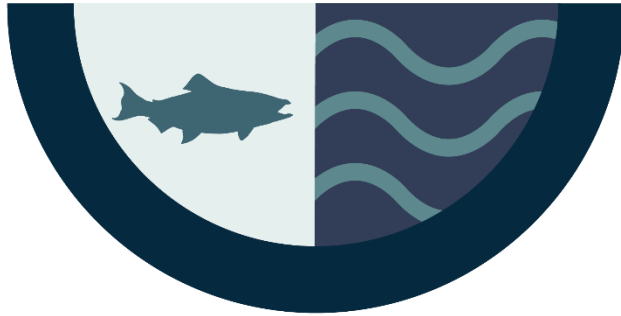


Culvert AOP Program



Questions & Answers

These Question and Answers (Q&A) provide guidance on the National Culvert Removal, Replacement, and Restoration Grant Program (Culvert Aquatic Organism Passage (AOP) Program) established under section 21203 of the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, 49 U.S.C. § 6703).

Please note: The Department of Transportation (DOT) released these Q&As on June 16, 2026.

As appropriate, the Culvert AOP program intends to provide supplemental Q&As to capture other topics. Those supplemental Q&As are not intended to supersede the existing Q&As, which will remain valid and relevant within their respective sections.

Except for any statutes or regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the States or the public in any way. This document is intended only to provide information regarding existing requirements under the law or agency policies.

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Section 1. General Q&As

Q 1.1. Is there a website where I can get information on the Culvert AOP Program?

Yes. During the current application period, [Grants.gov](https://www.grants.gov) is your primary source for Culvert AOP Program grant information. However, for an additional and longer-term source of information you may also want to visit the Federal Highway Administration's (FHWA) [Culvert AOP Program website](#).

Q 1.2. Regarding the Statutorily Required Project Selection Priorities of the program, does a project that has priority because it “opens up 200 meters of upstream habitat” [49 U.S.C. § 6703(e)(2)] also have to comply with the statutory fish stock priorities [49 U.S.C. § 6703(e)(1)] as well?

No. These are two separate and equally important statutory priorities. Note that a project that addresses both priorities will make an application more competitive.

Section 2. Information on Eligible Fish Species

Q 2.1. What is an anadromous fish stock?

Target fish stocks under the Culvert AOP Program are populations of native anadromous fish that complete an anadromous lifecycle by spending most of their life in an oceanic environment and migrating back to freshwater to reproduce. Anadromous fish include—but are not limited to—salmon, shad, river herring, lamprey, and some species of sturgeon. Some species may have both resident and anadromous populations; in these cases, only the anadromous population is eligible for the Culvert AOP Program. Landlocked populations are not eligible; however, if a project would allow a landlocked stock to become anadromous again, i.e., would remove a migratory barrier to the ocean for a formerly anadromous stock that had become landlocked, it is eligible (see also Q 2.7).

Q 2.2. Where can you find anadromous fish stocks?

There are various maps and other sources that provide locations of anadromous stocks. The following non-exhaustive list of resources may be helpful in locating anadromous species or relevant project sites (general information, then listed by regions):

- General Information:
 - The National Aquatic Connectivity Collaborative (NACC) ‘Barrier Inventory & Prioritization Tool’ available at <https://tool.aquaticbarriers.org/priority/>
- West Coast:
 - The Washington Department of Fish and Wildlife’s ‘Washington State Fish Passage’ map available at <https://geodataservices.wdfw.wa.gov/hp/fishpassage/index.html>
 - The Alaska Department of Fish and Game’s ‘Alaska Fish Resource Monitor’ map available at <https://experience.arcgis.com/experience/1a4eb07b42ff4ebb8c71ba45adaedf0c/page/Fish-Passage/>
 - The Oregon Department of Fish and Wildlife’s ‘Fish Passage Barrier Inventories’ available at <https://www.dfw.state.or.us/fish/passage/inventories.asp>

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- The State of California Department of Fish and Wildlife's 'Passage Assessment Database' available at <https://nrm.dfg.ca.gov/pad/home>
- Mid-Atlantic and Southeast:
 - The National Aquatic Connectivity Collaborative 'Aquatic Barrier Prioritization Tool' available at <https://aquaticbarriers.org/>
- Northeast:
 - The North Atlantic Aquatic Connectivity Collaborative (NAACC), available at www.streamcontinuity.org

Q 2.3. What stocks do not qualify as anadromous?

Congress limited the applicability of this program to ***anadromous fish*** (49 U.S.C. § 6703(b)). Stocks that do not migrate from marine and estuarine habitats to freshwater habitats to spawn are not anadromous. For example, fish stocks or populations that migrate up rivers from the Great Lakes to spawn have a fully freshwater life cycle and are not considered anadromous.

Q 2.4. What are anadromous fish stocks identified by the National Marine Fisheries Service (NMFS) or the United States Fish and Wildlife Service (USFWS) that could reasonably become listed as an endangered species or a threatened species under the [Endangered Species Act](#) (ESA) (49 U.S.C. § 6703(e)(1)(B))?

Fish stocks that could reasonably become listed as an endangered/threatened species are those that are being considered and proposed for listing.

A NMFS directory of species that are being considered for listing under the ESA can be found at [Candidate Species Under the Endangered Species Act | NOAA Fisheries](#). Species that have been proposed for listing under the ESA by USFWS can be found at [Species Reports | Proposed for Listing Species](#) and species that are current candidates for listing by the USFWS under the ESA can be found at [Species Reports | Candidate Species Report](#).

Q 2.5. What are anadromous fish stocks identified by NMFS or USFWS as prey for endangered species, threatened species, or protected species (49 U.S.C. § 6703(e)(1)(C))?

Neither NMFS nor USFWS have a distinct, specific list of fish stocks identified as prey for endangered species, threatened species, or protected species. Applicants should substantiate with sufficient evidence the anadromous fish stock identified as prey for Federally endangered species, threatened species, or protected species.

DOT recommends identifying the anadromous fish stocks that would benefit from the project, then identify references that cite those anadromous fish stocks that benefit as being prey for species listed as endangered or threatened under the ESA or otherwise protected under Federal law. Protected species may include species protected under laws beyond ESA. These laws include, but are not limited to, the [Marine Mammal Protection Act](#) and [Migratory Bird Treaty Act](#), [Magnuson-Stevens Act](#), and the [Bald and Golden Eagle Protection Act](#). Example resources that describe anadromous fish stocks identified as prey for an endangered species are the [Southern Resident Killer Whale Priority Chinook Stocks Report](#) and the [Recovery Plan for the Cook Inlet Beluga Whale](#). Examples of an anadromous fish stock identified as prey for protected species include (but are not limited to) [River herring](#) and [Pacific lamprey](#).

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Q 2.6. What are anadromous fish stocks identified by NMFS or USFWS as climate resilient stocks (49 U.S.C. § 6703(e)(1)(D))?

Neither NMFS nor USFWS have a distinct, specific list of fish stocks identified as climate resilient stocks. Nevertheless, there are resources that could help applicants identify such fish stocks and their habitats. See, *e.g.*, NMFS's website "[Climate Vulnerability Assessments](#)."

Q 2.7. What if my project area no longer has anadromous fish, but did so historically (e.g., an extirpated population)?

Congress established the Culvert AOP Program for projects that would meaningfully improve or restore fish passage for anadromous fish (49 U.S.C. § 6703(b)). This could include projects that are part of a conservation or recovery plan to restore anadromous fish to a part of their former range from which they were extirpated.

Likewise, an applicant could provide evidence and documentation that the watershed was, or reasonably could have been, a habitat for these anadromous fish. If the applicant is proposing opening up part of a species' former range, they should also provide information about habitat conditions (and the species ability to survive in those conditions) as well as the ability of the target species to reach any newly opened habitat, *i.e.*, any ongoing or upcoming efforts downstream to eliminate barriers and create fish passage to the proposed project.

Section 3. Applicant Eligibility

Q 3.1. Does the definition of "State" only mean State Departments of Transportation?

The NOFO uses the definition of "State" found at 2 CFR 200.1. Per 2 CFR 200.1, "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality thereof exclusive of local governments.

Therefore, State Departments of Transportation, State Fish and Wildlife agencies, or other State entities (exclusive of those entities defined as local governments) would qualify as a State for the purposes of this program.

Q 3.2. Does the Lead Eligible Entity need a resolution from their governing body to apply for this grant?

The NOFO does not have a requirement for a resolution from a governing body to apply for a Culvert AOP Grant. We recognize that there are areas of the country where such resolutions are locally required, and Eligible Entities should follow all applicable organizational protocols when applying. In addition, Eligible Entities must have the legal authority to engage in Federal competitive grant programs and meet all requirements of the NOFO to receive a Culvert AOP award.

Q 3.3. Can an applicant bundle Eligible Projects on a single grant application?

Yes. An Eligible Entity may bundle two or more Eligible Projects. Alternatively, project(s) may involve two or more Eligible Entities. The appropriate cost share depends on the lead Eligible Entity of the bundled project(s) (see Section 7).

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Q 3.4. I am NOT an Eligible Entity, can I apply for a project?

No. The statutory language does not allow other entities to apply for a grant but see Q 3.5 for information on partnering with an Eligible Entity.

Q 3.5. I am NOT an Eligible Entity, can I partner with an Eligible Entity to apply for a grant?

Yes. Only States, local governments and tribes are Eligible Entities for a grant under this program (49 U.S.C. § 6703(c)). Another entity (e.g., Non-Governmental Organization or Federal agency) could partner with an Eligible Entity on an application. However:

- a grant can only be awarded to a Tribe, State, or unit of local government as the Eligible Entity (49 U.S.C. § 6703(c));
- the Tribe, State, or unit of local government would have to assume all legal responsibilities as the grant recipient for the project (*see* 2 CFR 200.332); and
- there may be additional considerations for partnering with a Federal agency.

Q 3.6. I am an Eligible Entity. Can I partner with a Federal agency to propose a project?

Yes. Federal agencies are not Eligible Entities for a grant under this program. A Federal agency may partner with an Eligible Entity on an application; however, the grant would still be awarded to the Eligible Entity, and the Eligible Entity would assume all legal responsibilities as the grant recipient for the project (*see* 2 CFR 200.332).

Q 3.7. I am an Eligible Entity. Can I propose using a Federal agency to conduct work on the project?

Yes. The Eligible Entity can get Federal help on design or other aspects of the project using Culvert AOP Program funds.

Q 3.8. On joint projects, what are the responsibilities of the lead applicant?

The lead Eligible Entity is the Eligible Entity responsible for submitting the application, serving as the point of contact, and administering Culvert AOP Program funds, among other legal and administrative responsibilities, including those at 2 CFR Part 200.

Section 4. Project Eligibility

Q 4.1. What is the difference between a Culvert and a Bridge?

A culvert typically has soil materials (i.e., backfill) between the travel way (e.g., road or rail or trail) and actual culvert structure (i.e., barrels, cells). To support dead loads and live loads (e.g., cars, trucks, trains, pedestrians, etc.), the culvert consists of those barrels or cells (typically concrete, metal, or plastic material), backfill, and soil bedding underneath the culvert. A bridge typically uses structural components and elements in the deck, superstructure and substructure (abutments and piers) to support those dead and live loads.

Q 4.2. Can a Project propose replacing a Culvert with a Bridge?

Yes. Applicants may propose a project to replace a culvert with a bridge. However, should the total span of a roadway bridge exceed 20-feet, the project will also be subject to the requirements of the National Bridge Inspection Standards (23 CFR 650 Subpart C). Note that transit or railway bridges may be subject to specific standards relevant to those modes of transportation.

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Q 4.3. Can a Project propose replacing a Bridge with a Culvert?

No. An Eligible Project must involve the replacement, removal, or repair of culverts or weirs (49 U.S.C. § 6703(b)). In other words, the existing project infrastructure must be a culvert or weir.

DOT recommends exploring other IJA programs (see Section 10) that may offer opportunities to remove barriers caused by other infrastructure, including bridges.

Q 4.4. Can a Project propose building a new bridge where there should be AOP but there is not currently a culvert or weir? For example, a project to build a new bridge to open up a river's access to its historic floodplain.

No. An Eligible Project must involve the replacement, removal, or repair of culverts or weirs, and therefore there must be an existing culvert or weir for a project to be eligible (49 U.S.C. § 6703(b)). DOT recommends exploring other IJA programs (see Section 10) that may offer such opportunities.

Section 5. Eligible Activities

Q 5.1. Are channel restoration, utility relocation, and acquisition of land for stream alignment restoration considered eligible projects?

Channel restoration, utility relocation, and acquisition of land for stream alignment restoration ALONE are not considered eligible projects (*see* 49 U.S.C. § 6703(b)). Eligibility of such activities could be considered part of an eligible project ONLY if they are necessary and reasonable activities for the replacement or improvement of the culvert or weir.

Q 5.2. What if the project is on a private road?

DOT expects most eligible projects to be on travelways open to the public. Projects on private roads may be eligible assuming they meet all other applicability requirements. It should be noted that a project on private land would generally require obtaining legal permission for project activities, including any easements for data collection, monitoring, and maintenance.

Q 5.3. Are costs of replacing, removing, or repairing culverts or weirs that are the subject of a settlement agreement or court order allowable costs?

Yes. Costs of replacing, removing, or repairing culverts or weirs that are the subject of a settlement agreement or court order are eligible under the Culvert AOP Program, and are reimbursable for projects awarded a Culvert AOP grant where such costs are incurred pursuant to the award.

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Section 6. Funding – General Information

Q 6.1. What are Eligible Project costs under the Culvert AOP Program?

The general requirements for allowable costs are found at 2 CFR 200.403:

“Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards:

- (a) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- (b) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- (c) Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.
- (d) Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- (e) Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- (f) Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also § 200.306(b).
- (g) Be adequately documented. See also §§ 200.300 through 200.309 of this part.
- (h) Cost must be incurred during the approved budget period. The Federal awarding agency is authorized, at its discretion, to waive prior written approvals to carry forward unobligated balances to subsequent budget periods pursuant to 2 CFR § 200.308(e)(3).”

Q 6.2. Can funds be expended over multiple years?

Awarded Culvert AOP Program funds are available until expended. The awardee may expend funds over multiple years as stipulated in the grant agreement.

Q 6.3. May Grant Applicants directly or indirectly charge to the Program for administrative costs?

Program administrative costs may only be billed directly to a Federal program if it is specifically authorized in legislation as an allowable expense. Congress did not specifically authorize reimbursement for program administrative costs within the Culvert AOP Program.

For more information on administrative costs see [Allowable Use of FHWA Financial Assistance for Activities Related to Discretionary Grants](#). For more information on indirect costs, see [Allocating Indirect Costs to Projects](#). Please also refer to [2 CFR 200.412 – 2 CFR 200.415](#) for more information on treatment of direct and indirect costs under federal awards.

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Section 7. Matching Funds

Q 7.1. Are there matching fund requirements if a State or a unit of local government presents a joint application or bundles a project with and Indian Tribe?

It will depend on who is the lead Eligible Entity. If the lead Eligible Entity is an Eligible Entity other than an Indian Tribe, then the matching share of no less than 20 percent of eligible activities of the total project costs applies (*see* 49 U.S.C. 6703(f)). If the lead Eligible Entity is a Tribe, then there is no required matching share.

Q 7.2. Can funds from other Federal programs be used as matching funds?

Generally, no. Other Federal funds can only be used to satisfy non-Federal match requirements if such legislation specifically allows such funds to be used as match (*see* 2 CFR 200.306(b)(5)). The use of such other Federal funds should be verified by the applicant with the Federal agency providing them prior to application submittal.

Q 7.3. Can Culvert AOP Program funds be used as matching funds for other Federal programs?

No. The Culvert AOP Program enabling legislation does not authorize the use of Culvert AOP Program funds as matching funds for other Federal programs.

Section 8. Applications & Application Support

Q 8.1. Do I need to submit the information in the Application Template provided as Attachment 1 of the NOFO?

Yes. Applicants must complete the Culvert AOP Competitive Grant Program Application Template to develop their application package. DOT will consider applications submitted without the completed template as incomplete and will not review the submission. Interested Eligible Entities should read the NOFO in its entirety and adhere to all its requirements and submit complete, eligible, and competitive applications. The template is included as Attachment 1 to the NOFO.

Q 8.2. Is there any grant application development support?

Yes. There are grant application development support and resources on [Grants.gov](https://www.grants.gov) including the [Grants Learning Center](#) and [Applicant Training](#).

For Tribes, DOT suggests reviewing FHWA's [Transportation Funding Opportunities for Tribal Nations](#), updated September 2024.

In addition, communities can use the [DOT Navigator](#) to help understand the best ways to apply for grants, and to plan for and deliver transformative infrastructure projects and services.

Section 10 provides other IIJA-related technical support and resources.

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Section 9. Awards

Q 9.1. If awarded a grant, how long does the grantee have to complete the project?

If awarded a grant, DOT will work with the recipient to establish a period of performance end date in the grant agreement.

Section 10. Potential Resources

Q 10.1. What are some available DOT resources?

Here are some potential DOT resources:

- [DOT Culvert Project Location Overlay Tool](#)
- DOT IIA-related programs and resources [Infrastructure Investment and Jobs Act | US Department of Transportation](#)
- FHWA IIA-related programs and resources [Infrastructure Investment and Jobs Act | Federal Highway Administration](#)
- DOT grant resources [DOT Navigator | US Department of Transportation](#)
- FHWA [Hydraulic Engineering: Open-Channel Flow and Culvert Hydraulics Demonstration Series](#)
- [FHWA Hydraulic Engineering Field Scoping Videos](#)

Q 10.2. What are some available NMFS resources?

Here are some potential NMFS resources:

- Directory of [Endangered and threatened species](#)
- Directory of [Species that are candidates for Endangered Species Act listing](#)
- NOAA [Climate Vulnerability Assessments](#)
- Habitat Conservation monitoring and evaluation of restoration projects [Monitoring and Evaluation for Restoration Projects](#)
- Guidance for proposing and conducting Tier 1 monitoring: [NOAA Restoration Center Implementation Monitoring Guide](#)
- West coast anadromous fish passage guidelines [Anadromous Salmonid Passage Facility Design | NOAA Fisheries](#) (2022)
- [Southern Resident Killer Whale Priority Chinook Stocks Report](#) (2018)
- [How Sea-run Fish Connect Ecosystems](#) (2022) identifies many Atlantic coast sea-run species and outlines an ecosystem-based management approach to support their restoration.
- [A Review of River Herring Science in Support of Species Conservation and Ecosystem Restoration](#) (2021)

Q 10.3. What are some available USFWS resources?

Here are some potential USFWS resources:

- ESA Listed Species and Related Resources [ECOS: Species Reports \(fws.gov\)](#)
- Culvert Design Guidelines for Ecological Function [Culvert Design Guidelines for Ecological Function | U.S. Fish & Wildlife Service \(fws.gov\)](#)
- [Design, Review, and Construction of Stream Crossings for Ecological Function Workshop held by USFWS Alaska in March 2022](#)

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- Federal Interagency Nature-like Fishway Passage Design Guidelines for Atlantic Coast Diadromous Fishes [Federal Interagency Nature-like Fishway Passage Design Guidelines for Atlantic Coast Diadromous Fishes \(noaa.gov\)](#)
- USFWS Northeast Region Fish Passage Engineering Design Criteria (available upon request to USFWS)
- USFWS Northeast Region Stream Crossing Aquatic Organism Passage Design Checklist (available upon request to USFWS)

Q 10.4. What are some available US Forest Service (USFS) resources?

Here are some potential USFS resources:

- USFS [Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings](#)

Q 10.5. Where can I find information on other DOT grant programs?

Additional information on DOT programs can be found on [Grants.gov](#). Also, IJIA-related program information can be found on [Infrastructure Investment and Jobs Act | US Department of Transportation](#) and [Infrastructure Investment and Jobs Act | Federal Highway Administration \(dot.gov\)](#)

Q 10.6. Are there other programs for Fish Passage that I can apply to?

While Congress created the Culvert AOP Program solely to primarily address anadromous species and fish stocks, DOT recognizes that many other species exist and would benefit from a wider set of AOP locations. For additional culvert or fish passage Federal assistance, you may refer to other sources of funding including, but not limited to the following:

- [FHWA Infrastructure Investment and Jobs Act Funding Programs](#)
- [FHWA's Bridge Investment Program](#)
- [FHWA's PROTECT Program](#)
- [FHWA's Tribal Transportation Program](#)
- [NOAA's Office of Habitat Conservation's Restoration Center fish passage initiatives](#)
- [USFWS' National Fish Passage Program](#)
- [Federal Interagency Fish Passage Portal](#)

Please refer to the requirement of each program to determine your eligibility.