

Department of Transportation (DOT)

Federal Highway Administration

The Supporting Statement A

OMB Control No. 2125-0669

Introduction: This is to request the Office of Management and Budget (OMB) to approve a reinstatement without change of a previously approved information collection entitled, National Culvert Removal, Replacement, and Restoration Grant Program (Culvert AOP Program). Note that:

- Responding to the collection is voluntary and is required to obtain or retain a benefit.
- Responders are States, a unit of local government, or an Indian Tribe as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
- The information collection is a grant application, application template, grant agreement, and reporting during project management.
- The information is collected annually upon release of the NOFO. Note that NOFOs and grant solicitations may be published annually by FHWA but are subject to the availability of funds in appropriations or any legislation signed into law authorizing funds.
- Information relevant to the application is detailed in the Culvert AOP Program Notice of Funding Opportunity (NOFO), and any reporting requirements agreed to by Grants recipients.
- The information will be received by the DOT, Federal Highway Administration (FHWA).
- The purpose of the collection is to receive information relevant to evaluating applications to the Culvert AOP Program grant, per the NOFO, and providing information for reporting requirements agreed to by recipients of the grants.

The Culvert AOP Program is a competitive grant program established in the Infrastructure Investment and Jobs Act (IIJA) of 2021 (Pub. L. 117-58, November 15, 2021) and codified at 49 U.S.C. 6703. The Culvert AOP Program seeks to fund projects that will replace, remove, or repair culverts or weirs that would meaningfully improve or restore fish passage for anadromous fish. Under IIJA, Congress authorized \$1 billion for Fiscal Years (FY) 2022 through 2026 to provide financial assistance to Culvert AOP Program eligible projects. In 2022, FHWA awarded \$196 million in grants to 59 tribal, state and, local governments to fix or remove 169 culvert barriers to improve fish passage. FHWA will advertise a NOFO for up to \$788.1 million in fiscal years 2023, 2024, 2025, and 2026.

Part A. Justification.

1. Circumstances that make collection of information necessary:

The collection of information is necessary in order to receive and rank applications for grant funds, evaluate the effectiveness of projects that have been awarded grant funds, and monitor project financial conditions and project progress pursuant to the Culvert AOP Program. The program is being implemented pursuant to 49 U.S.C. 6703 and section 21203 and Division J of IIJA (P.L. 117-58). The purpose of this program is to replace, remove, repair, or improve culverts and weirs that would meaningfully improve or restore fish passage for anadromous fish. The Culvert AOP Program prioritizes projects that would improve fish passage for: (A) anadromous fish stocks listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); (B) anadromous fish stocks identified by the

National Marine Fisheries Service (NMFS) or the U.S. Fish and Wildlife Service (USFWS) that could reasonably become listed as an endangered species or a threatened species under that section; (C) anadromous fish stocks identified by NMFS or USFWS as prey for endangered species, threatened species, or protected species, including Southern resident orcas (*Orcinus orca*); or (D) anadromous fish stocks identified by NMFS or USFWS as climate resilient stocks. 49 U.S.C. 6703(e)(1). The program also prioritizes projects that would open up more than 200 meters of upstream habitat for anadromous fish before the end of the natural habitat

The relevant statutory provisions are 49 U.S.C. 6703 and Division J of IJJA, attached hereto as [Exhibit A](#).

DOT seeks to fund projects that advance the Departmental priorities of safety, economic growth, and human and natural environment as described in the DOT Strategic Plan, DOT Research, Development and Technology Strategic Plan, and in executive orders (E.O.). These DOT Priorities are considered in the selection process and selection considerations as provided in the NOFO.

2. How, by whom, and for what purpose is the information used:

The purpose of the collection is to receive information relevant to proposed projects for the Culvert AOP Program grants. FHWA initially requests information from applicants in the form of an application. The grant application will assist in evaluating proposals for funding from eligible applicants for the grant program, to monitor recipients of grant funding, project progress, and to assess project outcomes and permit evaluation of the projects.

Information is collected during the application phase on a voluntary basis and will be collected by FHWA using Grants.gov. All application materials may be found on Grants.gov at <http://www.grants.gov>. Although the information is submitted to FHWA on a voluntary basis during the application phase, applicants must submit the required information described in the NOFO to be eligible for consideration and award under the Culvert AOP Program.

FHWA anticipates approximately 200 responders. Eligible applicants are States, a unit of local government, or an Indian Tribe.

FHWA will use the information collected in the application phase to evaluate proposals and determine awards. In addition to required standard forms, information is collected in the form of a project narrative, as detailed in the NOFO. The project narrative should include the information necessary for FHWA to determine that the project satisfies eligibility requirements as warranted by law. In addition, an eligible applicant may submit the Culvert AOP Program Grant Application Template. Only eligible applicants who comply with all submission deadlines described in the NOFO and electronically submit valid and complete applications through grants.gov are considered for award.

Each applicant selected for Culvert AOP Program grant funding must submit progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the Culvert AOP Program. Details including the reporting frequency are noted in the Grant Agreement and General Terms and Conditions.

Much of the information required for the grant agreement and project management stages is produced and collected through the normal grant process and grant management. There is little additional burden from the government information collection compared to the information that grant recipients already provide to compete for an award and properly manage projects. The purpose of the project management information collection is to ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met.

3. Extent of automated information collection:

During the application stage, the FHWA will receive applications electronically via Grants.gov upon approval from OMB. To minimize the burden on applicants, OMB-approved standard forms are being used to collect information where possible. Such standard forms include the Application for Federal Assistance (SF-424), available online at https://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf, and the post-award Federal Financial Reports form (SF-425), available online at https://apply07.grants.gov/apply/forms/sample/SF425_2_0-V2.0.pdf. Information provided during the application stage will be used to pre-populate grant agreement and reporting forms where possible.

4. Efforts to identify duplication:

The information collected from grantees is project specific and the information is not available other than from the grantees. The information will be used to monitor projects on a quarterly basis, and to ensure on an annual basis that the project's plan conforms to the project's real operating environment.

5. Efforts to minimize the burden on small businesses:

Grantees include States, units of local governments, and Indian Tribes. No grantees are business organizations, small or otherwise.

6. Impact of less frequent collection of information:

If the information requested in the reports is not collected, FHWA will not be able to evaluate project progress or financial conditions in accordance with 49 U.S.C. 6703, Division J of IIJA, and the Culvert AOP Program NOFO. The quarterly collection of financial data ensures that the use of Federal funds can be appropriately monitored.

7. Special circumstances:

During the negotiation of the grant agreement, FHWA may require the recipient to report additional information to the agency that was not included in the initial application. Otherwise, all information collected is consistent with the guidelines in 5 CFR 1320.6.

8. Compliance with 5 CFR 1320.8:

This Request for a New Information Collection is pursuant to 5 CFR 1320.8.

FHWA published the 60-day Federal Register Notice on September 19, 2025 [90 FR 45307]. In response, FHWA received XX comments from XX. Overall, the comments expressed XXX.

After reviewing the comments, FHWA....

FHWA published the 30-day Federal Register Notice on DATE [XX FR XXXXX] to notify the public that this information collection has been submitted to OMB for review.

9. Payments or gifts to respondents:

No payment is made to respondents, other than remuneration to successful Culvert AOP Program applicants. The remuneration to grantees is in the form of reimbursements up to the

amount of the Culvert AOP Program grant award as negotiated in the signed and executed grant agreement.

10. Assurance of confidentiality:

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public. If the application includes information the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) note on the front cover that the submission "Contains Confidential Business Information (CBI)"; (2) mark each affected page "CBI"; and (3) highlight or otherwise denote the CBI portions. DOT protects such information from disclosure to the extent allowed under applicable law. In the event DOT receives a Freedom of Information Act (FOIA) request for the information, DOT will follow the procedures described in its FOIA regulations at 49 CFR 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

11. Justification for collection of sensitive information:

None of the information is of a sensitive nature.

12. Estimate of burden hours for information requested:

All burden hour estimates are based on an estimated review of all the requirements associated with the Culvert AOP Program, discussions with appropriate modal staff, and analysis of other Department programs.

We estimate that it takes approximately 20 hours per respondent per applicant. Since FHWA expects to receive 200 applications, the total hours required are estimated to be 4,000 hours (20 hours x 200 applications = 4,000 hours) on a one-time basis, per announcement. For the grant agreement and project management phases, much of the information is produced and collected through the normal grant process and grant management.

For the grant agreement and project management phases, much of the information is produced and collected through the normal grant process and grant management. We estimate that it will take approximately 2 hours to provide information related to signing grant agreements or letters of no prejudice. Since FHWA expects to award and negotiate 115 grant agreements, the total hours required are estimated to be 230 hours (2 hours x 115 agreements = 230 hours), on a one-time basis, per announcement. For the project management phase, FHWA estimates that it takes approximately 2 person-hours to develop and submit a quarterly project progress report to FHWA for review. FHWA expects to receive 460 quarterly project progress reports per year (i.e., 4 per year for a total of 115 awards). The total hours required are estimated to be 920 (2 hours x 460 reports = 920 hours).

The grand total annual burden for the application, grant agreement, and program management stages is 5,150 hours as shown in the table below:

Project Stage	Burden Hours Per Respondent	Number of Respondents	Total Burden Hours
Application	20	200	4000
Grant Agreement	2	115	230
Project Management	2	460	920
Total		775	5,150

13. Estimate of total annual costs to respondents:

Although various personnel are involved in the development of an application, the average salary is estimated to be \$63 per hour.¹ This is based on the average loaded wage² of a project manager in the local government sector of \$63 (Bureau of Labor Statistics). Therefore, the cost to the respondents is computed at \$252,000 (4,000 hours x \$63 = \$252,000). The total cost is calculated as follows:

Application Stage:

Respondents will review the Culvert AOP Program NOFO, fill out forms, and provide information as required for the competitive grant program.

Based on the average estimated salary and the hours estimated above, the total cost to the respondents to complete the application stage is computed at \$252,000 (4,000 hours x \$63 = \$252,000).

Grant Agreement Stage:

Information may be requested from grantees to negotiate the grant agreements under which the Culvert AOP Program funds will be distributed or to support letters of no prejudice for eligible activities. Respondents should not need to provide extensive new material, since most required information will be submitted with the grant applications.

Based on the average estimated salary and the hours estimated above, the total cost to the respondents to provide information to complete the grant agreement is computed at \$14,490 (230 hours x \$63 = \$14,490).

Project Management Stage:

The composition of grant management team members may vary; however, it is anticipated to involve about 920-person hours to track activities and expenditures to complete and submit Quarterly Progress and Monitoring Reports to FHWA as required. Based on the average estimated salary and the hours estimated above, the total cost to respondents to meet quarterly reporting requirements is computed at \$57,960 (920 hours x \$63 = \$57,960).

The grand total annual cost to respondents for the application, grant agreement, and program management stages is \$324,450 as shown in the table below:

Project Stage	Cost to Respondents
Application Stage	\$252,000
Grant Agreement Stage	\$14,490
Project Management Stage	\$57,960
Grand Total	\$324,450

14. Estimate of cost to the Federal Government:

The cost is calculated as follows:

Application Stage:

¹ U.S. Department of Bureau of Labor Statistics, *Employer Costs for Employee Compensation June 2025*, Accessed October 7, 2025: <https://www.bls.gov/news.release/pdf/eccec.pdf>

² Employer Costs for Employee Compensation

FHWA will review the applications to assess project eligibility and merit and to provide information for the discretionary decision-making process prior to the award of any Culvert AOP Program grants.

We estimate that the average grade level of the reviewers is GS-13/step 5, paid approximately \$49 per hour base pay without locality pay³. Each project will require approximately 20 person-hours of review as an overall average. Since we expect to evaluate 200 applications, the cost to the Federal Government is \$196,000 (20 hours x 200 applications = 4,000 hours x \$49 = \$196,000), per announcement.

Grant Agreement Stage:

Information may be requested from grantees to negotiate the grant agreements under which the Culvert AOP Program funds will be distributed or letters of no prejudice under which eligible activities will be implemented. FHWA does not expect to request much information from grantees, since most of the information required is expected to be submitted along with the grant applications.

We estimate that the average grade level of the reviewers is GS-14/step 5, paid at \$58 per hour base pay without locality pay⁴. Since we expect to negotiate 115 implementation grant agreements and for one employee to spend about 8 hours requesting the information and using it to draft the grant agreements, the cost to the Federal Government is \$53,360 (8 hours x 115 applications = 920 hours x \$58 = \$53,360), per announcement.

Project Management Stage:

Individuals managing projects throughout FHWA vary from GS-11 to GS-14; however, in looking at the averages, it can take a GS-13/step 5 employee (with an average salary of \$49 per hour) about one hour per report to review a Quarterly Progress and Monitoring Report. There are approximately 115 projects requiring reports annually, and a total of 4 reports per project, or 460 submissions, annually. The cost to the Federal Government is \$22,540 (1 hour x 460 submissions = 460 hours x \$49 = \$22,540), annually.

The grand total annual cost to the Federal Government for the application, grant negotiation, program management and evaluation stage is \$271,900 as shown in the table below:

Project Stages	Cost to the Federal Government
Application Stage	\$196,000
Grant Agreement Stage	\$53,360
Project Management Stage	\$22,540
Grand Total	\$271,900

15. Explanation of program changes or adjustments:

The purpose of this request is to approve collection of information related to the application and implementation of the Culvert AOP Program for FY23-FY26. An application template was developed to reduce the burden on applicants and to reduce the burden on the review process.

³ U.S. Department of Personnel Management. *Salary Table 2025-GS*, Accessed October 7, 2025: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/25Tables/html/GS_h.aspx

⁴ *Ibid.*

16. Publication of results of data collection:

There is no Congressional reporting required under the Culvert AOP Program enabling legislation.

17. Approval for not displaying the expiration date of OMB approval:

There is no reason not to display the expiration date of OMB approval.

18. Exceptions to certification statement:

No exceptions are stated.

EXHIBIT A

49 U.S.C. 6703. National Culvert Removal, Replacement, and Restoration Grant Program

(a) Definitions.-In this section:

- (1) Director.-The term "Director" means the Director of the United States Fish and Wildlife Service.
- (2) Indian tribe.-The term "Indian Tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
- (3) Program.-The term "program" means the annual competitive grant program established under subsection (b).
- (4) Secretary.-The term "Secretary" means the Secretary of Transportation.
- (5) Undersecretary.-The term "Undersecretary" means the Undersecretary of Commerce for Oceans and Atmosphere.

(b) Establishment.-The Secretary, in consultation with the Undersecretary, shall establish an annual competitive grant program to award grants to eligible entities for projects for the replacement, removal, and repair of culverts or weirs that-

- (1) would meaningfully improve or restore fish passage for anadromous fish; and
- (2) with respect to weirs, may include-
 - (A) infrastructure to facilitate fish passage around or over the weir; and
 - (B) weir improvements.

(c) Eligible Entities.-An entity eligible to receive a grant under the program is-

- (1) a State;
- (2) a unit of local government; or
- (3) an Indian Tribe.

(d) Grant Selection Process.-The Secretary, in consultation with the Undersecretary and the Director, shall establish a process for determining criteria for awarding grants under the program, subject to subsection (e).

(e) Prioritization.-The Secretary, in consultation with the Undersecretary and the Director, shall establish procedures to prioritize awarding grants under the program to-

- (1) projects that would improve fish passage for-
 - (A) anadromous fish stocks listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533);
 - (B) anadromous fish stocks identified by the Undersecretary or the Director that could reasonably become listed as an endangered species or a threatened species under that section;
 - (C) anadromous fish stocks identified by the Undersecretary or the Director as prey for endangered species, threatened species, or protected species, including Southern resident orcas (*Orcinus orcas*); or
 - (D) anadromous fish stocks identified by the Undersecretary or the Director as climate resilient stocks; and

- (2) projects that would open up more than 200 meters of upstream habitat before the end of the natural habitat.

(f) Federal Share.-The Federal share of the cost of a project carried out with a grant to a State or a unit of local government under the program shall be not more than 80 percent.

(g) Technical Assistance.-The Secretary, in consultation with the Undersecretary and the Director, shall develop a process to provide technical assistance to Indian Tribes and underserved communities to assist in the project design and grant process and procedures.

(h) Administrative Expenses.-Of the amounts made available for each fiscal year to carry out the program, the Secretary, the Undersecretary, and the Director may use not more than 2 percent to pay the administrative expenses necessary to carry out this section.

(i) Authorization of Appropriations.-There is authorized to be appropriated to carry out the program \$800,000,000 for each of fiscal years 2022 through 2026.

(Added Pub. L. 117–58, div. B, title I, §21203(a), Nov. 15, 2021, 135 Stat. 676.)

DIVISION J TITLE VII - NATIONAL CULVERT REMOVAL, REPLACEMENT, AND RESTORATION GRANTS

For an additional amount for “National Culvert Removal, Replacement, and Restoration Grants”, \$1,000,000,000, to remain available until expended, as authorized by section 6203 of title 49, United States Code: Provided, That \$200,000,000, to remain available until expended, shall be made available for fiscal year 2022, \$200,000,000, to remain available until expended, shall be made available for fiscal year 2023, \$200,000,000, to remain available until expended, shall be made available for fiscal year 2024, \$200,000,000, to remain available until expended, shall be made available for fiscal year 2025, and \$200,000,000, to remain available until expended, shall be made available for fiscal year 2026: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, and to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.