



September 19, 2024

U.S. Maritime Administration
Attn: Port Infrastructure Development Program
1200 New Jersey Ave., SE
Washington, DC 20590

Comments on the U.S. Maritime Administration's Request for Comments on the Renewal of a Previously Approved Information Collection: Port Infrastructure Development Program (Docket No. MARAD-2024-0100)

The undersigned organizations thank you for the opportunity to submit comments for consideration to the U.S. Maritime Administration (MARAD) regarding the intention to request the Office of Management and Budget (OMB) approval to renew an information collection in accordance with the Paperwork Reduction Act of 1995. Specifically, the proposed collection OMB 2133-0552 (Port Infrastructure Development Program) is being updated to reflect the elimination of the MA-1083 Port Infrastructure Development Program (PIDP) Project Information Form. This comment is informed by our respective organizations' work, including work to eliminate the air, water, and noise pollution at maritime ports, and will address why the MA-1083 form is useful for stakeholders and organizations like our own; whether the proposed collection of information is necessary for the Department's performance; the accuracy of the estimated burden; ways for the Department to enhance the quality, utility, and clarity of the information collection; and ways that the burden could be minimized without reducing either transparency or the quality of the collected information.

Our organizations' scientists and policy experts engage policy makers, industry, communities, and other stakeholders at the international, national, and subnational level to address the threats to the climate, ocean, marine life, and port-adjacent communities posed by greenhouse gas emissions (GHGs), air pollution, and underwater noise from the maritime sector.

Ports are a principal part of the United States and global economy, with 95% of cargo entering the U.S. by ship. However, with this immense transportation of goods come tremendous impacts to the environment and surrounding port communities. Ports produce a significant amount of air and water pollution, which impact the marine ecosystem and the health of local communities. It is more pressing than ever that ports evaluate and take steps to reduce the environmental impacts of their operations.

While the PIDP does not require projects to have emission reduction or environmental benefits, the opportunity it provides to ports to use these funds for such projects is important in helping ports make the needed transition to greener operations. We are encouraged that ports are taking advantage of programs like PIDP to prioritize investments to tackle their emissions, including through port electrification projects, replacing polluting cargo handling equipment with zero-emission and electric alternatives, projects that support the development of offshore wind, and projects that install shore power. There remains the opportunity with the PIDP to increase ambition and support projects that improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port, while requiring that these projects reduce emissions and environmental impacts.

The proposed collection of information is necessary for the Department's performance:

It is in this lens that we respond to the necessity of form MA-1083, the Project Information form, for PIDP applications. The information collected in form MA-1083 includes a high-level overview of project applications (name of the applicant, a project description, whether the project is located in a Historically Disadvantaged Community or a Community Development Zone, the PIDP grant amount requested, total project cost, and more). The snapshot of the application that this form provides is immensely helpful for organizations like ours that request to see these applications through the Freedom of Information Act (FOIA) each year and analyze both funded and non-funded applications.

The MA-1083 form is an essential tool that allows us to obtain an overview of both the successful and unsuccessful applications quickly. Each applicant can use a different format to submit their PIDP application; sometimes the applications are hundreds of pages long and key information is buried throughout in a confusing manner. The loss of the MA-1083 form would require anyone reading or evaluating applications to dig through hundreds of pages of documents per application to find the important high-level overview information that is currently summarized concisely in the MA-1083 form. In addition to being a time-saving solution, the MA-1083 form is useful because it provides enough information to determine if a specific project application will be one we choose to review in more detail. We also use the form to determine if there are exemplary projects that we'd like to highlight or share with other potential applicants.

Transparency should be at the forefront of public, government-funded programs like the PIDP. Accessibility is an essential component of transparency that meaningfully ensures public engagement and accountability. As stated above, members of the public, public interest groups, etc., must already submit FOIA requests to gain access to these applications to see what projects our government funding is going to support or which applications were left unfunded.

Eliminating this form will further serve to burden the public in gaining an understanding of the project applications and how scarce public financial resources are being used.

Accuracy of the estimated burden:

Form MA-1083 provides a very high-level overview of the application. It is a short form that does not require much detail or long explanations from applicants. Most of the information contained in the form is less than a sentence per answer and the totality of the information often fits on 1-2 pages. The information is all summarized directly from the main application, so applicants are not having to do extensive work to fill this form out.

The estimated burden, as described in the Supplementary Information of this Request for Comments, lists the following:

- *Affected Public:* State, Local or Tribal Government.
- *Estimated Number of Respondents:* 200.
- *Estimated Number of Responses:* 200.
- *Estimated Hours per Response:* 160.
- *Annual Estimated Total Annual Burden Hours:* 32,000.
- *Frequency of Response:* Once Annually.

We find that the estimated burden for this particular form is severely overinflated, as listed in the Request for Comment Supplementary Information, and differs from the estimated burden as listed on the form itself. The estimated burden listed on form MA-1083, also identifiable by the OMB Control Number 2133-NEW, is 120 minutes per response (or two hours), including the time for reviewing instructions, completing and reviewing forms and other instruments associated with the collection of information. This is much more in line with the type of information requested in the form and would therefore yield an estimated total annual burden of 400 hours for 200 respondents. That is a 30,000-hour difference from the estimated burden in the Request for Comment Supplementary Information. Due to this drastic difference, if in fact the information contained in the Request for Comment Supplementary Information is reflective of the total estimated hours for the entirety of the PIDP application, we feel that should have been indicated and the estimated burden for this form alone should have been included instead. It is misleading and an inaccurate representation of the estimated burden otherwise to include the estimated burden for a multi-hundred-pages application for a 1-2 page form, and this should be taken into account when evaluating the estimated burden of this form.

Ways for the Department to enhance the quality, utility and clarity of the information collection:

In discussions with MARAD about form MA-1083 and this Request for Comment, MARAD indicated that they no longer require this form with PIDP submissions, so the removal wouldn't have any practical impact on applicants. However, MARAD stated that they will continue to

suggest that applicants provide the project information, but it won't be a required/official form. It seems counterintuitive then to remove an optional form but continue to suggest applicants include it. In fact, in an analysis of the 41 FY23 funded PIDP applications, only 2 applications did not include the information from form MA-1083. Successful applicants clearly see the utility of the form and do not find it burdensome enough not to include it in their applications. While we believe this form should be required, at a minimum it should be left as an optional form for applicants, instead of being eliminated but still encouraged by MARAD. Requiring this form would provide uniformity for applications, many of which already use it, and enhance the quality, utility and clarity of the information collected in these multi-hundred-page documents for organizations like ours and for MARAD when reviewing.

Ways that the burden could be minimized without reducing the quality of the information collected:

As we believe the burden of this form as listed in the Request for Comment was inflated, and the actual burden of the form is much smaller, we do not believe there is a need to minimize the burden of this form. Further, while this is in itself an optional form, if applicants deemed this form too burdensome, they would not include it. Instead, nearly all of the successful applicants in FY23 did so. Therefore, we do not believe there is a need to minimize the burden in this case, and that the quality of the information yielded from this form justifies the amount of time that is required to fill out such a form.

The undersigned organizations appreciate the opportunity to provide comment for consideration on the proposed elimination of the MA-1083 PIDP Project Information Form, and we look forward to continuing to work with MARAD on these critical programs.

Sincerely,

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