227.00 X 275 applicants | = | \$3,362,425.00 |

- c. FY15-FY17 total respondent hours (16,796+36,025) = 52,821 hrs**

d. FY15-FY17 total respondent cost (\$1,167,968.00+3,362,425.00) = \$4,530,393.00

13. Provide an estimate of the annualized capital/start-up costs to respondents.

The estimated cost for the copying, postage and handling of a bridge permit application:

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|--|---|--------------------|
| Low Impact Project | = | \$50.00 |
| Total Respondent Cost - \$50.00 X 323 applications (54% of 598, FY15-17) | = | \$16,150.00 |
| High Impact Project | = | \$200.00 |
| Total Respondent Cost - \$200.00 X 275 applications (46% of 598, FY15-17) | = | \$55,000.00 |
| FY 15-FY17 estimated total cost | = | \$71,150.00 |

14. Estimates of annualized cost to the Federal Government.

The estimated annual federal cost for administration for FY15-FY17 is **\$6,826,952.25**; this number will change slightly from year to year depending on the number of applications received in that year. This estimate is primarily federal personnel salary and overhead costs associated with field and headquarters time expended in processing a respondent's application for a bridge permit or permit amendment. The costs are directly related to working with and evaluating the information collected from respondents in order to make the federal decision required on bridge project impacts on navigation and on the human environment. Personnel costs are calculated from information in enclosure (2) to COMDTINST 7310.1S.

- a. Prepare District jurisdictional and navigational determinations, review and provide feedback for application package, prepare and distribute Coast Guard public notice and agency notifications, review and address public concerns, and prepare District Findings of Fact (total 78.4 hours). These actions differ very little between low impact and high impact projects as well as between Coast Guard lead vs. non-lead federal agency.

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|--|---|-------------------|
| CG application review and acknowledgment (GM-12, I/G \$74) X 8 hrs | = | \$592.00 |
| CG jurisdictional/navigation clearance determinations & coordination (GM-12, I/G \$74) X 25 hrs | = | \$1,850.00 |
| Prepare and distribute CG Public Notice/Agency Notifications (GS-13/14, I/G \$103) X .50 hrs | = | \$51.50 |
| (GS-12, I/G \$74) X 11 hrs | = | \$814.00 |
| Review and prepare public notice responses (GS-12, I/G \$74) X 3.5 hrs | = | \$259.00 |
| Prepare District Findings of Fact. Same for low and high impact, same for Coast Guard lead vs. non-lead (GS-12, I/G \$74) X 17 hrs | = | <u>\$1,258.00</u> |
| 65 hrs | | \$4,824.50 |

- b. When the Coast Guard **IS NOT** the lead federal agency, review and comment on preliminary and final environmental documents, attend resource/regulatory agency meetings and draft Finding of No Significant Impact (FONSI) or Record of Decision (ROD) for high impact projects. These projects account for approximately 81% of Coast Guard Bridge Permit Applications.

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| Review and comment on preliminary and final environmental documents. (GS-12, I/G \$74) X 18 hrs | = | \$1,332.00 |
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|---|---|-------------------|
| Attend resource/regulatory agency meetings. (GS-12, I/G \$74) X 3 hrs | = | \$222.00 |
| Draft FONSI or ROD for high impact projects. (GS-12, I/G \$74) X 5 hrs | = | <u>\$370.00</u> |
| | | 26 hrs |
| | | \$1,924.00 |

- c. When the Coast Guard **IS** the lead federal agency review environmental documents, to include reviewing applicant prepared environmental documents and coordination and consultation with natural resource agencies (average for low and high impact = 37 hours). These projects account for approximately 20% of Coast Guard Bridge Permit Applications.

Please note that the following dollar amounts; \$1,850.00, \$888.00, \$1,702.00 and \$489.25; are used in both the LOW and HIGH impact calculations.

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| Review applicant-prepared preliminary and final environmental documents (GS-12, I/G \$74) X 25 hrs | = | \$1,850.00 |
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| Attend resource/regulatory agency meetings. (GS-12, I/G \$74) X 12 hrs | = | \$888.00 |
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Circulate and address comments and concerns.

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| Low Impact (GS-12, I/G \$74) X 17 hrs | = | \$1,258.00 |
|--|---|------------|

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| High Impact (GS-12, I/G \$74) X 60 hrs | = | \$4,440.00 |
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Draft CE determination, FONSI or ROD, review and comment on final environmental document.

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| Low Impact (GS-12, I/G \$74) X 8 hrs | = | \$592.00 |
|---|---|----------|

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|--|---|------------|
| High Impact (GS-12, I/G \$74) X 58hrs | = | \$4,292.00 |
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Prepare final environmental document/cover for agency signature, prepare permit package for District/Commandant review, prepare transmittal letter/case file and completion report.

Same for low and high impact

| | | |
|----------------------------------|---|-----------------|
| (GS-12, I/G \$74) X 23hrs | = | \$1,702.00 |
| (GS-13/14, I/G \$103) X 4.75 hrs | = | <u>\$489.25</u> |

89.75 hrs Low impact = **\$6,779.25**
182.75 hrs High impact = **\$13,661.25**

- d. Coast Guard HQ receives application package, evaluates impacts on navigation and the environment, prepares written evaluations, bridge permit or denial, and transmittal letter to District. This section applies to all applications.

Low Impact

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|-------------------------------|---|------------|
| (GS-15, I/G \$119) X 3.50 hrs | = | \$416.50 |
| (GS-13, I/G \$88) X 21.75 hrs | = | \$1,914.00 |

| | | | |
|-------------------------------|------------------|---------------|-------------------|
| | 25.25 hrs | Low impact = | \$2,333.50 |
| High Impact | | | |
| (GS-15, I/G \$119) X 5.50 hrs | | = | \$654.50 |
| (GS-13, I/G \$88) X 43 hrs | | = | \$3,784 |
| | 48.5 hrs | High impact = | \$4,438.50 |

e. FY15-FY17 Coast Guard hours per response:

Low impact projects, Coast Guard **not** the lead federal agency = **116.25 hrs** (a+b+d(low))
 Low impact projects, Coast Guard **is** the lead federal agency = **180.00 hrs** (a+c(low)+d(low))
 High impact projects, Coast Guard **not** the lead federal agency = **139.50 hrs** (a+b+d(high))
 High impact projects, Coast Guard **is** the lead federal agency = **296.25 hrs** (a+c(high)+d(high))

f. FY15-FY17 Total Cost burden hours:

The calculations in this section are based upon 598 projects for FY15-FY17. 54% were considered low impact (323 applications). Of this 23% were Coast Guard lead (74 applications) and 77% were not Coast Guard lead (249 applications). 46% of the applications were considered high impact projects (275 applications). Of this 14% were Coast Guard lead (39 applications) and 86% were not Coast Guard lead (236 applications). These numbers are used to generate the Coast Guard burden hours.

Total Coast Guard burden hours (low impact projects, Coast Guard not the lead federal agency)
 = 28,946.25 hrs (249 applications X 116.25 hrs)
 Total Coast Guard burden hours (low impact projects, Coast Guard is the lead federal agency)
 = 13,320.00 hrs (74 applications X 180.00 hrs)
 Total Coast Guard burden hours (high impact projects, Coast Guard not the lead federal agency)
 = 32,922.00 hrs (236 applications X 139.50 hrs)
 Total Coast Guard burden hours (high impact projects, Coast Guard is the lead federal agency)
 = 11,553.75 hrs (39 applications X 296.25 hrs)
 Total Coast Guard burden hours, FY15-17 = 86,742.00 hrs

g. FY15-17 Federal government financial burden

Coast Guard financial burden (low impact projects/Coast Guard not the lead federal agency)
 = **\$2,261,418.00** (\$9,082.00 (a+b+d(low)) X 249 applications)
 Coast Guard financial burden (low impact projects/Coast Guard is the lead federal agency)
 = **\$1,031,356.50** (\$13,937.25 (a+c(low)+d(low)) X 74 applications)
 Coast Guard financial burden (high impact projects/Coast Guard not the lead federal agency)
 = **\$2,640,132.00** (\$11,187.00 (a+b+d(high)) X 236 applications)
 Coast Guard financial burden (high impact projects/Coast Guard is the lead federal agency)
 = **\$894,045.75** (\$22,924.25 (a+c(high)+d(high)) X 39 applications)
 Total Federal Cost (FY15-FY17, 598 applications) = **\$6,826,952.25**

15. Reason for changes or adjustments in the burden.

Total public burden hours for FY15-FY17 are calculated to be 52,821. The Bridge Program continues to refine its ability to capture the work in progress at both the district and headquarters levels. During the previous ICB review the Program only identified average annual burden hours for FY14. During that time the average annual increase for burden was estimated to be 17%. Data captured between FY15 and FY17 shows an annual increase in burden hours from 12,354 to 17,607. This increase of 5,253 hours reflects a 30% increase. This increase is not reflective of the amount of work required by applicants to complete an application. As described above this burden hours actually decreased due to increased efficiency in permit preparation utilizing the new permit applicant template. The increase is due to better tracking of permit pre-application and application coordination between the applicants and the Coast Guard and the increase in permits currently in process. The data presented in this justification represents the best information currently available.

16. Plans for tabulation, statistical analysis and publication.

Not applicable. No publication of collected information or statistical analysis is planned.

17. Approval for not to explain the OMB expiration date.

USCG will display the OMB control number and expiration date of OMB approval of this information collection on the next revision to the BPAG (currently under development).

18. Exception to the certification statement.

There are no exceptions.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable. The collection does not employ statistical methods.