

UNITED STATES COAST GUARD

+ + + + +

GREAT LAKES PILOTAGE ADVISORY COMMITTEE

+ + + + +

TUESDAY

SEPTEMBER 26, 2017

+ + + + +

The Committee met at the USCG National Maritime Center, Martinsburg, West Virginia, at 8:00 a.m., John Tanner, Chairman, presiding.

MEMBERS PRESENT:

CPT JOHN TANNER, Chairman

JOHN BAKER, JR., Member

CPT JOHN BOYCE, Member

CPT DANNY GALLAGHER, Member

CPT JOHN SWARTOUT, Member

ALSO PRESENT:

**RAJIV KHANDPUR, Designated Federal Officer,
GLPAC**

**JEAN AUBRY-MORIN, Vice President, Canadian
Seaway**

**MARK BOBAL, Passenger Vessel Safety Specialist,
USCG**

**VINCENT BERG, Operations, Great Lakes Pilotage
Office**

**ALYCE CALLAHAN, Admin Assistant to Director of
Marine Transportation Systems**

**CLAY DIAMOND, American Pilots' Association,
GLPAC**

ALI GUNGOR, Coast Guard Economist for USCG

**TODD HAVILAND, Director, Great Lakes Pilotage,
USCG**

**ROBERT LEMIRE, Chief Executive Officer, Great
Lakes Pilotage Authority**

CPT KIRSTEN MARTIN, USCG

**MICHAEL MOYERS, Ratemaker, Great Lakes Pilotage
Office**

TIMOTHY PAVILORIS, CG-SPW, USCG

**GEORGE QUICK, Vice President, Pilots Membership
Group, Masters, Mates & Pilots**

TRACI SILAS, DHS, Committee Management Officer

C O N T E N T S

Agenda Item	Page
Welcome and Introduction	5
Opening Remarks.17
Approval of June 24, 2016 Minutes.17
 Reports from Subcommittees	
Mandatory Change Point Review	
Subcommittee18
Regulatory Reform Subcommittee28
Coast Guard Contracted Studies37
Compensation Practices	102
Staffing and Dispatch.	116
Weighting Factors/ Use of 10-Year Rolling	
Average for Traffic.	144
Authorized Pilotage Charges.	177
Audits	192
Working Capital Fund	210
Coast Guard Communication with External	
Stakeholders	220
General Update on 2017 Shipping Season	228
Klein Migration Update	232
Working Rules.	248

C O N T E N T S

Agenda Item	Page
Pilot Association Training Plans and Completed Training	251
Reports on Ongoing Association Projects.	269
Closing Remarks.	276
Adjourn.	279

1 P-R-O-C-E-E-D-I-N-G-S

2 8:07 a.m.

3 DFO KHANDPUR: All right. Good
4 morning. Let's get started. Nice to see
5 everybody.

6 Thanks for taking the time to come to
7 this lovely venue in West Virginia. It was a
8 great drive to here. I left this morning at 5:15
9 or so and got here about quarter to 7:00.
10 Beautiful drive, a lot of fog, though. But I
11 know most of you guys got in yesterday. So,
12 welcome.

13 I'm just going to a few administrative
14 remarks and, then, we would proceed to the
15 business.

16 First, I would like you to turn off
17 your cell phones, if you will, please.

18 This is a public meeting and the
19 public will have the opportunity to speak at the
20 end of the meeting. But we will also, after each
21 topic, we have got a segment there for the public
22 to participate and provide us your comments.

1 So, there are sign-in sheets down at
2 the bottom. Before you came in, I think you all
3 signed in there. I don't know. Mike, are you --

4 MR. MOYERS: Here?

5 DFO KHANDPUR: Yes. Are you setting
6 up another sign-up sheet here or?

7 MR. MOYERS: Yes. The sign-in sheet
8 is downstairs. I could bring it up here.

9 DFO KHANDPUR: That's okay. I mean,
10 if you've got it, that's fine. We do need to
11 have a record of all the attendees.

12 Just by looking around, we have got
13 Mr. John Baker, Jr., who has been reappointed.
14 So, you're already sworn-in. I don't think I
15 need to do that again. I don't know; somebody
16 help me here. Todd, do you know? You don't
17 think so? Okay.

18 And the other member, for your
19 information, is Mr. Mike Klein, but he is not
20 here today. So, obviously, he is not a member of
21 the Committee until he gets sworn-in. So, right
22 now, we're operating with six members of the

1 Committee.

2 So, we are to do the oath

3 CPT GALLAGHER: Should we wait for Mr.
4 Fisher? Is he late in traffic or?

5 DFO KHANDPUR: He told me yesterday
6 that he was not coming.

7 CPT GALLAGHER: Oh, okay. It seems
8 like he would have a lot to say, but he hasn't
9 shown at these meetings.

10 DFO KHANDPUR: Correct. I had a long
11 conversation with him yesterday, tried to
12 encourage him and persuade him to come, but he
13 told that he was not going to come.

14 So, I think, then, we probably need to
15 execute the oath of membership. Please stand and
16 raise your right hand, and repeat after me.

17 (Mr. Baker was sworn-in.)

18 Thank you.

19 So now, I would like the Committee
20 members to maybe introduce yourselves, starting
21 off with Mr. --

22 CPT GALLAGHER: Dan Gallagher,

1 President of the District 2 Pilots.

2 CPT BOYCE: John Boyce, President of
3 the District 1 pilots.

4 CHAIRMAN TANNER: John Tanner.

5 DFO KHANDPUR: Rajiv Khandpur, DFO.

6 CPT SWARTOUT: John Swartout,
7 President of Western Great Lakes Pilots.

8 MR. BAKER, JR.: John Baker, Jr.,
9 President of the Great Lakes District Council
10 ILA.

11 DFO KHANDPUR: So, as we mentioned, at
12 this point there are six members appointed to the
13 Committee that have sworn-in and taken the oath.
14 Only five are present. But, with that, I declare
15 a quorum and we're ready to proceed.

16 Captain Martin just walked in.
17 Captain, would you like to come in and give us a
18 little welcome?

19 CPT MARTIN: Sure. Can everyone hear
20 me okay?

21 (Chorus of "yees".)

22 Great, great. Good morning, everyone.

1 Welcome to wild and wonderful West Virginia
2 International Maritime Center.

3 We're very happy to host you for your
4 two-day meeting this week. If there is anything
5 you need, please don't hesitate to give us a
6 shout, reach out to Mike. He can coordinate with
7 us. I assume everyone knows Mike Moyers.

8 We usually have wifi. Has anyone
9 passed you on a -- they did? So, you have the
10 wifi password. Great.

11 Facilities are well-marked in terms of
12 the restroom. There is a soda machine in our
13 small galley space right here. The water
14 fountain is around the corner.

15 Should we have to evacuate the
16 building -- sometimes we do have a fire alarm --
17 basically, you will exit through the stairs, out
18 the door you came in, in the front, and just
19 gather in the parking lot directly across from
20 where we're at right now. So, I think we have a
21 roster of all the attendees, and we'll do that.
22 We don't foresee that, but you never know.

1 If you have any questions on -- I
2 don't know what people have for a lunch plan, et
3 cetera, but I think you have a list of our local
4 restaurants here. There's a wide number right
5 there on the strip, which is Edwin Miller
6 Boulevard.

7 There was some discussion about a
8 possible tour or tours. If there is interest and
9 if you do have time, we're happy to kind of show
10 you our world of work here. We would just need
11 to work with your agenda and find time for that.

12 Also, if anyone needs to talk to the
13 staff here, feel free to reach out to us, let us
14 know how we can maybe accommodate that
15 discussion. If someone asks about credentialing
16 or maritime training provider questions, we can
17 connect you with that.

18 So, any questions for me while you
19 have me here?

20 (No response.)

21 Okay. So, our office, myself and
22 Deputy Director Ike Eisentraut, we might pop in a

1 little later. We're just down on the right. If
2 you have any other questions, you know, you're
3 welcome to stop in or give us a shout.

4 But I hope you have a good, productive
5 meeting.

6 If it does get a little hot in here,
7 just give us a shout. It was pretty cool
8 yesterday, but we've had pretty warm temps. So,
9 it feels a little hot in here right now to me.
10 So, the AC should be kicking in. If not, we have
11 fans. And just give us a call if it's not,
12 because we will make sure -- you know, we don't
13 want things to get too heated in here. We've got
14 to turn down and make sure we've got some AC in
15 here. But, yes, just give us a call.

16 So, thanks again. Welcome, and, yes,
17 have a good rest of your day.

18 DFO KHANDPUR: Thank you, Captain.
19 I'll take a poll to see if members are interested
20 to take a look at how the credentials are made.

21 CPT MARTIN: Sure, sure.

22 DFO KHANDPUR: And see if they're

1 interested to take a walk around.

2 CPT MARTIN: Yes. No, that's great.

3 DFO KHANDPUR: And I'll let you know.

4 CPT MARTIN: Okay.

5 DFO KHANDPUR: Thank you very much.

6 Thank you.

7 CPT MARTIN: Take care, all.

8 DFO KHANDPUR: Okay. As the DFO, the
9 Designated Federal Officer, I'm responsible for
10 ensuring all provisions of the Federal Advisory
11 Committee Act regarding the operation of the
12 Committee.

13 Also, in my role as the DFO for the
14 Committee, I work with agency officials to ensure
15 all appropriate ethnics regulations are
16 satisfied. As we begin this morning, there are a
17 few routine formalities I do need to address for
18 the record.

19 The Great Lakes Pilotage Advisory
20 Committee was established on November 13th, 1998,
21 in the Coast Guard Authorization Act of 1998,
22 Public Law 105-383.

1 The U.S. Government establishes
2 advisory committees so that non-governmental
3 citizens can provide advice and input on specific
4 issues. In this instance, the Coast Guard, not
5 the Committee members, own the Great Lakes
6 Pilotage Advisory Committee. We expect this
7 Committee to provide us with its candid opinions
8 and feedback, but the members must understand
9 that you are present today to help us tackle big
10 issues.

11 This meeting was announced to the
12 public in The Federal Register on -- I've got the
13 notice here somewhere -- September 8th. I think
14 all of you have that notice.

15 The Committee has a full agenda today.
16 The times on the agenda are approximate, but
17 we'll progress sequentially and see how far we
18 can go. We will, obviously, strive for adequate
19 time for presentations and any deliberations and
20 public comments.

21 So, let me just briefly go through the
22 agenda: introduction and welcome, call to order,

1 reports from subcommittees, Coast Guard
2 contracted studies, compensation practices,
3 individual pilot compensation.

4 MR. MOYERS: Rajiv?

5 DFO KHANDPUR: Yes?

6 MR. MOYERS: How about maybe using the
7 microphone just so we can hear a little better.

8 DFO KHANDPUR: Oh, you can't hear?
9 Sorry. Thanks.

10 Can you hear me now? Okay.

11 Staffing and dispatch, weighting
12 factors. We'll have a break. Authorized pilot
13 charges, and, then, a formal public comment
14 period. And then, adjourn for the day.

15 Tomorrow we start again at eight
16 o'clock, and we'll talk about audits, the Working
17 Capital Fund, Coast Guard communications with
18 external stakeholders. And then, a break.
19 Reports and updates, general update on the 2017
20 shipping season, the Klein migration update,
21 working groups, lunch. Then, Pilot Association
22 training plans and completed training; reports on

1 ongoing Association projects, District 1,
2 District 2, District 3; public comments, and
3 then, closing remarks and adjournment.

4 So, we have a pretty robust agenda.
5 We'll go through it, see if we can save time, if
6 that helps. But, obviously, we're going to
7 discuss each until everybody is satisfied.

8 I also have to say that none of these
9 is a particular matter for the purposes of the
10 criminal conflict of interest statute.

11 We've talked about the facilities and
12 lunch, and stuff like that.

13 You have the meeting agenda -- it's
14 available on the tables -- as well as The Federal
15 Register notice. You've met Mike Moyers.
16 Michelle Birchfield has left. Mike is filling in
17 until such time when he may be permanently
18 filling in. So, we'll see as we go along. But,
19 right now, if you have any invitational orders,
20 questions, or any other questions, please reach
21 out to him.

22 The public meeting is being recorded

1 for a permanent record, and please use your
2 microphones each time you speak in order to be
3 fully heard and identify yourself, so that the
4 court reporter here can take your name down.

5 As I mentioned earlier, in accordance
6 with FACA, we will offer the public the
7 opportunity to provide general comments before
8 the Committee; for members of the public, the
9 questioning time to make a public statement.
10 Remarks need to be limited to five minutes.

11 In accordance with FACA requirements,
12 the minutes of this meeting will be prepared for
13 entry into the official record and ensure minutes
14 of these meetings are recorded and clarified by
15 the Chairman within 90 calendar days of this
16 meeting.

17 Coast Guard leadership continues to
18 value your participation and expertise in this
19 important Advisory Committee. We have new --
20 Captain Kiefer replaced Captain Barata, whom some
21 of you are familiar with. And he was planning to
22 come today, but he got sidetracked with some

1 other issues, and so, Mr. Anderson will replace.
2 Mr. Rasicot, he has traveled. He is out of the
3 country. So, Kiefer had to kind of fill-in for
4 him. So, he was unable to come today. I don't
5 know, he may be able to show up tomorrow, but
6 we'll see.

7 Again, I thank you for your time and
8 your efforts, and I'm looking forward to the
9 discussion today. I'll hand it over to Mr.
10 Chairman.

11 CHAIRMAN TANNER: Thank you very much.
12 My name is John Tanner, Chair of this
13 Committee.

14 We have an active agenda. So, let's
15 move right in. I would like the Committee to
16 address the minutes of our last meeting, which
17 was June 24, 2016. Any discussion?

18 (No response.)

19 Motion to approve?

20 CPT GALLAGHER: So moved.

21 CHAIRMAN TANNER: Motion to approve.

22 (Seconded.)

1 Seconded.

2 Any other questions?

3 (No response.)

4 All those in favor of the minutes?

5 (Chorus of ayes.)

6 We have approval of our minutes from
7 June 24, 2016.

8 Over the past year we've established
9 two subcommittees. So, right now, I'd like to
10 ask Captain Gallagher to address his Change Point
11 Subcommittee.

12 CPT GALLAGHER: Okay. Thank you, Mr.
13 Chairman.

14 Before we get going, Mr. Chairman, I'd
15 like to ask the Coast Guard to consider an
16 important issue regarding one of the Great Lakes
17 Pilotage Advisory Committee members. I also have
18 a question I would like to pose to the DFO and
19 other Coast Guard DHS representatives in the
20 room.

21 I understand from his public clients
22 that Mr. Steve Fisher is a federally-registered

1 lobbyist for Federal Marine Terminals, which has
2 offices in Montreal and terminals in Hamilton,
3 Ontario and Thorold, Ontario.

4 (Indication that people cannot hear.)

5 It's on (referring to the microphone).

6 Want me to start over?

7 CHAIRMAN TANNER: Yes, please.

8 CPT GALLAGHER: Okay. Mr. Chairman,
9 I'd like to ask the Coast Guard to consider an
10 important issue regarding one of the GLPAC
11 members. I will also have a question that I
12 would like to pose to the DFO and other Coast
13 Guard DHS representatives in the room.

14 I understand from the public clients
15 that Mr. Steve Fisher is a federally-registered
16 lobbyist for Federal Marine Terminals, which has
17 offices in Montreal and terminals in Hamilton,
18 Ontario and Thorold, Ontario. More importantly,
19 Federal Marine Terminals is a subsidiary of
20 Montreal-based Fednav, LTD., which is a foreign
21 company incorporated under the laws of Canada.
22 Fednav is Canada's largest oceangoing dry-bulk

1 ship-owning and chartering company.

2 While registered lobbyists are
3 permitted to serve on federal advisory
4 committees, it seems inappropriate that a
5 lobbyist with ties to a foreign company and to
6 foreign shipping interests should sit as a member
7 of the Great Lakes Pilotage Advisory Committee.

8 I would like to ask the government
9 representatives here today if the Coast Guard was
10 aware of Mr. Fisher's foreign ties and if the
11 Coast Guard has fully examined whether it is
12 proper that Mr. Fisher still sit as a member of
13 the Great Lakes Pilotage Advisory Committee, as a
14 U.S. federal advisory committee.

15 DFO KHANDPUR: I've got Ms. Tracy
16 Silas.

17 MS. SILAS: Do you want me to speak?
18 Sure.

19 DFO KHANDPUR: Yes, please.

20 MS. SILAS: Hi. Good morning,
21 everyone. I'm Director Tracy Silas. I am
22 Director of Partnership and Engagement at

1 Headquarters, Main DHS.

2 So, thank you so much for the comment.
3 What you discuss is an administrative matter. We
4 will table it for the administrative session.
5 Right now, let's hop into the public meeting as
6 best we can. We can always talk offline at the
7 break, but as far as membership, that's more
8 administrative than open session. So, thank you.

9 CHAIRMAN TANNER: Let's go to what was
10 supposed to be the Subcommittee report. We can
11 come back to that later.

12 CPT GALLAGHER: Okay. Ready, John?

13 CHAIRMAN TANNER: Yes.

14 CPT GALLAGHER: Okay. Dan Gallagher
15 again.

16 "I am writing on behalf of the Great
17 Lakes Pilotage Advisory Subcommittee. The Change
18 Point Subcommittee, consisting of Chairman Dan
19 Gallagher, John Baker, Sr., John Swartout, John
20 Boyce, Jim Hartung, William Yockey, Chad Allen,
21 and Jean Aubry-Morin, and Robert Lemire,
22 unanimously recommends that the following change

1 points should remain the same with a few
2 exceptions:

3 "Eliminating Gros Cap and replace it
4 with Buoy 33, and add Iroquois Lock as a change
5 point. The change points would be as follows:
6 Snell Lock, Iroquois Lock, Cape Vincent, Port
7 Weller, Port Colborne, Detroit/Windsor, Port
8 Huron/Sarnia, Detour, Buoy 33, Chicago with
9 respect to assignments ridging at Detour or Port
10 Huron/Sarnia, Duluth/Superior, and Thunder Bay,
11 Ontario with respect to assignments originating
12 at Gros Cap.

13 "In conclusion, we have discussed the
14 issue in great detail and strongly agree that the
15 change points referenced above should be
16 established."

17 For any further questions, you can
18 talk to the members.

19 We talked to them. Gros Cap was the
20 designated change point for the last -- what? --
21 three decades, I guess, or longer. Buoy 33 has
22 been a change point. The reason District 3 does

1 Buoy 33 is that's where the
2 designated/undesigned waters meet. So, that's
3 a logical change point.

4 We looked at -- District 3 has spent
5 a great deal of time securing the lease on a new
6 dock, and John will probably talk about that
7 later. So, they do have a facility above the
8 locks that they will be using when they can get
9 their dock built, but they have finally secured
10 the lease.

11 And one of the members thought maybe
12 we should look at this. I think the last time
13 this was looked at was quite a while ago. One of
14 the members thought maybe we should look at it
15 periodically.

16 CPT BOYCE: Did you want to bring up
17 the other? MacArthur Lock?

18 CPT GALLAGHER: Oh, yes. Also, in our
19 discussion we talked about the MacArthur Lock.
20 We didn't know if it was within our scope, this
21 Subcommittee, but we thought the MacArthur Lock,
22 they will not allow any of the full-sized ships

1 to transit the MacArthur Lock. The lock is 84-
2 foot wide, the same as the seaway-sized locks.
3 There's a lot of delays that we think could be
4 eliminated. So, we would like to recommend to
5 the Committee here to write a letter to the Corps
6 of Engineers recommending that the Soo Locks
7 allow the 78-foot-wide ships in and out of the
8 MacArthur Lock.

9 I think John Swartout can give some
10 more background on that.

11 CPT SWARTOUT: John Swartout, Western
12 Great Lakes Pilots.

13 MacArthur Lock is the same width as
14 Sault 15 of the seaway locks that saltwater ships
15 come through before they head to it. There is a
16 old regulation, probably written about the time
17 of the lock was built in 1944, that limits the
18 width of ships that can use it to 75 feet. We
19 don't know of any physical reason why wider ships
20 can't use it. In fact, they have used it on many
21 occasions because of dispatching errors. They've
22 dispatched a wider ship through there and they

1 have gone through with no problem.

2 So, this restriction has caused a lot,
3 I mean hundreds, if not thousands, of hours of
4 delays every year at the Soo Locks, ships that
5 could use the Mac having to wait to use the Poe,
6 which is congested. So, we would like, under
7 Executive Order 13777, to encourage the Corps of
8 Engineers to look at that regulation
9 33 CFR 207.440, paragraph v, to consider that
10 regulation for review and revision.

11 Everybody is interested in promoting
12 the maritime trades, and although this is a
13 little outside of the scope of the Subcommittee,
14 we couldn't see another way to get it addressed.
15 So, we want to recommend to the Committee, the
16 full Committee, that the Coast Guard go to the
17 Corps of Engineers and suggest making this
18 regulatory change, and that the Committee itself
19 write to the Corps of Engineers and ask them to
20 look at it. Since the public can submit these
21 suggestions, we're kind of acting as the public
22 in this regard by sending a letter directly to

1 the Corps of Engineers and asking for them to
2 look at it. And I've got two draft letters, one
3 from the GLPAC to the Corps of Engineers and one
4 from the GLPAC to the Admiral to take care of
5 that.

6 CPT GALLAGHER: Okay. Any other
7 discussion from the Committee?

8 (No response.)

9 And whoever outside the Committee has
10 to have a copy of this for the record, the court
11 reporter or -- everybody? Everybody in the room.
12 Well, we'll have to visit the printer.

13 CHAIRMAN TANNER: Okay. Does that
14 conclude your --

15 CPT GALLAGHER: John, I have the
16 letter from the Subcommittee. Give it to you?

17 CHAIRMAN TANNER: Yes.

18 CPT GALLAGHER: Does everyone need a
19 copy also?

20 CHAIRMAN TANNER: Yes.

21 CPT GALLAGHER: Okay.

22 CHAIRMAN TANNER: We'll open it now to

1 the general public. Any questions on this?

2 MS. SILAS: Well, we haven't received
3 it yet.

4 CHAIRMAN TANNER: Right. The copy is
5 coming.

6 MR. DIAMOND: Yes, I mean, I'll just
7 take a minute.

8 CHAIRMAN TANNER: Could you use a
9 microphone?

10 MR. DIAMOND: I would just want to say
11 that I think this issue with the restrictions in
12 the lock is a great example of the kind of thing
13 that the Committee can do to really help
14 facilitate things on the lakes. This is a
15 win/win for both sides. It is certainly
16 something shipping could be interested in,
17 something that the pilots are pushing.

18 And I really hope that, in looking at
19 the scope of the Committee's authority in this
20 area or jurisdiction in this area, that kind of a
21 broad kind of look would be taken, because I
22 would hope that the Committee is able to reach

1 out directly to the Corps, because this is a
2 great issue.

3 CHAIRMAN TANNER: Thank you.

4 CPT BOYCE: Since both subcommittees
5 are put together in one, can I go on to mine? It
6 will be quick.

7 CHAIRMAN TANNER: Go ahead, Todd.

8 MR. HAVILAND: I don't know if I'm out
9 of order or not, but could I recommend maybe a
10 five-minute break while we get the copies made
11 and circulated?

12 CHAIRMAN TANNER: Well, we can do
13 that. We can ask John to Report on the other
14 Subcommittee at this time, and we will come back.
15 Okay?

16 Go ahead, John.

17 CPT BOYCE: Yes, mine will be much
18 quicker.

19 There hasn't been any action from the
20 Regulatory Review Subcommittee. Shortly after it
21 was formed or during it, two contentious issues
22 came out real quick, being the Martin study and

1 the rate. It seemed counterproductive to try to
2 enter into something with any sort of agreement
3 coming out of it right after that.

4 Also, I had a couple of clarification
5 issues. After what Mr. Gallagher went through
6 trying to schedule his last Subcommittee
7 conference call, I figured it would be easy to
8 talk to Mr. Fisher and a couple of other people
9 at this meeting, but he's not here and, well,
10 Michelle's gone now. So, it might get a little
11 easier to get clarification on things, but we can
12 move forward on that. So, there's been no actual
13 action. There seemed to be some hesitation from
14 Mr. Fisher to move forward with it, but I think
15 we can resolve that somehow.

16 CHAIRMAN TANNER: Okay. Any questions
17 from the Committee pertaining to this Executive
18 Order of the Board?

19 (No response.)

20 General public, any questions on this
21 Subcommittee?

22 (No response.)

1 Go ahead, John.

2 CPT SWARTOUT: John Swartout.

3 I'm not on this Subcommittee, thanks
4 to a change in the Committee Charter which I
5 don't recall ever being discussed in the
6 Committee, disallowing more than two ILA
7 Association Presidents to serve on a
8 subcommittee. I don't know why that change was
9 made or who made it, but I think any future
10 changes to the GLPAC Charter should be fully
11 transparent and discussed in the Committee.

12 I don't know if this is the right
13 forum to bring it up, but it's on the agenda that
14 we're going to talk about input to this
15 Subcommittee. And I have some input for the
16 Committee. I'll give it to John Boyce, since
17 he's Chairman of the Committee.

18 And there is one item, in particular,
19 that I would like to bring up here, if this is
20 the right place to --

21 CHAIRMAN TANNER: You're bringing up
22 the Subcommittee material?

1 CPT SWARTOUT: Yes. OMB Control No.
2 1625-0086, concerning data collection in the
3 Great Lakes Pilotage Management System, also
4 known as GLPMS or Klein System, was obtained from
5 the OMB on false pretenses. In a Request for
6 Comments in The Federal Register, Volume 71, No.
7 190857986, October 2nd, 2006, the Coast Guard
8 included in its Paperwork Reduction Act
9 submission form in which it claims, "There is no
10 added burden respecting the collection of
11 information. The Great Lakes Electronic Pilot
12 Management System software provides the three
13 U.S. pilot associations an electronic capability
14 to collect data that up until now has been
15 conducted on a manual basis."

16 In the last renewal of this
17 Information Collection Request, ICR, July 24th,
18 2017, Federal Register 2017, page 15 of 15,400,
19 Regulations Guide Gov Docket No. USCG-2016-0801,
20 the Coast Guard estimates the annual burden of
21 this data collection at 19 hours.

22 The GLPMS creates an enormous burden

1 on the pilot associations, especially since it's
2 never worked properly since inception in 2006.

3 In 2016, Western Great Lakes Pilots Association
4 engaged in well over 80 manhours of training and
5 travel just to continue using the system. In
6 2017, Western invested well over 300 manhours of
7 training and travel for this GLPMS system.

8 Data entry to maintain the system
9 currently requires over 600 hours a year. The
10 Coast Guard expects the system to be kept updated
11 and near-real-time for 16 hours a day. That's
12 4,320 hours a year. It requires vastly more time
13 than the former method of manual data collection.
14 The Coast Guard grossly underestimates the time
15 required to satisfy this requirement.

16 The system should be greatly
17 simplified, preferably by abandoning the Klein
18 System which was built for the GLPA and only
19 slightly invests the Great Lakes Pilot Authority
20 in Canada, and only slightly modified for the
21 U.S. Great Lakes pilots, and replacing with a
22 system from SeaPro Solutions, Inc., customized

1 for each District and funded by the Coast Guard.
2 That is the system already in use by District 1.

3 CHAIRMAN TANNER: Okay. You're going
4 to supply that to --

5 CPT SWARTOUT: Yes.

6 CHAIRMAN TANNER: -- the Subcommittee
7 Chair?

8 CPT SWARTOUT: Sure.

9 CHAIRMAN TANNER: Okay. Thank you.

10 Now back to the first Subcommittee.

11 Does the audience have a copy of Danny's first
12 points? Any questions?

13 (No response.)

14 Any questions on the letters to the
15 Corps of Engineers or the Coast Guard?

16 (No response.)

17 If not, I ask the Subcommittee, any
18 motion at this time?

19 CPT GALLAGHER: Do we need a motion,
20 John, to accept the Subcommittee's report?

21 DFO KHANDPUR: The Subcommittee, then,
22 presents it to the Committee, to the full

1 Committee.

2 CPT GALLAGHER: Yes, that's what we've
3 done.

4 DFO KHANDPUR: Right. And so, now the
5 full Committee could make a motion.

6 CPT GALLAGHER: Okay.

7 MR. BAKER, JR.: I'll make a motion.

8 CHAIRMAN TANNER: We have a motion.

9 This is for the first or for all three documents?

10 DFO KHANDPUR: Let's do it one --

11 CHAIRMAN TANNER: Okay, one. This is
12 for your first --

13 CPT GALLAGHER: The report of the
14 Subcommittee, correct.

15 CHAIRMAN TANNER: The report of the
16 Subcommittee, correct.

17 DFO KHANDPUR: On the change points.

18 CPT GALLAGHER: On the change points.

19 CPT BOYCE: I will second that. John
20 Boyce.

21 CHAIRMAN TANNER: Okay, it's seconded.

22 Discussion?

1 (No response.)

2 If no discussion, all those in favor?

3 (Chorus of ayes.)

4 The motion carried.

5 Now we have a letter to the United

6 States Coast Guard. Let's address that first.

7 CPT GALLAGHER: Okay. John, we have
8 a letter to the Coast Guard regarding a change
9 point at the MacArthur Lock to allow, not change
10 point, but the MacArthur Lock to transit with the
11 78-foot-wide ships.

12 CHAIRMAN TANNER: Yes. Motion?

13 MR. BAKER, JR.: I'll make a motion.
14 John Baker.

15 CHAIRMAN TANNER: We have a motion.

16 Do we have a second?

17 CPT BOYCE: And I'll second it. John
18 Boyce.

19 CHAIRMAN TANNER: It's seconded.

20 Discussion?

21 (No response.)

22 No questions? John?

1 CPT SWARTOUT: Is the motion to
2 approve the draft letter as written or --

3 CHAIRMAN TANNER: Yes.

4 Any other discussion?

5 (No response.)

6 All those in favor?

7 (Chorus of ayes.)

8 Those opposed?

9 (No response.)

10 The motion carries.

11 The second letter, to the Corps of
12 Engineers.

13 CPT GALLAGHER: Okay. We have a
14 second letter that would, basically, mirror the
15 first letter going to the Coast Guard, that the
16 Advisory Committee recommends the 78-foot-wide
17 ships to transit the MacArthur Lock.

18 MR. BAKER, JR.: John Baker, Jr.,
19 makes a motion.

20 CHAIRMAN TANNER: John made a motion.

21 CPT BOYCE: John seconds.

22 CHAIRMAN TANNER: John Boyd seconds.

1 Discussion?

2 (No response.)

3 We can just stay to the Subcommittee
4 right now, or the Committee.

5 If no other questions by the
6 Committee, all those in favor?

7 (Chorus of ayes.)

8 Those opposed?

9 (No response.)

10 Motion carried.

11 CPT GALLAGHER: Mr. Chairman, I
12 believe that concludes the Subcommittee report.

13 CHAIRMAN TANNER: Okay. Thank you
14 very much.

15 Okay. We're finished with the
16 Subcommittee portion of the agenda. Let's move
17 now to the Coast Guard studies. It's conducted
18 by Martin Associates to analyze the potential
19 impact of U.S. pilotage rates.

20 Who is going to present this?

21 MR. AUBRY-MORIN: Mr. Chairman, per
22 your agenda, I would like to make a comment on

1 behalf of The Canadian Seaway, just to shed
2 perspective of the motion you just --

3 CHAIRMAN TANNER: Go ahead.

4 MR. AUBRY-MORIN: Can I have a
5 microphone, please?

6 CHAIRMAN TANNER: There you go.

7 MR. AUBRY-MORIN: Just as general
8 information, my name is Jean Aubry-Morin. I'm
9 also the Vice President of The Canadian Seaway.

10 In perspective of the restriction from
11 The Canadian Seaway perspective on 80-foot --
12 well, why the 75- and 78-foot restriction is due
13 to ice management. We manage ice in condition
14 that can allow a 78-beam opening. In deep winter
15 we reduce, or we could reduce, that to 75 if we
16 would go in deep winter period, sustained length
17 of period. We never enforced that in the past 18
18 years because of the ice management and the way
19 we avoid that situation. But that could shed
20 some understanding of why in certain part of the
21 system the restriction on beam had been used in
22 the past, because we had very often a very ice

1 condition. I just want to bring that to the
2 table.

3 Thank you.

4 CHAIRMAN TANNER: Thank you.

5 CPT GALLAGHER: John?

6 In the letter that we put both to the
7 Corps of Engineers and the Coast Guard, we say,
8 "to allow routine use of the MacArthur Lock by
9 vessels up to 78 feet wide whenever the lock is
10 ice-free." So, we do recognize the reasoning for
11 the 75. Of course, at the beginning of the year
12 and at the end of the year when we have heavy
13 ice, we understand that they could require the
14 full lock at that point in time. So, we do
15 address that in our letter.

16 CHAIRMAN TANNER: Thank you for the
17 clarification.

18 Now for our next item, who will
19 present this?

20 MR. MOYERS: So, I have Mr. Ali Gungor
21 on the line.

22 Ali, can you hear us?

1 MR. GUNGOR: Yes, I can hear you.

2 This is Ali Gungor. Good morning.

3 CHAIRMAN TANNER: Good morning.

4 Go ahead.

5 MR. MOYERS: Go ahead, Ali. You're

6 up.

7 MR. GUNGOR: Thank you. I appreciate

8 it.

9 I am an economist at the U.S. Coast
10 Guard, C2, Reg 1, and I am going to be quickly
11 reviewing for you the study we commissioned that
12 ended in June 2017.

13 Let me give you a quick overview of
14 how we do our economic analysis. It is also
15 called cost/benefit analysis. Sometimes it's
16 reported as reg analysis or regulatory impact
17 analysis.

18 We do our work under various Executive
19 Orders, including Executive Order 12866 on
20 regulatory planning and review, Executive Order
21 13563 on improving regulations and regulatory
22 review, as well as OMB Circular A-4 on regulatory

1 analysis. We follow all those, in addition to
2 the Regulatory Flexibility Act. It's one of the
3 key acts that we follow in our analysis.

4 Given all these requirements, we must
5 perform a benefit/cost analysis for each
6 rulemaking, and the majority of our economic
7 impacts that we try to evaluate are measured in
8 monetary changes to the directly or primarily
9 impacted industry or entities. In our case, they
10 will be shippers, Great Lakes pilots, and pilots
11 associations.

12 At the same time, we receive comments
13 from the public on the Great Lakes pilotage
14 rates, on the annual review and change in
15 methodology. And we heard them and we
16 considered, basically, the comments that were
17 saying that the Coast Guard should consider the
18 secondary impacts to industry and Great Lakes
19 ports.

20 Although we are not required to
21 include those secondary impacts in our regulatory
22 analysis, we wanted to explore additional

1 frameworks and methodologies for assessing the
2 cost of Great Lakes pilots' ratemaking
3 regulations. Our focus was on capturing the
4 industry and port-level economic impacts.

5 So, my office commissioned a contract
6 to analyze certain impacts of the U.S. pilotage
7 charges. And the objective, the goal of this
8 contract was to update the previous analysis done
9 by the same group, Martin Associates, back in
10 2004.

11 The contractor, Martin Associates,
12 completed a report titled, "Analysis of the Great
13 Lakes Pilotage Costs on Great Lakes Shipping and
14 the Potential Impact of Increases in U.S.
15 Pilotage Charges". Essentially, it is baseline
16 conditions of maritime commerce on the Great
17 Lakes. They quantify the cost of operating
18 vessels on the Great Lakes and they compare those
19 to the cost of foreign trade on the Great Lakes,
20 to other modes of transportation in coastal
21 ports. So, essentially, we got from them an
22 assessment of the impact of changes in positive

1 rates to the Great Lakes shipping industry,
2 including surrounding ports.

3 So, with this study, we are looking at
4 the methodology in a model to estimate the
5 secondary impacts of Great Lakes pilotage rates,
6 holding all other factors constant. I think this
7 is very important for this study because it is a
8 typical economic study that focused on the
9 economic impacts of a single sector.

10 And we have to keep in mind that the
11 results of single-sector analysis should not be
12 interpreted as a full regional or national
13 economic impact analysis. So, if we change any
14 other sectors or input defense sectors that the
15 study held constant, we would probably have
16 different impacts of the pilotage rates on,
17 essentially, that area of the Great Lakes.

18 Just to give you an example, if some
19 of the factors driving the level of international
20 marine cargo moving on foreign flag vessels in
21 the case of fuel imports, well, they would
22 probably get some different results. Those

1 factors are set, domestic and international
2 economic conditions, import trade restrictions,
3 the value of the U.S. dollar, and migration of
4 fuel-consuming industries away from the Great
5 Lakes region.

6 Other factors that drive grain exports
7 on the Great Lakes/St. Lawrence Seaway System,
8 and they were not taken into account in the
9 Martin Associates study: they inferred the
10 weather conditions; crop production, both U.S.
11 and global, and domestic versus export prices.
12 And the relative prices are also very important,
13 and they were not accounted for in this study.
14 So, these factors, impact on grain tonnage levels
15 on our system, are essentially outside of the
16 model developed by Martin Associates.

17 The U.S. pilotage charge is only one
18 factor that could impact the competitive position
19 of the Great Lakes/St. Lawrence Seaway System.
20 Also, we reflect that when the Martin Associates
21 report refers to lost jobs, these are estimated
22 impacts to the Great Lakes regional economy from

1 a single-sector analysis, meaning that they are
2 holding other variables constant that I mentioned
3 for steel and grain there earlier.

4 And also, those losses, they're not
5 necessarily net losses to total U.S. and Canadian
6 economies. Losses in one sector or region could
7 result in gains in another sector or region if
8 the tonnage is diverted to coastal ports. But
9 the gains resulting from the diverging traffic to
10 the coastal port depends on the ability of these
11 ports to handle additional throughputs along with
12 the existing capacity at the coastal ports, such
13 as terminal capacity, vessel capacity, and
14 surface modal capacity.

15 So, in the Martin Associates study our
16 concept is that a few of the ports could handle
17 the increased impacts. Our plan going forward
18 is, essentially, include the analysis of the
19 pilotage cost as a percentage of the total cost
20 that the Coast Guard can use in future regulatory
21 analysis, the estimated direct impacts of those
22 changes to pilotage rates. And we hope that this

1 study will be used to inform Coast Guard. One
2 method that we used to assess the secondary
3 impacts of the Great Lakes pilotage are annual
4 rulemaking and other rulemakings.

5 I think that's about it. I would be
6 happy to field any questions or comments you may
7 have.

8 CHAIRMAN TANNER: Okay. Thank you.

9 I'll open it to Committee members.

10 Any questions? John?

11 CPT SWARTOUT: Can we get the spelling
12 of the speaker's name?

13 MR. MOYERS: Ali, can you spell your
14 name, please?

15 MR. GUNGOR: I didn't hear that very
16 clearly. I'm sorry. I missed that, the last
17 one.

18 CPT GALLAGHER: Importantly, we are
19 going to have quite a discussion on this. If he
20 can't even hear us, how can he respond to any of
21 our questions?

22 MR. MOYERS: Ali, can you spell your

1 name?

2 MR. GUNGOR: This is Ali, yes.

3 MR. MOYERS: Can you spell your name,
4 please?

5 MR. GUNGOR: Ali, A-L-I. The last
6 name is Gungor, G-U-N-G-O-R.

7 CHAIRMAN TANNER: Okay. Questions?

8 CPT SWARTOUT: Mr. Chairman, I have a
9 question for Mr. Gungor, if he can hear me.

10 MR. GUNGOR: I'm so far hearing you so
11 fine. Thank you.

12 CPT SWARTOUT: Okay. Was the order
13 for Martin Associates to produce a prospective
14 study or a retrospective study? In other words,
15 were they charged with looking at the effect of
16 rates already in effect or only future rates?

17 MR. GUNGOR: I believe it's
18 retrospective. They used the existing rates in
19 their study. I'm going to double-check on that
20 quickly. I don't think they used the future for
21 rates.

22 CPT SWARTOUT: Well, at the time the

1 study was done they didn't know what the future
2 rates would be. So, obviously, they can only
3 create scenarios using speculative rates. But
4 I'm asking whether they were asked to determine
5 whether existing rates had affected cargo in any
6 way so far.

7 MR. GUNGOR: We have used their 20 --
8 I'm looking at the report here. I believe
9 they've used previous years' figures, not the
10 ones that are going forward, sir.

11 I mean, I hope I answered your
12 question.

13 CPT SWARTOUT: No, you haven't. What
14 I'm asking is, what was the order from the Coast
15 Guard to Martin, what they were supposed to
16 produce?

17 MR. GUNGOR: Well, we asked them to
18 update the 2004 study that they have done
19 previously. They have used, I believe they have
20 used the same methodology. I mean, we did not,
21 you know, tell them anything different from what
22 they have done before.

1 CPT SWARTOUT: Mr. Chairman, I'm not
2 getting an answer to my question. I'm going to
3 let it rest.

4 CPT SWARTOUT: Okay. Any other
5 Committee members? Question?

6 CPT SWARTOUT: Okay. Mr. Chairman,
7 with your indulgence, I will continue on another
8 tact. On the topic of the 2017 Martin Associates
9 study, I would like to provide each Committee
10 member with several documents. And maybe it
11 would be beneficial to take a short break, so we
12 can make copies for the public and circulate
13 these handouts before I start.

14 MS. SILAS: Do you have any other
15 materials you're circulating? Because they
16 should be provided 48 hours in advance. Anything
17 else you're circulating for the rest of the
18 meeting?

19 CPT SWARTOUT: I couldn't hear you.

20 MS. SILAS: Do you have any other
21 material you are circulating --

22 CPT SWARTOUT: Yes.

1 MS. SILAS: -- throughout the rest of
2 the meeting?

3 CPT SWARTOUT: Lots of them.

4 MS. SILAS: We need to make copies of
5 all the things you are circulating in advance.

6 Let's take a break to do that.

7 CHAIRMAN TANNER: Okay. We'll take a
8 break then, 15 minutes.

9 (Whereupon, the foregoing matter went
10 off the record at 9:00 a.m. and went back on the
11 record at 9:10 a.m.)

12 CHAIRMAN TANNER: Okay. We're back in
13 session.

14 John Swartout has a series of letters.

15 John, does the audience have a copy of
16 your first one you're going to address?

17 CPT SWARTOUT: Yes.

18 CHAIRMAN TANNER: Okay. We're ready
19 to begin with your first letter. So, John
20 Swartout, the floor is yours.

21 CPT SWARTOUT: I'd like to, first,
22 pass out a copy of the September 18th, 2017

1 letter that the three Presidents here of the U.S.
2 Great Lakes Pilots Associations submitted to the
3 Coast Guard concerning the Martin study. This
4 letter does a good job of outlining a number of
5 serious concerns we have with the study, and I
6 ask that it be included in the transcript of this
7 meeting.

8 Mr. Chairman, I understand we don't
9 have time to go through every page of the Martin
10 Associates study. It's, I think, 56 pages. But
11 I do want to point out several areas of the study
12 where there are significant reasons for concern.

13 Clay Diamond is now passing out the
14 excerpts from the Martin study that I'm going to
15 referring to now.

16 On page 3, Martin refers to a
17 logistics cost model developed as part of the
18 study. The model was not described in the study.
19 I would like to know if -- and this is a question
20 for Mr. Gungor -- if this model was shared with
21 the U.S. Coast.

22 MR. GUNGOR: If I didn't hear

1 incorrectly, you're asking whether we have this
2 database at the Coast Guard, the logistical model
3 you mentioned, sir?

4 CPT SWARTOUT: Yes.

5 MR. GUNGOR: We don't have that
6 database. This is completely proprietary to
7 Martin Associates.

8 CPT SWARTOUT: Okay. So, all we know
9 is that Martin Associates has a model?

10 MR. GUNGOR: Correct.

11 CPT SWARTOUT: We don't know how it
12 works. So, there are transparency concerns and
13 questions as to how it was developed and how it
14 might have impacted or skewed the study's
15 findings. In other words, it's a black box. You
16 dump in the detail and out comes the result,
17 which the model could be as unreliable as the
18 multiple climate change models that keep turning
19 out to be wrong.

20 Also, on page 3, Martin makes two very
21 questionable assumptions that should raise
22 concerns over the validity of the whole study.

1 First of all, using a hypothetical and
2 implausibly high pilotage rate estimate for 2017,
3 Martin assumes, equally implausibly, that all
4 other shipping costs, like Canadian pilotage
5 fees, tug seaway tolls, ice-breaking surcharges,
6 stevedores, security, et cetera, are held
7 constant. We already know some of those
8 assumptions are wrong.

9 Second, while warning with no basis in
10 fact that the Great Lakes cargo might be diverted
11 to coastal ports, Martin assumes without any
12 investigation that adequate capacity exists in
13 the busy U.S. coastal ports, railways, and
14 highways.

15 Both of these assumptions, the
16 adequate capacity and all other costs remaining
17 unchanged, are repeated on page 5.

18 On page 4, Martin estimates that a
19 significant amount of grain could no longer move
20 cost effectively through the Great Lakes ports if
21 there was 53.75 percent to 90.92 percent increase
22 in U.S. pilotage charges for 2017. Martin, then,

1 makes the absurd point that, under a doubling of
2 U.S. pilotage charges in 2017, other factors held
3 constant, a large amount of grain and steel are
4 no longer cost effectively served by the Great
5 Lakes and could be diverted to coastal ports.

6 Finally, Martin theorizes that 100
7 percent across-the-board increase in pilotage
8 rates for 2017 could result in the loss of
9 maritime-related jobs on the Great Lakes.

10 Now, first of all, he says that's not
11 a net loss of jobs; that's just the potential
12 loss of jobs in the Great Lakes. It's not the
13 Coast Guard's job to pick winners and losers.
14 It's the Coast Guard's job to have a safe,
15 efficient, and reliable pilotage system on the
16 Great Lakes. And if there are losers because of
17 that, it could be loss to the Great Lakes; it
18 doesn't mean it's a net loss to the country.

19 If you compare the first highlighted
20 statement on page 4 with the highlighted
21 statement on page 51, you'll see that the 10,401
22 tons of steel which could be diverted was double-

1 counted on page 4. In other words, on page 51,
2 it says, if we get up to a 100 percent rate
3 increase in 2017, which everybody knows didn't
4 happen -- there was actually about a 10 percent
5 rate decrease recently announced in the Final
6 Rule -- 586,000 tons of grain could be diverted
7 and 10,000-and-some tons of steel. On page 4,
8 the 10,000 tons is counted twice.

9 I don't know if that's representative
10 of the quality of work in this study, but it
11 could be.

12 On page 5, Martin continues its use of
13 wildly unrealistic estimates for pilotage rate
14 increases in 2017 to conclude that piloted
15 charges could impact Great Lakes shipping and
16 maritime employment. Again, however, no
17 increases occurred in 2017. Pilotage rates went
18 down in the 2017 Final Rule.

19 On page 16, Martin concedes that the
20 information it used to develop representative
21 voyage itineraries for its study came from the
22 very same foreign flag vessel operators that are

1 now seeking to lower U.S. Great Lakes pilotage
2 rates.

3 The lack of transparency by Martin
4 with the U.S. governmental agency that contracted
5 for its services should raise concerns with all
6 of us.

7 Martin does mention that he has done
8 work for the ports, the Chamber of Maritime
9 Commerce, and other stakeholders. What's left
10 unanswered is the information provided by those
11 stakeholders to Martin to do this study, was that
12 information audited? Does the Coast Guard even
13 know what it is? Martin is using information
14 provided by the people who want to lower Great
15 Lakes pilotage rates, no matter what it takes to
16 do it.

17 If Mr. Gungor is still on the line, do
18 you know if that information provided by the
19 shipping companies as audited before it was used
20 in the study?

21 MR. GUNGOR: Unfortunately, I don't
22 know the answers to that question. They may or

1 not be audited, but I'm not sure. I'm not the
2 right person to answer that question.

3 There are some references on page 13,
4 the economic impact of their methods on the Great
5 Lakes, under No. 3. There is an explanation of
6 the methodology, how they have done their whole
7 modeling and what they've used, you know, on
8 their baseline economic conditions.

9 So, I am not 100 percent sure if they
10 were all audited or not. And if you would see --
11 I mean, you can see that there were a lot of
12 contacts by Martin Associates, this second
13 paragraph. I mean, they contacted 628
14 stakeholders and 454 ports in the survey and
15 provided investment data for 2013 to 1/2018. I
16 don't believe we have seen all these raw data.
17 It's beyond my knowledge.

18 CPT SWARTOUT: Well, my question gets
19 to, how do we know that the voyage cost data used
20 to create the denominator is accurate
21 information? If you put in garbage, you're going
22 to get out garage. We don't know.

1 It's also of note and concern that the
2 Martin study never mentions the Coast Guard's
3 recent upward adjustments to pilotage rates. On
4 pages 41467 and 41468 of The Federal Register
5 notice of the 2017 Final Rule on Great Rates
6 Pilotage Rates, the Coast Guard clearly and
7 publicly states that the principal reason for the
8 recent rate increases was to add additional
9 pilots to mitigate fatigue risks and reduce
10 shipping delays. That Federal Register notice is
11 being passed out now, if you don't already have
12 it.

13 We understand the Coast Guard paid
14 Martin Associates \$304,750 for this study. It's
15 a deeply-flawed study. It purports to tell us
16 that, if all of its dubious assumptions are
17 realized -- and we already know several were not
18 realized -- that if U.S. pilotage rates rose in
19 2017 somewhere between zero percent and 53.57
20 percent, that 29 grain cargoes might be diverted,
21 and that those rates would have to increase
22 another 46.43 percent before the next ton of

1 cargo would be at risk. In the context of rates
2 that actually decreased in the 2017 Final Rule,
3 that's what I call \$304,000 worth of useless
4 information.

5 Since some shipping industry and ports
6 representatives are attempting to use the Martin
7 study to show that pilotage rates have somehow
8 had a negative impact on shipping on the Great
9 Lakes in 2016 and 2017, I also want to ensure
10 each member of the GLPAC has seen actual shipping
11 and cargo data for the Great Lakes system for
12 2016 and 2017.

13 I'm providing three credible sources,
14 and you are getting them handed out right now.
15 One is Digital Dateline. One is Seaway Compass.

16 And also, Clay, if you'd pass these
17 out, also?

18 MR. DIAMOND: Oh, okay.

19 CPT SWARTOUT: An article from
20 Professional Mariner Online; the summer of 2017
21 edition of Seaway Compass, the magazine of the
22 U.S. Department of Transportation and St.

1 Lawrence Seaway Development Corporation; a
2 September 18, 2017 article from Great Lakes
3 Seaway Review showing the 2017 cargo value is up
4 considerably from 2016. The source for this
5 article is the Chamber of Maritime Shipping pilot
6 letter to the Coast Guard regarding the updated
7 Martin study.

8 Finally, I want to point out a quote
9 from the final 2017 Great Lakes pilotage rate on
10 page 41467 of The Federal Register, the excerpt
11 that I gave you. The Coast Guard itself noted,
12 "Our data indicates that demand for pilotage
13 service in 2016 was greater than in 2015 and that
14 demand for pilotage service through June 2017 is
15 trending around 20 percent higher than the 10-
16 year average of shipping."

17 Now I would like to turn to this
18 Professional Maritime Online article. This
19 refers to a news release from the American Great
20 Lakes Ports Association and contains numerous
21 false statements, and I want to point them out to
22 you.

1 In the first paragraph, "A newly-
2 released study shows that increases in U.S.
3 pilotage costs on the Great Lakes Seaway System
4 have hurt the regional economy." There's nothing
5 in the Martin Associates study that says that.

6 In the fourth paragraph, this news
7 release gives credit to the Coast Guard for
8 commissioning Martin Associates. I wonder why
9 that is? These industry interests have paid
10 Martin Associates hundreds of thousands of
11 dollars over the last few years for various
12 studies. Their bread and butter is the industry;
13 it's not the Coast Guard.

14 At the bottom paragraph on the first
15 page, it says that "585,890 tons of export grain
16 was lost to the system and shipped through
17 coastal ports instead." That's not what the
18 study says.

19 Turning to the second page, the top
20 paragraph, the second sentence, "The absence of
21 these backhaul cargoes rendered 29 voyages of
22 inbound steel non-competitive. As a consequence,

1 Martin Associates estimates that 586,000 tons of
2 steel imports to Great Lakes ports did not
3 occur." There's no such statement in that
4 report.

5 The next paragraph, "The total
6 binational regional job loss associated with the
7 Coast Guard's 2016 pilotage rate increase is
8 4,400 jobs." That statement is not in the
9 report.

10 The report deals with future
11 possibilities based on false premises.

12 The next-to-the-last paragraph, "This
13 study documents that recent rate increases have
14 negatively impacted the competitiveness of ocean
15 shipping on the Great Lakes." It depends on the
16 correct denominator, that is, total voyage cost,
17 and it's not documented in this study, nor is it
18 verified.

19 Mr. Chairman, I think it would be
20 appropriate to give the Committee members a few
21 minutes to review each one of the documents in
22 case there's any discussion on them.

1 CHAIRMAN TANNER: Does the Committee
2 have any questions? Should we look at the
3 documents?

4 CPT BOYCE: Is that just on what Mr.
5 Swartout presented or is there --

6 CHAIRMAN TANNER: What Mr. Swartout
7 has presented to this point, yes.

8 Any questions?

9 (No response.)

10 If not, let's move on.

11 Any other --

12 CPT BOYCE: Yes. Also, we've, on the
13 same topic of the Martin study, we've presented a
14 couple of letters to the Coast Guard previously
15 and half of you as well.

16 CHAIRMAN TANNER: Does the audience
17 have those letters?

18 CPT BOYCE: Yes.

19 CHAIRMAN TANNER: Okay.

20 CPT BOYCE: The first was on July 10th
21 to the Commandant. "We are deeply concerned by
22 the reports that Martin Associates is conducting

1 a study of the Great Lakes pilotage for the U.S.
2 Coast Guard and that the agency may consider this
3 study to be a neutral and unbiased assessment of
4 the impact of pilotage costs on Great Lakes
5 shipping. Martin Associates appears to have been
6 selected at least in part because of its previous
7 work in this area, 'Analysis of Great Lakes
8 Pilotage Costs on the Great Lakes and Potential
9 Impact on Pilotage Rates Increase' in 2004.

10 "At that time, Martin Associates was
11 not closely identified with one side or the
12 other, e.g., pilots or foreign shipping
13 interests, on the relevant issues, and it is
14 significant to know that Martin Associates basic
15 conclusions in the 2004 included clear statements
16 of U.S. pilotage rates do not impact ship routing
17 decisions on the Great Lakes. Since that report
18 was issued in 2004, however, Martin Associates
19 has been paid hundreds of thousands of dollars by
20 many of the very same organizations leading the
21 effort to reduce American pilotage fees,
22 including the organizations that are currently

1 suing the Coast Guard to reduce pilotage fees.
2 Under these circumstances, we have serious doubts
3 that Martin Associates will conduct a neutral and
4 unbiased analysis of the important matters.

5 "In 2011, the American Great Lakes
6 Ports Association was the contracting agent to
7 Martin Associates for a significant study of
8 shipping on the Great Lakes as a whole, along
9 with eight individualized studies regarding the
10 economic impact of specific American ports.

11 "In 2015, the American Great Lakes
12 Ports Association was a key player in another
13 major study by Martin Associates that quantified
14 public and private sector investments in the
15 Great Lakes Navigation System. Currently, AGLPA
16 and other organizations challenging pilotage
17 rates have again retained Martin Associates and
18 are paying hundreds of thousands of dollars for a
19 Great Lakes economic study. That means ALGP has
20 used Martin Associates for at least 10 studies,
21 almost assuredly costing hundreds of thousands of
22 dollars over the past several years.

1 "Given that the most aggressively
2 anti-pilot organizations have retained Martin
3 Associates at the very same time that Martin
4 Associates is studying pilotage issues on behalf
5 of the Coast Guard, we can hope you understand
6 why we are so concerned. AGLPA's opposition to
7 increased pilotage fees in the Great Lakes is
8 well-known and publicly-documented. It has
9 consistently filed comments challenging increases
10 in the Coast Guard's proposed pilotage rates and
11 is the lead plaintiff in the ongoing lawsuit
12 against the Coast Guard that challenges the 2016
13 ratemaking and seeks to significantly reduce
14 pilotage fees.

15 "The Executive Director of the ALGP,
16 Steve Fisher, has registered with Congress as a
17 lobbyist on issues that, as described in his
18 lobbying disclosure form, including raising
19 concerns about the cost and efficiency of the
20 Great Lakes Pilotage System. To be clear, AGLPA
21 is not only the company or organization that is
22 both part of the coalition that has retained

1 Martin Associates and among the most aggressive
2 challenges to the American Great Lakes pilotage
3 rates.

4 "We, of course, have no objection to
5 the AGLPA and others seeking to advance their
6 interests through lobbying and other legitimate
7 means, as the right of any person, company, or
8 organization. The problem is in any suggestion
9 that Martin Associates could be engaged by this
10 organization." "The Coast Guard" -- I'm sorry --
11 "itself is as a disinterested party.

12 "At the very least, the Coast Guard
13 should pause the project to investigate the
14 extent to which the organizations most opposed to
15 American Great Lakes pilotage rates increases
16 have recently or are currently retaining and
17 funding Martin Associates and the extent of their
18 contacts with Martin Associates on this matter
19 and others. The Coast Guard should assure that
20 any study that proceeds is conducted by a truly
21 neutral party and that it assures all costs
22 relevant to Great Lakes shipping, including not

1 just U.S. pilotage rates, but also Canadian
2 shipping fees, such as seaway, ice-breaking
3 pilotage. An unbiased assessment would note that
4 Canadian fees are nearly 15 times greater than
5 the comparable American shipping fees on the
6 Great Lakes, according to the U.S. Coast Guard's
7 own estimates, and that 85 percent of all
8 pilotage fees imposed on Great Lakes shipping
9 companies are by Canadian pilot associations.

10 "The Coast Guard ought not to be
11 expending taxpayer dollars on a study that could
12 very reasonably be viewed as an advocacy document
13 for one side of the public debate on pilotage.
14 We appreciate your interest in this important
15 matter. We hope that the Coast Guard
16 investigates and resolves these conflict-of-
17 interest issues. We will have an opportunity to
18 meet with the organization who contracted to
19 conduct and complete this study. We trust you
20 agree that any Great Lakes pilotage study can
21 only benefit from the input of Great Lakes
22 pilots."

1 And it's signed by the three pilot
2 Presidents.

3 On September 18th, another letter
4 to --

5 CHAIRMAN TANNER: The second letter?

6 CPT BOYCE: Yes, a second letter to
7 the Admiral.

8 "The Director of the Great Lakes Pilot
9 Offices recently provided us with the final
10 Martin report, a paper prepared by John C. Martin
11 Associates, LLC, doing business as Martin
12 Associates. That purports to be an analysis of
13 the potential impact of increases in U.S.
14 pilotage charges on the Great Lakes shipping.
15 The paper states that it was prepared for the
16 Coast Guard and includes the Coast Guard emblem
17 on its title page.

18 "It was not clear, however, that the
19 Coast Guard has adopted, or without further
20 reports, it intends to suggest that pilotage
21 rates could have an adverse effect on Great Lakes
22 cargo volumes or employment. The Coast Guard

1 should not do so.

2 "Instead, the Coast Guard should
3 immediately and forcibly reject any suggestion
4 that Martin report supports any claim of harm to
5 the Great Lakes cargo movements or employment
6 resulting from the existing pilotage rate or any
7 plausible future increases from such rates.

8 "The Martin Associates report provides
9 no support for claims of harm from pilotage
10 rates, even though the firm has clear incentive
11 to assert such harm.

12 "As we have previously commented,
13 Martin Associates has a significant conflict of
14 interest that disqualifies it from being
15 considered in any way neutral and an unbiased
16 source of analysis. It has recently been paid
17 hundreds of thousands of dollars and likely has
18 been paid well over a million dollars overall by
19 many of the very same organizations that are
20 leading the effort to reduce American pilotage
21 fees, including organizations that are currently
22 suing the Coast Guard in that effort.

1 "Indeed, we have confirmed that this
2 spring Martin Associates was negotiating an
3 approximately \$500,000 contract with these anti-
4 pilot parties, including plaintiffs on a current
5 lawsuit, to update an economic study, at the very
6 same time it was working on the paper prepared
7 for the Coast Guard. Martin Associates bias in
8 this matter is obvious, and its failure to
9 forthrightly acknowledge in the report the extent
10 of its conflict of interest raises at least a
11 very significant question about the bona fides of
12 the paper, of the report, and the firm itself.

13 "Moreover, although the paper streams
14 provide some analysis that could support a claim
15 that pilotage rates adversely affect Great Lakes
16 traffic, an effort fully consistent with its
17 author's obvious bias, it fails to provide any
18 support for that proposition. The paper does not
19 show any traffic has been diverted or any jobs
20 loss due to pilotage fees or rate increases to
21 date, and does not even attempt to do so.
22 Instead, it hypothesizes implausibly large

1 increases in pilotage rates and concludes that,
2 even though its hypothetical increases would have
3 a relatively minuscule possible effect on our
4 traffic on the Lakes, potentially affecting only
5 a very small percentage of shipments of a single
6 commodity.

7 "A party with every financial
8 incentive to assert some harm from pilotage rates
9 has, thus, tried, but miserably failed to do so.
10 The Coast Guard and other policymakers should,
11 therefore, rest assured that pilotage rate
12 increases have not affected, and will not affect,
13 traffic or otherwise harm the Great Lakes.

14 "The American Great Lakes Ports
15 Association is, nonetheless, falsely representing
16 the report's conclusion, and the Coast Guard
17 should set the record straight. Martin
18 Associates' failure to support the result of its
19 anti-pilot funders who would like" -- "has not
20 stopped AGLPA, the client on previous Martin
21 studies and a lead plaintiff in the current
22 lawsuit against the Coast Guard, from falsely

1 misrepresenting the report in order to mislead
2 the public as to the effects of the agency's
3 ratemaking efforts.

4 "In its September 6th, 2017, press
5 release, AGPLA cites the Martin paper as showing
6 that increases in U.S. pilotage costs on the
7 Great Lakes Seaway System have hurt the regional
8 economy and have led to a loss of 585,890 tons of
9 export grain to the system and have shipped
10 through coal supports instead. The AGPLA claims
11 are simply false. The Martin paper makes no
12 effort to determine whether the 2016 increases,
13 which it asserts range from 40 to 90 percent,
14 caused a diversion of any cargo from the Great
15 Lakes. Instead, it seeks to determine, through
16 the use of an undisclosed logistics cost model,
17 whether there will be such diversion, similar
18 increases in U.S. pilotage that occurs over the
19 next year. There have been no such similar
20 increases. To the contrary, the agency has
21 instituted a decrease in the 2017 rates.

22 "The Martin paper does not offer even

1 anecdotal evidence that a single ton of cargo,
2 grain or otherwise, was diverted in 2016 or has
3 been diverted in 2017 as a result of pilotage
4 rates, although it, presumably, could have asked
5 AGLPA and its other anti-pilot funders to provide
6 such evidence, if it existed.

7 "We, therefore, ask the Coast Guard
8 take immediate steps to assure the public that
9 the Martin report prepared for" -- "it does not
10 support the claims that the AGLPA is falsely
11 making about it and does not speak for the U.S.
12 Coast Guard. Allowing these false claims to go
13 unaddressed risks unwarranted harm to the
14 reputation of the pilotage system and the
15 reputation of the Coast Guard itself.

16 "As you know, many individuals may not
17 read the report itself, but, instead, rely on the
18 representations of the AGLPA and others about the
19 Coast Guard study. This means AGLPA's false
20 statements must be corrected publicly and
21 authoritatively, or they could well persist.

22 "Additional observations. The above

1 is, in our view, sufficient to discredit the
2 Martin report. We do not intend any further
3 discussion to suggest we're endorsing its
4 methodology or conclusions. We note, however,
5 that even on its own terms, the report undermines
6 on many levels the claims of harm from pilotage
7 rates that the anti-pilot interests who have long
8 funded the Martin efforts seek to advance.

9 "As noted above, the Martin report
10 does not attempt to analyze any increases in
11 pilotage rates that have either occurred or are
12 likely to occur, but, rather, it attempts to
13 assess the effect of a 40 to 90 percent increase
14 in 2017 on top of the increases from 2016. Of
15 course, no such 40 to 90 percent increases have
16 been proposed for 2017. Instead, the Coast Guard
17 kept the rates at the same level for most of the
18 year and has recently announced a very
19 significant decrease in those rates going
20 forward, based on a change in its method of
21 projecting revenues in the ratemaking process
22 purposes.

1 "Nor does the study provide any basis
2 for suggesting that further increases of 40 to 90
3 percent over the 2016 rates are even remotely
4 possible. 2016 rates did increase substantially
5 over 2015 levels, primarily because pilotage had
6 been underfunded for many years previously,
7 resulting in what the agency has found to be a
8 \$20 million shortfall in the system from 2005 to
9 2014. There is no reason to posit a similar
10 catchup increase for 2017. And, in fact, the
11 Coast Guard has set 2017 rates lower, not higher.

12 "We also note that, even under the
13 implausible scenario of 40 to 90 percent
14 additional rate increases posited in the study,
15 the Martin report does not assess any loss of
16 general cargo, iron ore, stone aggregates, solid
17 dry or other liquid bulk cargoes, coal, petroleum
18 products, wind energy, or unallocated cargo,
19 which comprise over 93 percent of the cargo on
20 the Lakes, but looks only at steel and grain,
21 which it asserts are particularly sensitive to
22 shipping costs.

1 "As to steel, the study concludes that
2 increases of 42 to 55 percent would not result in
3 any steel becoming non-cost-competitive on the
4 Lakes. In other words, not a single ton of steel
5 would be diverted, even by additional increases
6 of 42 to 55 percent over the 2016 rates.

7 "As to grain shipments, the report
8 suggests that, even an implausible further 40 to
9 90 percent increase in pilotage rates, a very
10 small percentage of the current grain cargoes,
11 and 586,000 out of over 21 million tons could be
12 diverted to coal supports. But it makes no
13 assessment whatsoever as to the likelihood of
14 this diversion occurring, nor could it do so,
15 because it arbitrarily assumes that all of the
16 many other factors that conceivably drive the
17 levels of cargo moving in other trades would be
18 ignored, and that diversion decisions made only
19 on Martin's assessment of relative shipping costs
20 with other factors remaining the same and not
21 being taken into consideration.

22 "Any assertion that the Martin paper

1 shows that these grain diversions would occur or
2 even would be likely to occur, if rates went up
3 another 40 to 90 percent over current levels, is,
4 thus, entirely unsupported by the analysis. And
5 as set out above, the assertion that the paper
6 shows any diversion at all occurred as a result
7 of the 2016 rates is simply false.

8 "Finally, as noted above, the Martin
9 paper makes no effort to look at what actually
10 happened to the traffic in 2016, asserting that
11 the data was not available at the time of the
12 study. It is available now and shows that grain
13 shipments in 2016 increased by 3.8 percent in the
14 seaway, 5.4 percent in the Montreal/Lake Ontario
15 section, 1.4 in the Welland Canal section.

16 Moreover, like the Coast Guard itself stated in a
17 recently-released 2017 rate rule, that its data
18 indicates that demand for pilotage services in
19 2016 was greater than 2015, and that demand for
20 pilotage services through June 2017 is trending
21 around 20 percent higher than the 10-year average
22 for the 2017 shipping season.

1 "Again, many factors can affect the
2 level of cargo shipments, none of which Martin
3 Associates accounts for in its report. But these
4 figures provide additional evidence that the 2016
5 rate increases did not harm Great Lakes traffic.

6 "In conclusion, it is not clear which
7 is more remarkable, that the firm with such
8 obvious conflict of interests as Martin
9 Associates would issue a study that suggests an
10 imprimatur from the Coast Guard without
11 disclosing the full extent of the conflict or
12 that firm's resulting effort would so miserably
13 fail to reach, much less support, its
14 predetermined conclusion that increased pilotage
15 rates have had, or plausibly might have, an
16 effect on Great Lakes traffic. An unbiased firm
17 would have candidly acknowledged that there are
18 many ways in which the report fails to support
19 its conclusion, rather than trying to present
20 phony cargo diversion and job loss numbers that
21 represent no plausible scenario, and that can be
22 misused, as AGLPA has the suggested conclusions

1 of harm that the study in no way supports.
2 Again, if even a source so clearly biased against
3 the pilots can so completely fail to support any
4 claims of harm, the Coast Guard should have
5 considerable comfort in concluding that no such
6 harm exists."

7 And again, it's signed by the three
8 Presidents of the Great Lakes pilots.

9 CHAIRMAN TANNER: Thank you.

10 Any other members?

11 CPT GALLAGHER: Dan Gallagher.

12 Mr. Gungor, you said that you're not
13 the resident expert in your office. I believe
14 your office is probably an hour and a half away
15 from here. You found \$304,750 of taxpayers'
16 money to do the study. Yet, you can't send
17 somebody to a very important meeting with
18 questions about this?

19 (No response.)

20 I guess, if you can't answer the
21 questions, who within your office would we
22 contact to get the correct answer?

1 MR. GUNGOR: Sir, this is Ali Gungor.

2 I don't have a good answer for you at
3 this time. I suppose, well, I would defer to my
4 program office, if they would say anything on the
5 tables.

6 CPT GALLAGHER: Okay. Mr. Gungor, now
7 that you've heard a little bit that's in the
8 report, I don't know, maybe you haven't had the
9 time to read it. So now, are there actual costs
10 that were used in this report to these job losses
11 or projected?

12 MR. GUNGOR: My understanding is that
13 Martin Associates did their study using the
14 previous data and they used the 2010 model. And
15 they also surveyed the industry and they used
16 some investment data. This doesn't mean
17 necessarily that this is a prospective. It's,
18 for all intents and purposes, a retrospective
19 study. Yet again, they've done what they've
20 done. This is an independent study that we
21 commissioned. We do this all the time at Coast
22 Guard. And this is in response to the public

1 comments that we received to look at the
2 secondary impacts. And this is what exactly
3 we've done.

4 I mean, I understand the amount, sir,
5 of money spent. You mentioned as such, but we're
6 trying to understand, you know, what potential
7 impacts of the pilotage rate increase or
8 decrease, whichever way, so we can get informed.
9 We're trying to understand. That's the extent of
10 the study.

11 And I'm not sure if any of the
12 conclusions or just some of the job losses, or
13 whatever they said on the executive summary and
14 elsewhere -- essentially, we didn't use any of
15 this in our ratemaking that I know of. So, this
16 is simply a study, and it's typically done in my
17 office and in different program offices at Coast
18 Guard. And again, I emphasize this is in
19 response to the comments, the public comments, we
20 received, that we felt like we had to investigate
21 that, and we do not typically do that kind of
22 regulatory analysis when we do our impact

1 analysis. This is not part of it.

2 CPT BOYCE: This is John Boyce.

3 Why was this study done by your office
4 rather than the Pilotage Office? Because it
5 seems rather obvious to anybody with even a
6 cursory idea, I mean even the vagueness, of how
7 any of the dynamics work in the system, that this
8 study is so far in left field. That you think
9 you learned anything from this study shows that
10 people have no idea how this works.

11 So, I guess I ask -- you know, there's
12 one office in the Coast Guard that it's tasked
13 with understanding how the system works. So,
14 with that, that base knowledge, why didn't that
15 entity, i.e., the Pilotage Office, conduct a
16 study on impacts?

17 MR. GUNGOR: Sir, again, if I
18 understood you correctly, why did we do this
19 study in my office? Well, we support our program
20 office in various capacities. It's one of those
21 economic impact analyses.

22 Yet again, as I said at the very

1 beginning, and I just said it a few minutes ago,
2 that we typically look at the primary impacts,
3 not the secondary impacts. This is the secondary
4 impact analysis that Martin Associates did on
5 their own using their own model. The
6 independence, they've used their database. And,
7 you know, this is a study; this is not the study,
8 and we don't rely on this study to inform our
9 ratemaking.

10 CPT BOYCE: Well, if you don't rely on
11 this study to impact ratemaking, it really draws
12 a question of why it was done.

13 Further to this, when you mentioned
14 earlier the stakeholders that were reportedly
15 reached out to. I will say that John Martin did
16 call me, and we were told -- at least I was
17 specifically told that we will be able to see a
18 draft version of the report and there would be
19 some further interaction, which there absolutely
20 was not.

21 Also, why was there no public comment
22 or any vision of this before it was accepted by

1 the Coast Guard, as we were told there would be?

2 MR. GUNGOR: I hear you, sir, and we
3 don't necessarily order or exactly guide on a
4 very detailed basis how the contractors should
5 work. As I said earlier, they're independent in
6 many ways, and they know the industry better
7 than, you know, just many other people. That's
8 why we call them, quote/unquote, "experts".

9 And then, they've used the previous
10 model similar to that. I mean, 2004, they've
11 done a very similar study. And the findings are
12 this time different. Of course, we didn't use
13 again, I believe, the 2004 study to inform any of
14 the pilots' rates.

15 So, I'm sorry they didn't contact you.
16 Were they supposed to contact you? I don't know.
17 I mean, I would hope so, if you had this
18 conversation with Martin Associates yourself.

19 CPT BOYCE: Well, that's true, but I
20 would further suggest that the information was
21 collected under false pretenses for this study,
22 being that we were told there would be further

1 contact and we would see a draft version, and
2 that was absolutely not the case.

3 Are there concerns in your office of
4 the study or is it being blindly accepted?

5 MR. GUNGOR: This is, as I say -- I
6 mean, let me emphasize the independence of the
7 contractor. You know, we are not -- I got the
8 first question from your panel early on as, have
9 we ordered how to do the study? No. I mean,
10 they have their own models. I mean, to a certain
11 extent, I understand there are different ways or
12 different perspectives on whether they're biased
13 or unbiased. But the Coast Guard used Martin
14 Associates in the past, and they are, you know,
15 widely known as experts in this area. This is
16 through my understanding. And, of course, you go
17 to this previous group to have a similar study to
18 be conducted. So, this is almost like the same.
19 The conclusions are different this time.

20 Do we accept it? Well, we accepted
21 the report as they are. We're not questioning
22 the modeling and everything else. And the most

1 important thing, it doesn't inform our rates, our
2 ratemakings.

3 So, this doesn't lead to anything.
4 We're not using this study's conclusions anywhere
5 that I'm aware of.

6 DFO KHANDPUR: If I may interject
7 here, so the Coast Guard basically does these
8 studies on a routine basis. These are economic
9 studies that are done by the Regulatory Office.
10 When we put out a rule, you have to do a
11 regulatory analysis; you have to do an economic
12 analysis, which is not done by the program
13 office, to answer your first question. So, the
14 program office basically deals with the program
15 issues and, then, all the regulatory issues and
16 the economic analyses are done by the reg folks.
17 And they do this because they had the 2004 study.

18 And one of the comments was, hey,
19 you've got an old study. Do you have an updated
20 study of that?

21 And so, it does not mean that the
22 Coast Guard is going to blindly act on what they

1 receive. We received this documentation. This
2 is only one piece of the evidence, and it may or
3 may not at all influence. In fact, this goes
4 into a regulatory analysis. It does not
5 influence the rulemaking in any shape, way, or
6 form.

7 CPT BOYCE: Okay. I'll ask you,
8 Rajiv. Do you and your office have concerns with
9 this study?

10 DFO KHANDPUR: Well, again, it
11 depends. What I was told by the economic folks,
12 the economists, they are looking at only one
13 section. They're saying, everything else held
14 constant, if you move this one, then this is the
15 result. And I'm not an economist to understand
16 all of those issues, so, to me, it's not an
17 issue. I am not even using it.

18 CPT BOYCE: So, your office is not
19 even going to use the study?

20 DFO KHANDPUR: It's got nothing to do
21 with me, no.

22 CPT GALLAGHER: Rajiv, I just have one

1 more question. Are you concerned with all the
2 proprietary data that has been used? Anytime
3 something is done with us, if there's any mention
4 of anything proprietary, it automatically cannot
5 be used.

6 DFO KHANDPUR: Are you referring to
7 the study, proprietary data on this study?

8 CPT GALLAGHER: Yes, sir.

9 DFO KHANDPUR: Okay. Like I said, I
10 have not even looked at it from that standpoint.
11 That's the Reg Office. They have their standard
12 procedures, whatever they do. We don't view the
13 study, correct.

14 CHAIRMAN TANNER: Okay. Any other
15 Committee members? John, yes, please.

16 CPT SWARTOUT: Swartout.

17 Just one more bite at the apple here.
18 This is mentioned on page 50 of the study in a
19 footnote, which is kind of hard to read and it
20 kind of brings to attention the idea that this is
21 a study that laymen will use or could use. It's
22 poorly written, and I don't know how an expert

1 could understand it, but I'm even more concerned
2 how laymen, a ratemaker would use it.

3 But, regarding this footnote, the
4 study doesn't identify at what level of U.S.
5 pilotage rates cargo would begin to be at risk of
6 diversion. The lowest increase they even
7 considered showing any potential impact on cargo
8 is a 53.57 percent increase, which is ludicrous.
9 But now that the 2017 Final Rule actually reduced
10 rates by about 10 percent on a trade-rated basis,
11 it would take a 70 percent increase to get us to
12 that theoretical 53 percent increase that they
13 studied.

14 So, I suggest that we take up a
15 resolution in light of all this evidence that you
16 presented. I would like to propose a resolution.
17 I'm not firmly committed to every word of this.
18 This is a draft resolution. I think maybe you
19 should talk about this draft resolution and
20 consider how we might edit it to ensure that
21 everybody on the Committee is comfortable with
22 it.

1 CHAIRMAN TANNER: Okay. Before we do
2 that, let's open it up, for the documents that
3 have been submitted, let's open it up to the
4 public right now. Then we can come back to any
5 action the Committee wants to make.

6 Does the public have any comments
7 pertaining to the documents that have been passed
8 around or this subject?

9 (No response.)

10 I assume there's no public comments.
11 Now back to the Committee.

12 John, you're proposing a motion. Go
13 ahead.

14 MR. DIAMOND: Mr. Tanner?

15 CHAIRMAN TANNER: Yes, Clay?

16 MR. DIAMOND: Clay Diamond with the
17 American Pilots.

18 I just want to emphasize that I think
19 it was just repeated again by Mr. Gungor that the
20 Martin study looked at existing or past rates.
21 It think anybody who even does a cursory read of
22 the study would understand that it doesn't do

1 that. What it does is, as has been said by a
2 number of the members of the Committee, what it
3 does is look at what might happen if rates were
4 dramatically increased in 2017. That's what the
5 study looked at. It never looked at what
6 happened in the current '16 rates when the study
7 was done. It looked at what might happen if
8 rates were dramatically increased. So,
9 certainly, it's prospective; it's not
10 retrospective. I just wanted to clarify that. A
11 plain reading of the study would show that.

12 CHAIRMAN TANNER: Thank you.

13 Any other public comments?

14 (No response.)

15 Okay. I assumed there are none. Now
16 back to the Committee.

17 John Swartout, you had --

18 CPT SWARTOUT: I don't know what
19 number we're on as far as resolutions, if we're
20 going to put a number on this one for today, or
21 is that important?

22 CHAIRMAN TANNER: No. 4.

1 CPT SWARTOUT: I move that the
2 Committee adopt Resolution No. 4 urging the Coast
3 Guard not to use the June 28, 2017 Martin
4 Associates study in the formulation of any future
5 U.S. Great Lakes pilotage rates.

6 CHAIRMAN TANNER: Okay. We have a
7 motion.

8 CPT BOYCE: Is that to include, is
9 that motion to include --

10 CPT SWARTOUT: It's the one that just
11 was passed out, and now it's labeled No. 4.

12 CPT BOYCE: Do we need to read the
13 entire thing into to consider that part of the
14 motion?

15 CHAIRMAN TANNER: Do you want to read
16 that, John?

17 CPT SWARTOUT: I'm happy to read it.

18 CHAIRMAN TANNER: Okay, go ahead. If
19 you would, read that into --

20 CPT SWARTOUT: Okay. I will read the
21 draft resolution.

22 "Knowing that the Great Lakes Pilotage

1 Advisory Committee is charged with providing
2 advice and recommendations to the U.S. Coast
3 Guard on matters relating to Great Lakes
4 pilotage;

5 "Recognizing that the mandate that the
6 U.S. Coast Guard, as a competent pilotage
7 authority for the Great Lakes, is to oversee a
8 safe, efficient, and effective pilotage service
9 to protect the environment, shipping, the port
10 facilities, and the public from maritime
11 accidents, not to promote the shipping industry;

12 "Recalling that during 2004 to 2014
13 the U.S. Great Lakes Pilotage System has been
14 underfunded by more than \$20 million which led to
15 an insufficient number of pilots and inadequate
16 supporting infrastructure, which, in turn,
17 resulted in increased risk of pilot fatigue and
18 delays to shipping;

19 "Noting that following complaints from
20 shipowners over shipping delays and
21 recommendations from the National Transportation
22 Safety Board concerning the risks of mariner and

1 pilot fatigue, the U.S. Coast Guard established
2 pilotage rates for the Great Lakes to correct
3 longstanding, persistent, and serious problems
4 with Great Lakes pilotage, the established rates
5 were based on a reasonable target compensation
6 for U.S. pilots comparable to Canadian pilots
7 doing similar work and increasing the complement
8 of U.S. pilots to avoid shipping delays and risks
9 and related accidents;

10 "Following complaints from shipowners
11 and port interests over pilotage rates, the U.S.
12 Coast Guard opted to have its Office of
13 Standards, Evaluation, and Development, CG-REG,
14 not the Great Lakes Pilotage Division, CG-WWM-2,
15 contract John C. Martin Associates, LLC,
16 'Martin,' to conduct a study of potential impacts
17 of pilotage rates on Great Lakes shipping.

18 "Considering that in purporting to
19 forecast negative economic impacts for the Great
20 Lakes in 2017 and beyond due to U.S. pilotage
21 rates, Martin ignored actual data for Great Lakes
22 shipping and pilotage demand in 2016 and 2017,

1 which shows clearly that cargo movement is up
2 significantly, understanding that the study is of
3 questionable validity due to past financial
4 relationships between Martin and shipping
5 interests, a notable lack of transparency
6 underlying its methodology and conclusions and
7 unrealistic assumptions;

8 "Whereas, the 2017 Martin study
9 reached the same conclusion as the prior study in
10 2014 that there would have to be a more than
11 doubling of pilotage rates to have any impact on
12 the routing of shipping on the Great Lakes, but
13 the negative wording of the report and its
14 confusing conclusions are easily susceptible to
15 misinterpretation;

16 "Therefore, the Great Lakes Pilot
17 Advisory Committee recommends that the U.S. Coast
18 Guard, through its Great Lakes Pilotage Division,
19 not consider or take into account the 2017 Martin
20 study in the formulation of any future U.S. Great
21 Lakes pilotage rates."

22 CHAIRMAN TANNER: Okay. Is that your

1 motion?

2 CPT SWARTOUT: Yes.

3 CPT BOYCE: I'll second that.

4 CHAIRMAN TANNER: We have a second.

5 Further discussion of John Swartout's

6 motion?

7 (No response.)

8 Being no questions or discussion, all

9 those in favor of this Motion No. 4?

10 (Chorus of ayes.)

11 Those opposed?

12 The motion carries. Thank you.

13 Is there anything to add pertaining to

14 the determining of pilot compensation? From Mr.

15 Gungor? Was this study --

16 MR. GUNGOR: I don't have anything to

17 add, sir.

18 CHAIRMAN TANNER: Go ahead.

19 MR. GUNGOR: Sir, I don't have

20 anything to add.

21 CHAIRMAN TANNER: Okay. We'll

22 conclude. This area is complete then.

1 We'll move on to the next area.

2 CPT GALLAGHER: John?

3 CHAIRMAN TANNER: Yes?

4 CPT GALLAGHER: I actually do have a
5 question on the Pilot Compensation Study. When
6 they're going to do this study, what parameters
7 or what are they going to look at? Are they
8 going to look at pilot versus like a taxicab
9 driver, or are we going to compare pilots to
10 pilots in the U.S., on the U.S. side?

11 CHAIRMAN TANNER: Is that a
12 question --

13 CPT GALLAGHER: A question to Mr.
14 Gungor, I believe.

15 MR. GUNGOR: Is that a question for
16 me, sir? I mean, I have my program office reps
17 over there.

18 CPT GALLAGHER: Yes, sir, that's a
19 question for you.

20 MR. GUNGOR: Okay. Well, it should be
21 pilot-to-pilot, I suppose. I mean, the way I
22 understand the question, definitely.

1 CPT GALLAGHER: Okay. When you say
2 "pilot," you're talking federally-registered
3 pilots, state-registered pilots, the same people
4 that are doing the same jobs that we're doing
5 within the United States? Is that the parameters
6 you have set for this? Or, I mean, are there
7 parameters that you could share with us where we
8 could take a look at it?

9 MR. GUNGOR: Are we talking about this
10 study, the Martin Associates study, or are we
11 talking about the ratesmaking?

12 CPT BOYCE: Well, this is John Boyce.

13 Maybe to clarify, can we get the task
14 statement for this study? For the Pilot
15 Compensation Study?

16 DFO KHANDPUR: Ali, this is Rajiv.

17 The question they're asking is, the
18 Reg Office did the Martin Associates study, and
19 then, they're also doing a Pilot Compensation
20 Study. And so, the question is related to the
21 Pilot Compensation Study. Do you have --

22 MR. GUNGOR: Okay, I'm sorry.

1 DFO KHANDPUR: Okay.

2 MR. GUNGOR: Is this the current study
3 that -- we tasked one contractor to review
4 compensation methodologies and, you know, the
5 corresponding data sources. And the contract
6 will validate the current methods and recommend
7 to the Coast Guard the most appropriate method
8 for setting targets for U.S. Great Lakes pilotage
9 compensation as part of the ratemaking process.

10 This study has been kicked off at the
11 end of June, and we don't have any deliverables
12 yet. We don't have any additional study yet.
13 And there will be a draft report for March 2018.
14 My understanding, it's going to be presented,
15 there will be a meeting presentation, GLPAC
16 meeting presentation targeted for sometime in
17 July 2018.

18 CPT BOYCE: Okay. I'll ask you, then,
19 Rajiv. Can we get the task statement for the
20 study?

21 DFO KHANDPUR: I can do it.

22 CPT BOYCE: Thank you.

1 CPT GALLAGHER: And can we also get
2 the cost of the study, please?

3 John asked for the task statement and
4 the cost of the study.

5 CHAIRMAN TANNER: Okay. Any other
6 Committee questions on this subject? John
7 Swartout?

8 CPT SWARTOUT: Yes. From what Ali
9 just said, he just kind of alluded to the task
10 statement, but it sounds similar to the one that
11 was given to MSI for the bridge hour study, which
12 they didn't really produce. They talked about
13 pilot compensation, but they came out with no
14 methodologies that are used to determine pilot
15 compensation in other jurisdictions. I hope the
16 contractor chosen for this study does a better
17 job than MSI did with the same task.

18 CHAIRMAN TANNER: Any other?

19 (No response.)

20 Does the public have any questions on
21 the pilot target, the pilot study on
22 compensation?

1 (No response.)

2 Again, back to the Committee.

3 (No response.)

4 If not, I assume this subject is
5 complete.

6 Since we've already had our break,
7 let's move on to the compensation practices. If
8 each of the Association Presidents could address
9 this regarding compensation practices for
10 partners and apprentice pilots? I'll start with
11 Captain Swartout.

12 CPT SWARTOUT: I'm going to talk about
13 partners and applicant pilots, sometimes called
14 apprentices.

15 At Western Great Lakes Pilots
16 Association, the compensation practices are
17 spelled out in our Bylaws. Applicant pilots and
18 partner pilots are treated almost identically for
19 purposes of benefits.

20 Every partner, every pilot employee
21 gets a benefit package consisting of several
22 insurances: health insurance that applies to the

1 individual and their family, if they have one and
2 if they choose to -- you know, if they have a
3 spouse that's covered under a plan and they would
4 prefer to be under their own plan, they can do
5 that, but the company will provide individual and
6 family coverage for each partner and each
7 applicant pilot.

8 We have a high-deductible healths
9 savings account plan that covers everybody. We
10 fund the health savings account at the maximum
11 level allowed by law for each of the partners,
12 but not the applicant pilots. And the reason we
13 don't do it for the applicant pilots is because
14 they may leave and they just left with an HSA
15 with money that we put in there. So, instead of
16 doing that, we self-insure medical expenses that
17 would be covered by insurance up to the amount of
18 the policy deductible for each applicant pilot.

19 Partner pilots are all paid the same
20 rate for each day available to work. Currently,
21 that amount is \$350 a day. There are variations
22 in what one pilot earns versus another pilot

1 because they work different numbers of days. And
2 if they work when they're not scheduled to work,
3 such as during the season -- let me give you an
4 example.

5 A ship crosses a lake. There's storm
6 conditions and the ship has to go to anchor. It
7 can't get into port under these conditions, and
8 that pilot was supposed to be ashore that night
9 to start scheduled rest and he can't get off.
10 So, he's still working the next day. That's an
11 overtime day. He's going to be paid two-and-a-
12 half times the \$350 daily rate, and for that day,
13 he will also get a year-end distribution, which
14 I'll talk about in a minute.

15 So, there is such a thing as overtime,
16 and I've just described one example of it.
17 There's also what we consider pre-season/post-
18 season work; that is, any work performed or being
19 on the roll available to perform work up until
20 April 16th, at which time everybody goes on the
21 roll, if they haven't already started working.

22 The same thing after December 15th,

1 anyone who works after December 15th also is paid
2 at a premium rate for being available during what
3 we call the off-season. People go to work on a
4 volunteer basis at the beginning of the season.
5 The first couple of ships come in; we don't need
6 a lot of pilots on the rolls. So, we start them
7 just on a volunteer basis. So, you have one
8 pilot starting possibly March 26th; some don't
9 start until April 16th. So, the basic season is
10 about 180 days, but it's completely possible for
11 someone to work over 200 days.

12 But there is no differential pay scale
13 for partner pilots. We have different areas of
14 assignment. Five pilots are assigned to the same
15 they deliver, and that's their primary area of
16 assignment. All of our pilots work everywhere in
17 the District. So, if the river is covered and we
18 need a pilot for another area of the District,
19 one of those river pilots will be sent out to
20 take that other job.

21 The same thing, normally, we have
22 three or four U.S. pilots on duty in the river

1 and one Canadian pilot all the time. And if
2 that's not enough to cover the traffic one day,
3 we'll bring in one of the normal trans-lake
4 pilots to do a river job. But it doesn't make
5 any difference where they work; the rate of pay
6 is the same.

7 The same thing applies to myself, the
8 President. By virtue of being President, our
9 office is in Superior, Wisconsin. That's my area
10 of assignment. I'm a Duluth/Superior harbor
11 pilot. So, most harbor moves in the port are
12 done by me if I'm present. They're done by other
13 pilots if I'm not there. There might be one
14 happening today; I don't know.

15 But I'm paid the same rate as anybody
16 else. I don't get a premium for being President.
17 I don't get any perks for being President other
18 than the ability to walk the role and come to
19 meetings like this.

20 There is a little bit different pay
21 scale if you do company business on what is
22 normal rest time, excluding the winter. The

1 President is expected to do company business all
2 winter without compensation. But, when I go off
3 of scheduled rest to go to a meeting, I am paid
4 at two times the daily rate, no year-end
5 distribution for that day. So, I would get \$700
6 for today if this was supposed to be a rest day.

7 Now what's this year-end distribution
8 that I'm talking about? We are a limited
9 liability partnership. We have revenue and we
10 have expenses. For the duration of the season,
11 pilot compensation is an expense. This is for
12 bookkeeping purposes. It's not for Coast Guard
13 ratemaking purposes. There's a distinction
14 there.

15 But, when we come to the end of the
16 year and the books are closed, and all the
17 revenue is in and all the expenses have been
18 paid, all of the salaries to the dispatchers and
19 office people, all of the office rent, pilot boat
20 expenses, all the expenses, there is, hopefully,
21 money left over. And that money is divided
22 amongst the partners primarily on the basis of

1 the number of days they were available. So, it's
2 the same amount for each day available. Some
3 pilots get more; some get less because they work,
4 more or less, days.

5 Now let me go back to what benefits
6 just for a minute. Although, because of the
7 methodology, the Coast Guard treats pilot
8 compensation as wages and benefits, as a company
9 we treat benefits as a company expense. In other
10 words, if I have a family and large medical
11 bills, the cost of my benefits might be as high
12 as \$40,000. I think that was the highest amount
13 of benefits that anybody got last year as a
14 partner.

15 Another person might be single, no
16 dependents. Their health insurance is going to
17 be vastly, if they're healthy, vastly less than
18 someone that's got a family, obviously. So, my
19 total benefits last year were \$16,000. So, when
20 you look at my compensation versus the partner
21 that had \$40,000 worth of benefits, it's going to
22 show he made \$25,000 more than I did when you

1 combine pay and benefits.

2 So, that accounts for the high and the
3 low, when you look at the lowest-compensated
4 partner and the highest-compensated partner.
5 Yes, there is a difference. Is it because
6 they're compensated at different scales? No, it
7 isn't.

8 That covers partners. Now let me talk
9 about applicant pilots. I'm going to refer to
10 our Bylaws, and I will sound an alarm when I'm
11 finished, just in case anybody falls asleep.

12 When we hire people, if they are in
13 the training program and they're hired within an
14 Unlimited Great Lakes Master's License, we start
15 them out at \$350 per day available. Temporary
16 registered applicant pilots in the training
17 program with an Unlimited Great Lakes Master's
18 License are paid \$400 per day available. And
19 this is for the first year in both cases.

20 If we hired someone with a Great Lakes
21 Unlimited Master's License or an identical
22 license -- so know an ocean license is

1 equivalent, but, of course, you have to have a
2 Great Lakes pilotage endorsement for us to
3 consider this, and you have at least 18 months of
4 service as a Master on a Great Lakes domestic
5 vessel, unlimited tonnage. You would start out
6 at \$500 per day available.

7 And the first one I talk about who
8 gets \$350 a day, that moves up to \$400 a day
9 after the first year. And if he happens to be
10 training in a third year, it would go up to \$500
11 a day. The same thing with the one that starts
12 at \$400 a day; he would move up to \$500 a day in
13 his second year. There is no compensation more
14 than \$500 a day.

15 There is a possibility of a bonus for
16 applicant pilots. And that is at the discretion
17 of the partners. Sometimes we do it; sometimes
18 we don't. And if we do it, it's usually based on
19 the performance and initiative shown by the
20 applicant.

21 In addition, the applicant pilots
22 reach a point in their training where they are

1 able to do work on their own, for which they
2 bill. And when they do that, when they are
3 working or available to work, they are paid a
4 portion of the year-end distribution that is paid
5 to the partner pilots, and that's currently 10
6 percent.

7 So, in order to determine what the
8 year-end distribution is going to be, you would
9 have to take the total number of man-days plus
10 the 10 percent of the man-days worked by the
11 applicants, lump that all together, and divide by
12 the total number of man-days. And now, you come
13 up with a day available pay.

14 I think I've covered it.

15 CHAIRMAN TANNER: Thank you very much,
16 John.

17 Any Committee members questions of
18 John?

19 (No response.)

20 Any public questions of John?

21 (No response.)

22 Okay, none. We'll move to Captain

1 Gallagher then.

2 CPT GALLAGHER: Okay, John. I think
3 mine should be a little bit simpler than John's,
4 first.

5 When we first bring an applicant pilot
6 on, they get 100 percent of the benefits from day
7 one when they start. Anything that a full
8 registered pilot gets, whether he's been there a
9 week or 30 years, everybody gets the same
10 benefit.

11 Compensation, we put them at 75
12 percent until they get working and, then, we have
13 a gradual increase to 85 percent and, then, 95
14 percent. If he has to go more than the second
15 year, which we anticipate a couple might have to,
16 they remain on the 95 percent. As soon as they
17 become a partner, they're 100 percent equal.

18 Everything is paid on a days
19 available. We actually pay ourselves \$250 a day
20 salary. And what happens after we pay the bills
21 and we get out of the bank after we are solvent
22 and everything, if we have extra money, we could

1 put special pays out. We usually wait, hold off
2 towards the end of the year for that because, if
3 there was a lock go down or something happened
4 and we didn't have the funds to continue on, we
5 play it very safe, just like District 3 does,
6 with the year-end distributions.

7 So, at the year-end when we pay all
8 the bills and we know everything is paid for,
9 we've got the stock money that we buy into when a
10 person comes here. That money, ours is fully
11 funded. So, that money is there at the end of
12 the year for expenses to get us by until the next
13 season.

14 At the year-end distribution, what we
15 do is it's all based on days available. If you
16 answer the phone, you're available. If they call
17 and you need to go to a wedding or need a sick
18 day, that day will be taken away from you.
19 Unless we have a medical, we really haven't had
20 anybody do that. We have had a couple of guys
21 that had to go off for back surgery or one guy
22 broke his arm, so he was off a couple of months.

1 That's the only time there will be a differential
2 in the overtime -- I mean in the compensation.

3 We used to pay overtime for people
4 going through change points way back in the day
5 when we used to do that. We don't do that
6 anymore. So, basically, that's the only
7 differential in compensation.

8 So, a guy could be there for 30 years,
9 40 years, or a guy could have started out his
10 first year as a full partner. If he answers the
11 phone every day, at the end of the year he makes
12 the same amount of compensation.

13 CHAIRMAN TANNER: Okay. Thank you
14 very much.

15 Any questions with Committee members
16 of Dan?

17 (No response.)

18 If none, audience, any questions?

19 (No response.)

20 The public has none.

21 Okay. Captain Boyce?

22 CPT BOYCE: This may be the simplest

1 one of all. When we start off coming in the pier
2 training phase, i.e., he or she is always
3 standing next to another pilot, not on a boat by
4 himself at all, if they're training on the lake,
5 it's \$350 per day on a ship; if they're training
6 on the river, it's \$450 per day on ship. Once
7 they are able to work on their own, then
8 everybody makes the same amount.

9 Based on actual cashflow, we do
10 distributions on the 10th, the 20th, and the 30th
11 of every month. And on those days, you look at
12 actual cash on hand, actual expenses that have
13 been paid out or either are presumed to come due
14 in the next 10 days, to get available cash, and
15 divide it by 17, and that's what everybody gets.

16 CHAIRMAN TANNER: Okay. Thank you
17 very much.

18 Any questions from the Committee?

19 (No response.)

20 If none, public, any questions of
21 Captain Boyce?

22 (No response.)

1 Assuming no questions, we'll move on.
2 I've been told Mr. Fisher is not coming. So,
3 this next item will not be addressed. Correct?

4 DFO KHANDPUR: Correct.

5 CHAIRMAN TANNER: Okay. Could we,
6 then, move to the staffing and dispatch that was
7 scheduled for this afternoon? Okay, Mr. Berg?

8 MR. BERG: Can you hear me?

9 CHAIRMAN TANNER: Yes.

10 MR. BERG: Good.

11 We understand that there has been an
12 increase in cruise ships and voluntary pilotage
13 requests in the last few years. Currently,
14 pilots are ordered with a 12-hour notice request
15 by the vessel's agent on a first-come, first-
16 served basis.

17 We know that the Great Lakes System
18 was built by the southeast trading within the
19 inner course of the U.S. and Canada. As written
20 in regulation, these vessels require pilotage.

21 Recently, it has been brought to our
22 attention by Captain Swartout there's numerous

1 cruise ships requiring pilotage services also.
2 These vessels also come through District 1 and
3 District 2, and then, they tool around in
4 District 3.

5 Then, we also have other vessels
6 requesting voluntary pilots. The southeast
7 schedule is based on availability of the dockside
8 for loading and unloading cargo and availability
9 of registered pilots. Vessels requiring
10 voluntary are at the mercy of the available
11 pilots.

12 However, cruise ships are a different
13 animal. They're on the time schedule promised to
14 the paying customers on the vessel. They request
15 constant pilotage to meet their schedules. If
16 the pilots are not available, it messes up their
17 itineraries.

18 All the different industries I have
19 mentioned believe they should get preferential
20 treatment for pilotage. We are interested in
21 hearing the discussion on the topics and any
22 recommendations the Committee may have. What, if

1 anything, to do with these scenarios. Please
2 take into consideration the staffing model is
3 reactive to traffic, but not based on historic
4 traffic.

5 Is the 2017 staffing model adequate?
6 Should we maintain the status quo? Should we add
7 more pilots? And if we add more pilots for these
8 cruise ships, and voluntary, what do we do when
9 the season is slow or we don't have cruise ships
10 in the system? Or do we change the order in
11 dispatching?

12 We're interested in discussion and
13 your recommendations.

14 CPT BOYCE: On a couple of those
15 topics, one, in past practice years ago, with the
16 staffing models, the pilot numbers were always
17 rounded up. That seemed to be a rational
18 decision. You can't have point-anything of a
19 person. People come in whole units.

20 And even the current 2017 rate, it
21 goes on to discuss, as rational for rounding
22 through pilot numbers, the workload of the three

1 District Presidents, which almost unquestionably
2 has increased considerably over the years. Yet,
3 in the staffing model, the pilot numbers, we were
4 17-point-something -- I forget off the top of my
5 head what the fraction was -- 17.3, something
6 like that and it rounded down, which just seems
7 counterintuitive that you would use the rounding
8 to make up for the President's duties, but take
9 away a partial person in that calculation.

10 It would almost on its face seem that
11 you have to round up, if you're going to take
12 into account extra duties incurred by something.
13 So, I would say, you know, for my District at
14 least, instead of rounding from 17.3 down to 17,
15 it should be rounded from 17 up to 18. You know,
16 the President's workload, while it's something
17 that has to be done and is unending, and there's
18 no balance of days of rest or limits of the
19 season, is nearly impossible to capture on
20 something like Klein or the general data-
21 intensive models. It's all the time every time.

22 And also, when you start looking at

1 trying to capture the data, you can't quantify in
2 a way. It almost drives it so a President a
3 group has to stay off the tour and only be able
4 to work on a really case-by-case basis.

5 Otherwise, you're going to be running into
6 fatigue issues all the time from being on a work-
7 related phone call, at a meeting, conference
8 call, what have you. There's things that just
9 don't jive in real life versus data on paper.

10 That was my comment on the rate model -- or the
11 staffing model as it stands.

12 Also, it's becoming obvious that a 10-
13 year rolling average is there for data, but
14 difficult to work with. It comes into how you
15 retain pilotage and keep a consistent pilot
16 number. Pilots are a quantity you can drive up
17 and down on a yearly basis. It takes years to
18 make a pilot. You can't drop one tomorrow and,
19 then, add three more the next year in response to
20 the fluidity of traffic. Everyone knows that the
21 traffic becomes cyclic and it goes up and down.
22 If you try to calculate it too finely, it loses

1 meaning in reality. And I think that's a
2 stumbling block the Coast Guard has had over the
3 past few years, is it try to calculate something
4 that's just not that short-term of an evolution.
5 It's years.

6 And the other thing that drives
7 another longstanding issue is the whole
8 recruitment/retention. If you start laying off
9 pilots, essentially, because of averaging
10 numbers, then you're not going to be able to get
11 a pilot next year or the year after, the year
12 after. That would be a huge, huge detrimental
13 step to any recruitment of new people. Simply
14 good people are not going to walk away from good
15 jobs knowing the last guy in is the lowest guy in
16 seniority and he may lose his job next year
17 because of a downturn in traffic. It just
18 becomes an absolutely unworkable situation.

19 One other, just the other topic you
20 had was on dispatch. One, the first-come, first-
21 served basis is quite simple. There is a certain
22 loss in efficiency over that. You know, there

1 are many times that there may be a short one-hour
2 job that, by rest rules, you don't have to rest
3 after. He could do that assignment and, then,
4 immediately get on another one, take on another
5 assignment that he would have to, then, rest
6 after, but it may not be the first ship.

7 So, sometimes I would suggest there
8 may be a way to word-in, you know, that dispatch
9 should have it on the most efficient basis,
10 understanding the problem with that becomes
11 there's a subjectivity issue on who decides what
12 is the most efficient way to do things. Whereas,
13 first-come, first-served is very objective.
14 There's no decision. Whoever arrives first is
15 first.

16 I think if you start -- I don't know
17 if "pitting" is the right word -- but one segment
18 over the other, whether it's the majority of
19 traffic being the ocean bulk or compulsory
20 against the cruise ship which is largely more
21 time-sensitive, but a very small segment, versus
22 the entities that use pilotage on a non-

1 compulsory basis, but it fits their regulations
2 or charter requirements, if you start pitting the
3 three against each other, I think you're setting
4 up for a bigger fight that isn't necessarily
5 needed.

6 CPT GALLAGHER: Dan Gallagher.

7 I'll just echo the rounding-up or
8 rounding-down on numbers that Captain Boyce said.
9 I think if it's going to be rounded up, very
10 minimum.

11 As far as the 12-hour notice, ships
12 first-come, first served, if we have a two ships
13 that need a pilot and we can do one with an hour
14 move, as long as it doesn't create harm to the
15 other ship, we will do that. That way, we can
16 utilize a person maybe on two assignments, taking
17 them out of order. But, as long as there's no
18 harm to the ships, we see no harm in it.

19 As far as the cruise ships, Mr.
20 Fisher's group, the same group that is suing,
21 wants it to give them preferential treatment
22 because they don't want to adequately supply the

1 proper number of pilots in the system. I believe
2 that it's first-come, first-served.

3 In our District -- and we'll get into
4 numbers here further down the road -- the only
5 exception we do is we have the abilities of the
6 contract pilots. These are retired pilots that
7 we use from time to time, if somebody has to go
8 off the roll. Just to make sure we maintain the
9 proper amount of pilots that are in the rate, we
10 utilize that.

11 We have had some non-compulsory tug
12 and barges, petroleum barges, that use us. If we
13 see that we're going to get -- they're going to
14 create a delay, we will, out of our own pocket,
15 pay for a contract pilot, because there's no way
16 for us to recoup that amount of money for that
17 pilot. So, it would actually be the pilots on
18 the roll that are the ones that are losing the
19 revenue. We bring that person out to move those
20 ships. So, we're actually giving more service,
21 but we use the contract pilots quite a bit. But,
22 for sure, if have non-compulsory people that want

1 us, we utilize them or we bring extra additional
2 people at our expense.

3 CHAIRMAN TANNER: Captain Swartout?

4 CPT SWARTOUT: I'm going to take these
5 issues in pretty much the same order as the other
6 people, starting with rounding. I think the 2016
7 staffing model was a good one. I think it would
8 have produced the correct number of pilots for my
9 District. I'm not sure what happened in the 2017
10 Final Rule. Supposedly, the Coast Guard ended up
11 using the same model, but we ended with two
12 pilots fewer than we had in the 2016 Final Rule.
13 I don't know if that's because of rounding or
14 what it is.

15 But the Coast Guard, in the 2016 and
16 I think 2015 Final Rules, has recognized that the
17 Presidents of the Associations have
18 administrative duties that cant' very well be
19 done by anybody else. And so, they recognize
20 that there's a need to have more manpower than
21 just the number of bridge-hour demand would
22 indicate.

1 But the method for creating that
2 manpower is not working. It's the rounding. We
3 round up in order to get the right number of
4 pilots. Well, that's a ridiculous way to get
5 there because, if the number indicated by the
6 methodology is 15.1 pilots, we round up 9/10ths
7 of a pilot. If it's 15.9 pilots, you round up
8 1/10th of a pilot. That's doesn't produce any
9 extra manpower. In the first case, it does; in
10 the second case, it doesn't.

11 So, I think there should be an extra
12 pilot just built into the rate to cover the
13 President's administrative responsibilities and
14 forget about the rounding. I mean, I suppose you
15 have to round because the methodology is going to
16 produce a fractional number, but that rounding
17 doesn't accomplish the purpose of providing
18 sufficient manpower to run the Associations.

19 Our District is different from the
20 others. The memorandum says that we are to
21 dispatch so that the Canadians get 18.9 percent
22 of the work. So, if we hire five pilots,

1 presumably, the Canadians will hire one pilot.
2 So, there is a little bit of a boost we get out
3 of increasing manpower, assuming that the
4 Canadians see fit to increase their numbers as
5 well.

6 The number authorized in the 2017
7 Final Rule for District 3 is 22. We're currently
8 at 20. That's total number, partners and
9 applicants. We're on a trajectory to keep hiring
10 two a year until we get to the number, and we
11 have retirements starting very soon. There's six
12 pilots in their sixties, and they could all go
13 together or they could be staggered over the next
14 few years. But our hiring needs are not going
15 away over the next few years.

16 So, I'm not panicked yet about this 22
17 number as the authorized number because we're not
18 there yet. And when we get there, then I might
19 be screaming it's still not enough.

20 But, turning to the cruise ship issue,
21 because we've been teetering on the edge of
22 massive delays in the District for the last few

1 years, our traffic keeps going up, our pilot
2 numbers keep going up, but we're still just
3 barely able to keep the traffic moving. This
4 concerns me because we have cruise ships
5 operating in our District, and they spend more
6 time in our District than they do anyplace else.
7 This last year we had two, each of which spent
8 between two and three months in the District, a
9 total between the two of about 2,000 bridge
10 hours. That's about 5, about 7 percent of the
11 business.

12 And because I have a concern that
13 we're not going to be able to serve that segment
14 of the business, I wrote a letter to the Great
15 Lakes Cruising Coalition in May, bringing to
16 their attention the fact that we may not have
17 enough pilots; that the 2017 NPRM proposed a
18 reduction in the authorized number in District 3
19 from 24 down to 17, and if they stuck with that,
20 I could see no way that we could serve the cruise
21 ships in the way they need to be served, which is
22 when they need a pilot, they need it right now or

1 they're going to lose their schedule and they're
2 going to lose their passengers. Passengers are
3 not going to pay \$6,000 a week for a cruise of
4 which they spend the first three days sitting in
5 anchor at Port Huron because they can't get a
6 pilot. They expect to be able to go around
7 Georgian Bay and Mackinac Island, Sault Ste.
8 Marie and Chicago, Milwaukee, Holland, all kind
9 of places. Sitting at anchor just that's not
10 going to satisfy their business model.

11 There's a fundamental difference
12 between cruise ships and cargo ship. If a cargo
13 ship loses a few hours because they have to wait
14 for a pilot, they lose money. If a cruise ship
15 has to wait a few hours for a pilot, they lose
16 their schedule and potentially their entire
17 business. They're going to get a reputation for
18 not being able to deliver what they promise.

19 And I don't care about one business
20 over another business. It's all business; I like
21 to have it all. I'd like to have even more. But
22 their needs are different, and I want to be able

1 to take care of the needs and not be limited by a
2 methodology that produces an insufficient number
3 of pilots to serve these ships.

4 Well, in response to my letter, Mr.
5 Stephen Burnett -- I think he's the President of
6 the Cruising Coalition -- told me that, because
7 there are areas in the world that have been
8 traditional cruising areas, they're becoming
9 dangerous because of piracy and terrorism, and so
10 forth. They're looking for new places to cruise.

11 There are 55, I believe it's 55 cruise
12 ships in the world that could get into the Great
13 Lakes; they're small enough to come through the
14 locks. And many of them are looking at coming to
15 the Great Lakes.

16 And he told me to expect within the
17 next two years about five more cruise ships.
18 This year we have three. We have the Pearl Mist
19 and the Victory I. Currently, we have the
20 Hamburg in our District for a much shorter
21 schedule. But I expect this business to keep
22 increasing.

1 And you have to keep in mind, a cruise
2 ship in our District is underway about 14 hours
3 every day. That's about triple the demand from
4 one ship as a cargo ship represents. So, when we
5 get a cruise ship in the District, it pretty much
6 takes up all of the output from one pilot for as
7 long as this ship is here, and in some cases it
8 takes an additional pilot because of a short port
9 stay that requires a relief. Because in normal
10 circumstances the ship is in port for 10 hours.
11 One pilot gets his rest at the same time the ship
12 is in port and he can do the next leg. But in
13 some cases he can't. We've got to find another
14 pilot.

15 And these are in far-flung areas of
16 the District. Georgian Bay, to get to some ports
17 on Georgian Bay from Duluth/Superior is an 18-
18 hour drive and there are no airports that are
19 close-by. So, it isn't just a matter, oh, I need
20 a pilot in six hours in Midland, Ontario. Unless
21 there's one in Port Huron, it's going to be it's
22 not going to happen.

1 Now we know that their schedule is.
2 So, we try to plan for it. But the problem is,
3 if we have a shortage -- look at August last
4 year. August, both cruise ships were here. It
5 was our busiest month of the season. We had
6 4,000 bridge hours for American pilots in August.
7 We don't control when the peaks come, but if they
8 come when the cruise ships are here, we could be
9 putting them out of business.

10 So, all I'm asking is that that be
11 taken into consideration when we decide how many
12 pilots are needed.

13 CHAIRMAN TANNER: Okay. Thank you.

14 Any other -- John?

15 CPT BOYCE: Yes, I've got one other.
16 And that has to do with -- this somewhat spills
17 over to the weighting factors and the revenue
18 side of things. So, I'll save most of it for
19 there.

20 But I think there needs to be a
21 divorce in the bridge hours used for pilot
22 numbers and for revenue generation. Because the

1 two areas are contrary to each other, what is
2 created is, basically, a scenario that there ends
3 up a shortfall in one of the two things. If the
4 number is low enough but it generates sufficient
5 revenue, your pilot numbers are held low and
6 traffic flow and fatigue are the outcomes. If
7 the traffic is sufficiently high enough to drive
8 pilot numbers, your denominator in the rate-per-
9 hour function starts driving the rate per hour
10 down, and if traffic doesn't come that you have
11 the manpower to service, then your revenues
12 aren't adequate. So, I think there needs to be a
13 divorce in the same bridge hours used for both
14 sides of that equation.

15 I would even suggest that maybe a
16 better way to look at it for the revenue side is,
17 instead of a 10-year rolling average, to put
18 stability in for pilot numbers, is use the lowest
19 in the last three or five years for the revenue
20 calculation. That way, it becomes more reactive
21 to what traffic is actually doing and it will
22 generate sufficient revenues and give the Coast

1 Guard the ability to essentially remove, I guess,
2 a statistically-significant outlier. So, it
3 would be a one-year, and if it is just an order
4 of magnitude different, you know, not be
5 handicapped with that number. But it would have
6 the effect of also having some degree of
7 stability in the rates if that low number would
8 likely stay for three to five years as your
9 denominator in the equation, not a rolling
10 average where it keeps changing every year. As
11 you add a new year, you drop an old year.

12 CHAIRMAN TANNER: Okay. Thank you.

13 Committee, any more questions? John
14 Swartout?

15 CPT SWARTOUT: Yes, I'm going to make
16 a motion. I move that the Coast Guard undertake
17 to amend any regulations necessary to allow pilot
18 associations to give priority treatment to cruise
19 ships ahead of other kind of ships.

20 CHAIRMAN TANNER: Let's first, before
21 we have a motion, let's let the public address
22 this area.

1 Does the public have any comments on
2 this subject?

3 MR. LEMIRE: Good morning. Robert
4 Lemire, Great Lakes Pilots Initiative, about the
5 cruise industry. Well, thank you for hosting
6 this.

7 In Canada we do prioritize the cruise
8 industry. We see what it has done for Halifax on
9 the East Coast. We see what the cruise industry
10 has done for Vancouver, and we see what it's
11 doing for Quebec and Montreal. It's revitalizing
12 their traffic, their ports, their industries.
13 It's good news.

14 We have a bit of a benefit that our
15 different setup in Canada compared to the States
16 -- as you know, we have one big pool of pilots
17 where about a third of our pilots are usually on
18 rest. So, I think there's an agreement amongst
19 our pilots to cover these things as best that we
20 can. We know that our surges of traffic, and we
21 are experiencing that today. We had it last week
22 when the Hamburg came up. We knew we were going

1 to run out of pilots. And somehow, someone came
2 back from holidays and cut the delay to an hour.
3 So, we do prioritize it.

4 You know, the cruise industry
5 represents maybe 1 percent of our revenues, but
6 it also represents potentially an increase in the
7 traffic. I think the Seaway is on the record as
8 saying that their locks are about half busy or
9 they can handle 100 percent more traffic, or so
10 on. Most likely, a lot of it will come from the
11 cruise industry. So, we do not want to
12 discourage them. So, at this point in time we do
13 prioritize them.

14 These comments will be minuted. I
15 know that, and I know that I'll get some comments
16 from the foreign industry, but they really
17 support the system where 90 percent of our
18 revenues come from. I think we do that to
19 encourage them to come in, and the more traffic
20 is -- as Captain Swartout said, we want to do it
21 all, and I think the cruise industry is in a
22 growth mode for the Great Lakes. And still, we

1 will not hinder it by not providing the pilots.

2 CHAIRMAN TANNER: Thank you.

3 Any other public?

4 MR. BOBAL: Hi. Mark Bobal from D9.

5 I'm the Passenger Vessel Safety Specialist.

6 And I just wanted to say we're going
7 to have four boats next year, the Hamburg, the
8 Pearl Mist, the Victory I, and the Victory II.
9 But I know, as stated before, Stephen Burnett is
10 trying to bring a lot of boats and the business
11 model is going to be Cuba and, then, in the late
12 summer and the fall foliage, it's going to be the
13 Great Lakes.

14 And the other thing I want to say,
15 just a statement. We're having problems with
16 U.S. Customs and with their antiquated machinery.
17 I just did the Hamburg in Milwaukee. Customs
18 came onboard at 8:00. The Coast Guard came
19 onboard at 9:00. They did not clear the
20 passengers until almost 1300 and they cleared the
21 crew at 1400. We're waiting to do drills and you
22 can't block stairwells. Their machines are very

1 slow.

2 And I know Stephen Burnett is very
3 frustrated with U.S. Customs. So, Canada might
4 be seeing all the visits and U.S. ports will be
5 passed over. So, just a statement from what I
6 have been seeing here.

7 CHAIRMAN TANNER: Thank you.

8 Any other comments from the public
9 sector?

10 (No response.)

11 If not, I'm back to the Committee.
12 Thoughts on this issue?

13 CPT GALLAGHER: Dan Gallagher.

14 These cruise ships, they want
15 preferential treatment; yet, they send no
16 representatives here supporting the pilot
17 numbers. On the one hand, they want preferential
18 treatment. They want their ships to move without
19 any delays. On the other hand, when there's
20 comments, they're part of that same group that is
21 suing the Coast Guard because of the staffing
22 model, which is too many pilots. They want less

1 pilots.

2 Steve Fisher, who represents the
3 ports, just put out a press release saying: we
4 don't care about delays. If there's delays, it's
5 fine. We accept them.

6 The ports are the ones that are
7 representing these cruise ships. They should be
8 here speaking for themselves. They're speaking
9 through the media and through backdoors with the
10 Coast Guard about cutting the number of pilots.
11 And yet, they want us to be there when they pull
12 in and pull out.

13 CHAIRMAN TANNER: Thank you.

14 CPT BOYCE: Yes, I would, I think, add
15 onto, maybe modify a little bit. If it's
16 envisioned or desired to have a capacity to more
17 adequately meet the needs of the cruise ship
18 industry, I would say that possibly the staffing
19 model needs to be modified, possibly to the tune
20 of how much capacity is needed for the cruise
21 ships, and that number of pilots needs to be
22 added for the cruise industry.

1 Because you can't have a system that
2 is designed to meet a tolerance of delays and,
3 then, have one segment with no tolerance to
4 delays, and assume one model is going to meet
5 both those needs. You can't; they're
6 incompatible premises.

7 CHAIRMAN TANNER: Okay.

8 John Swartout?

9 CPT SWARTOUT: Yes, if Steve Fisher
10 says that they don't care about delays, that they
11 can tolerate them, then, fine, let them tolerate
12 them, but the cruise ships can't tolerate them.
13 So, I think if we get enough cruise ships that
14 the delays to the cargo ships become substantial
15 because of so many pilots serving cruise ships,
16 then maybe the cargo ship interests will come
17 around and decide, yes, maybe we do need more
18 pilots; there's enough business to support now.

19 But, you know, the risk is always, to
20 your point, John, when business is good, you need
21 lots of pilots, and when it isn't, you don't need
22 them and you're not generating the revenue to pay

1 them. So, we somehow have to reach a happy
2 medium and, for the time being, recognizing that
3 we're understaffed and there are going to be
4 delays if the traffic and industry is good. I
5 don't want to kill one industry because of trying
6 to be fair to all of them.

7 CHAIRMAN TANNER: Anything else? Any
8 action or motion from this? You have something,
9 John? Okay.

10 CPT SWARTOUT: I want to make my
11 motion that --

12 CHAIRMAN TANNER: Yes, go ahead.

13 CPT SWARTOUT: Okay. Here's my
14 motion: I move that, recognizing that we are not
15 yet adequately staffed to eliminate pilotage
16 delays, the Committee recommends the Coast Guard
17 undertake to amend any regulations necessary to
18 allow pilot associations to give priority
19 treatment to cruise ships over other traffic.

20 UNIDENTIFIED AUDIENCE MEMBER: John,
21 can you repeat that?

22 CPT SWARTOUT: I just wrote it down

1 and I didn't read it exactly as I wrote it. So,
2 I'll do my best.

3 UNIDENTIFIED AUDIENCE MEMBER: Can you
4 go slow?

5 CPT SWARTOUT: Sure. Slower is going
6 to help me do it more accurately.

7 Recognizing that we are not yet
8 adequately staffed to eliminate pilotage delays,
9 the GLPAC Committee recommends the Coast Guard to
10 undertake to amend any regulations necessary to
11 allow pilot associations to give priority
12 treatment to cruise ships over other traffic.

13 CHAIRMAN TANNER: John has made a
14 motion. Any --

15 MS. SILAS: Well, first, are there any
16 edits?

17 CPT BOYCE: I would say that that
18 presumes that there's going to be staffing to
19 eliminate pilotage delays, and I don't think
20 that's necessarily a true premise.

21 CPT SWARTOUT: Staffing is already in
22 the Coast Guard's wheelhouse. They should deal

1 with it.

2 CPT BOYCE: Oh, I agree completely,
3 but that presumes that it's going to be
4 adequately staffed at some point to eliminate
5 delays, and I just don't think that's a currently
6 true premise.

7 CPT SWARTOUT: Well, then, the
8 priority should stay, in my opinion. If somebody
9 wants to change back in the future, that's fine.
10 We can talk about then. But we've got a problem
11 brewing right now that I want to deal with.

12 CHAIRMAN TANNER: We have a motion
13 before the group. Is there a second?

14 (No response.)

15 Hearing no second, do you wish to make
16 another motion or we'll just move off this
17 subject?

18 CPT BOYCE: I'd like to modify and go
19 further onto it. I think the bigger premise is,
20 you know, is there a desire to staff to eliminate
21 delays? I think that's a much bigger question,
22 and I understand that one segment needs it or

1 desires it, whichever, more than others. I think
2 to address one without addressing the bigger
3 issue of what's acceptable in delays -- and
4 unfortunately, Mr. Fisher that's supposed to be
5 having the input on this and has been vocal on
6 other points isn't here to carry that point. I
7 don't know where to go on it.

8 DFO KHANDPUR: If I may, at this point
9 this motion is out there. So, you either amend
10 or you move on.

11 CHAIRMAN TANNER: Yes, this notion
12 hasn't received a second yet. So, I assume it
13 hasn't. So, it is just going to -- this motion
14 will die. Correct? Okay.

15 Were there any other motions or
16 anything else on this subject?

17 (No response.)

18 Hearing nothing, then we'll move on to
19 the next subject which is weighting factors with
20 Mr. Moyers.

21 MR. MOYERS: Thank you, Mr. Chairman.
22 So, I'll actually have two topics, if

1 you notice on the agenda, weighting factors and
2 use of the 10-year rolling average for traffic,
3 which I'll segue into Mr. Boyce's previous
4 discussion on that topic. And I'll start with
5 that.

6 To give you an explanation of how the
7 current methodology works, we basically have a
8 math problem that takes pilot compensation and
9 reimbursable expenses as the numerator and, then,
10 average bridge hour as the denominator. And that
11 spits out an hourly rate. There's an hourly rate
12 per District, and that's further separated into
13 area, you know, rivers and lakes.

14 So, the topic is the current
15 methodology uses a 10-year rolling average for
16 traffic to come up with a denominator. There's
17 many ways we can differ from this to provide
18 either more or less movement in the rate.

19 For example, if we use greater than a
20 10-year average, it's going to provide a little
21 more stability, but maybe not be as responsive to
22 current trends. We could go all the way down to

1 a single year and use the previous year's
2 numbers, which would be very current, but it also
3 would have a tendency to create a more volatile
4 rate. And anything in between. We could use a
5 3-year average, a 10-year average, a 5-year
6 average. So, that's what this topic is about,
7 and we're interested in hearing the Committee's
8 thoughts on that.

9 CHAIRMAN TANNER: This is on a 10-year
10 average?

11 Committee?

12 MR. MOYERS: That's correct. On a 10-
13 year rolling average.

14 CHAIRMAN TANNER: Any comments from
15 the Committee?

16 CPT BOYCE: I would bring up again, I
17 think for the rate calculation side of things,
18 that at least a floor concept is looked at versus
19 an average, because a floor will do more of a
20 smoothing function than an average will, because
21 a floor is likely to remain the floor for a
22 number of years. And that, by itself, will cause

1 a smoothing to or a stabilization to the rate,
2 because that number is likely to be in there, or
3 if it's a floor over the past five years, it's
4 likely to be the same number for all five of
5 those years once it becomes the floor, unless a
6 new floor is coming, which means traffic is
7 diminishing and revenue is needed or the
8 calculation needs to reflect a downward trend in
9 new revenues.

10 Does that make sense?

11 MR. MOYERS: Yes. Just to make sure
12 I'm understanding correctly, so you are
13 recommending that the rate use the minimum annual
14 hours across a period, 10-year, whatever, period
15 per area per District?

16 CPT BOYCE: I think, for the purposes
17 of divisor in the hourly rate calculation, yes.
18 If it uses a minimum for pilot complement, in
19 those calculations you won't have enough people.
20 That's why I brought up before there needs to be
21 a divorce in using that same number in two
22 different places, because they work contrary to

1 each other.

2 CHAIRMAN TANNER: Any other Committee
3 member?

4 (No response.)

5 Hearing none, the public, any
6 questions on this?

7 (No response.)

8 Hearing none, back to the Committee.
9 Anything you would like to do on this?

10 CPT BOYCE: Well, I'll make a motion
11 to explore using a floor for revenue computation.

12 CHAIRMAN TANNER: Again?

13 CPT BOYCE: I'm sorry, I'm not used to
14 people not hearing me.

15 Is there interest in the group to make
16 a resolution for the Coast Guard to explore using
17 a floor for the revenue calculation?

18 CHAIRMAN TANNER: I'm hearing -- or,
19 John, go ahead.

20 CPT SWARTOUT: Question. This would
21 mean that, even though if there was a decline in
22 traffic, kicking out a number that says while you

1 only need five pilots this year, you needed 10
2 this year -- how does the floor work?

3 CPT BOYCE: That's why I say there
4 needs to be a divorce between the bridge hours
5 used for revenue calculation and bridge hours
6 used for pilot complement. They need to be
7 separated. If you use the same number for both,
8 we've seen for our entire careers it doesn't
9 work.

10 CPT SWARTOUT: I'm with you now.

11 CPT BOYCE: All right. I'll make a
12 motion then.

13 The Advisory Committee recommends the
14 Coast Guard -- I'm making this as we go --
15 explore -- strike or back up. Take out --
16 recommends divorcing the bridge hours used for
17 pilot complement and hourly rate calculation. It
18 further recommends exploring use of a floor for
19 hourly rate calculations rather than an average.

20 Oh, a floor -- three words back,
21 strike "the". Take "the" -- there you go. "A
22 floor". "For hourly rate calculations".

1 Is that sufficient to capture the
2 intent of the discussion? Does it need to be
3 exploring the use of a floor over a certain
4 period of time for hourly rate calculations?

5 CPT GALLAGHER: John, what this is
6 going to do, correct, is eliminating spikes in
7 pilot numbers up or down?

8 CPT BOYCE: Well, I'm recommending
9 divorcing the pilot numbers and the revenue, the
10 hourly rate calculation numbers. You need to
11 have the number of pilots you need to have, and
12 you need to generate the revenue you need to
13 generate.

14 CPT GALLAGHER: Absolutely.

15 CPT BOYCE: Using the same number
16 trying to hit two different moving targets is
17 never ever, ever going to work. And we've seen
18 it for 20 years; it never hits the target.

19 CPT GALLAGHER: I agree.

20 CHAIRMAN TANNER: Okay. We have a
21 motion, Committee. Any further direction? Any
22 second?

1 CPT GALLAGHER: Second.

2 CHAIRMAN TANNER: We have a second
3 from Captain Gallagher.

4 Committee, further discussion?
5 Captain Swartout?

6 CPT SWARTOUT: Is it permissible to
7 edit the motion once it's been seconded?

8 CHAIRMAN TANNER: No.

9 CPT BOYCE: Yes, you can have
10 discussion after a motion has been seconded.

11 CHAIRMAN TANNER: And we're discussing
12 it now.

13 CPT BOYCE: And then, I can remove.

14 CHAIRMAN TANNER: Yes, but, then, you
15 have to change it.

16 CPT BOYCE: Yes.

17 CHAIRMAN TANNER: So, yes, we can
18 discuss it.

19 CPT SWARTOUT: Okay. I would just
20 suggest we -- I mean, to simplify it, replace
21 "pilot complement" with "staffing".

22 CPT BOYCE: Agree.

1 CPT SWARTOUT: And I just think the
2 notion ought to say what the purpose of this is.
3 It's to smooth out rates, keep them stable and
4 adequate. I mean, we all understand what we want
5 to do here, but the motion should make it clear
6 that --

7 CPT BOYCE: Something to the tune of
8 "for the purpose of smoothing rates" --
9 "smoothing and realizing adequate rates, the
10 Advisory Committee...," yaddy yaddy?

11 CPT SWARTOUT: I think that would do
12 it.

13 CPT BOYCE: Okay. Then, I'll amend
14 the motion at the beginning to say, "For the
15 purpose of smoothing rates" -- "smoothing and
16 recognizing adequate rates"?

17 CPT SWARTOUT: "Producing adequate
18 rates"?

19 CPT BOYCE: I like "producing" better
20 than "recognizing".

21 Does it also make sense to add in "and
22 for the purpose" or "in recognizing using one

1 number for two different purposes has not
2 produced the desired outcome" -- or just skip
3 that because we know what it is? I'm going to
4 leave it that way.

5 Yes, at the cursor there, there should
6 be a period and, then, new sentence. Start with
7 "The".

8 CHAIRMAN TANNER: Okay. So, this is
9 your new motion? You've both --

10 CPT BOYCE: I amend the motion.

11 CHAIRMAN TANNER: Okay.

12 CPT BOYCE: Yes, the word "the" needs
13 to go right before "Advisory". Yes, right there.
14 There you go.

15 And I move as it is presented there on
16 the screen.

17 CHAIRMAN TANNER: But, Danny, you
18 seconded that prior motion. Do you remove that,
19 too?

20 CPT GALLAGHER: Yes, I do.

21 CHAIRMAN TANNER: Okay. So, we're
22 back to this motion now. So, John has made a

1 motion. It's up. Do I have a second?

2 CPT GALLAGHER: I'll second it.

3 CHAIRMAN TANNER: It's seconded.

4 We're back to discussion.

5 (No response.)

6 If no other discussion, all Committee
7 members in favor of this motion say aye.

8 (Chorus of ayes.)

9 Opposed?

10 (No response.)

11 Opposed, there was none. The motion
12 carries. Thank you.

13 Now the weighting.

14 MR. MOYERS: Thank you, Mr. Chairman.

15 The next topic is weighting factors,
16 and the use of current methodology uses something
17 called a weighting factor as a multiplier into
18 the hourly rate. A weighting factor is a factor
19 that is assigned per length of vessel. Bigger
20 vessels get a higher number. There are currently
21 four categories of weighting factors per class of
22 ship, the biggest being 1.45 and 1.3 and, then,

1 1.5 and, then, finally, 1, where a 1-to-1 ratio
2 is equal to the hourly rate.

3 So, the function of the weighting
4 factor puts more of a burden on revenue
5 generation to a bigger vessel, a bigger class
6 vessel. If you think the math behind this, you
7 know, the hourly rate times the biggest class 4
8 vessel times 1.45. That's obviously they're
9 going to get a bigger bill for that trip than a
10 1.0 vessel. Make sense?

11 So, the topic is, for discussion, we
12 use a three-year weighting factor average for the
13 current methodology. Is that the right number of
14 years?

15 We also have four categories of ship.
16 Is that the right number of categories? Do we
17 need more or less?

18 The third thing to talk about is, are
19 the weighting factors correct? Do they need to
20 be adjusted?

21 And then, finally, do we need to even
22 have weighting factors?

1 Mr. Chairman --

2 CHAIRMAN TANNER: Thank you

3 John Boyce, go ahead.

4 CPT BOYCE: Now I'll pick up the ball
5 again.

6 I think at the end of the day the best
7 solution is to remove the weighting factors
8 altogether. Part of the problem, and as we've
9 just talked about on the rolling average, is the
10 rate presumes to be a very precise calculation
11 with very imprecise variables added. You can
12 calculate anything to, you know, 14 decimal
13 points, but it doesn't necessarily mean anything.

14 And the more variables you put into
15 the equation, the less uncertain -- or the more
16 uncertainty the outcome becomes. What we've
17 already seen as a result of the new revenue model
18 taking the weighting factors into account is the
19 math doesn't work. Even in the 2017 Supplemental
20 Rule, you look at what was actually generated and
21 what was calculated by the weighting factors, and
22 they don't equate to each other.

1 On the surface, it should be a very
2 simple, or it would appear to be a very simple
3 calculation of number of hours times weighting
4 factors gives a revenue generation. And it would
5 seem plausible that you could take the average
6 weighting factors and push that through backwards
7 and show what the rate should have been. The
8 problem is, especially now that we have the
9 majority of the year of data in hand, there's
10 about a 3 percent, well, 3 to 5 percent,
11 depending on what areas you look at, delta
12 between those two points. It doesn't work the
13 way it was envisioned, or at least explained in
14 the Supplemental Rule.

15 And for my District alone, if you
16 project out the remainder of the year and take
17 into account the year so far, we operate at
18 essentially a \$1,350-a-day deficit every single
19 day of the season, as a result of the reduction
20 from the weighting factors. It just doesn't
21 work.

22 Also, what it's causing is a much

1 higher reliance not only on bridge hours and that
2 the traffic shows up. Now you're further reliant
3 on the correct mix of traffic shows up, the right
4 number of Class As, Class Bs, Class Cs, Class Ds.
5 They have to show up in the right mix now, not
6 only just show up, to realize the revenues.

7 And all the risk to that happening
8 becomes borne by the pilots. There's no benefit
9 or risk to the system. There's nothing out
10 there. There's no benefit to be gained. There's
11 simply an additional risk borne by the pilots for
12 this being in place.

13 And when you have, essentially, a
14 business model that's operating, that's designed
15 to operate at a breakeven or possibly a very
16 small profit, it's almost a misnomer because of
17 what's possibly profit can only be used on the
18 expense side; it can't go into compensation.
19 Well, now any shortfall is taken from
20 compensation to the pilots, but no profit can be
21 allocated there. All the risk, the downside goes
22 to the pilot associations, and you become a

1 business model that almost can't work.

2 So, in short, I'd recommend
3 eliminating the weighting factors altogether.

4 CPT GALLAGHER: John, in our District,
5 if you use a three-year weighting average, No. 1,
6 I don't agree -- ours was targeted at .32
7 percent. I don't agree with that. It even said
8 that for last year revenue was up 28 percent.
9 So, it's a 4 percent swing.

10 The only way you can do this -- and
11 there would be a one-year lapse -- is you would
12 have to have somebody independently audit every
13 source boat to figure out what class generated
14 what.

15 Industry wanted the weighting factors
16 to be considered back in there to reduce the
17 rates. I think they need to -- in our District,
18 for an example, they were reduced 32 percent
19 because of this. I think the 32 percent needs to
20 be added back into the rate and eliminate the
21 weighting factors.

22 CHAIRMAN TANNER: Thank you.

1 John Swartout?

2 CPT SWARTOUT: Yes, I'd just add that,
3 looking at the average weighting factors for each
4 season in the years 2009 through 2012, there was
5 a several-percentage-point swing from one year to
6 the next, which, if that swing is up, that's
7 good; you're going to have enough revenue. If it
8 goes down, that's bad; you're not going to have
9 enough revenue.

10 So, there is a problem with using
11 this, you know, the way this three-year or five-
12 year, whatever it is, average of weighting
13 factors. There isn't going to be any perfect
14 system because traffic goes up and down more than
15 3 to 4 percent a year, too. But, when these
16 adjustments compound each other, suddenly, you
17 could be 10 percent below needed revenue.

18 So, I think something should be done
19 to fix the way they're used. I'm not sure if
20 it's eliminating it, but it could be.

21 CHAIRMAN TANNER: Thank you.

22 Any other Committee member on this

1 subject?

2 (No response.)

3 Public?

4 MR. LEMIRE: Robert Lemire, Great
5 Lakes Pilotage again.

6 An interesting topic. In Canada there
7 was a royal commission that lasted six years, and
8 a big part of this royal commission was on this
9 weighting factor.

10 You win; you lose. As I Captain
11 Swartout said, I think in 20 years our traffic
12 goes up and down 10 percent half the time. Now
13 you're taking a chance.

14 As an authority, I can take the
15 negative swing, which means in a year where we
16 predicted to have larger ships and we don't and
17 our revenues are down, the authority absorbs that
18 and will carry forward hoping in the future year
19 that that trend will change. The trend changes
20 whenever there's an increase in steel and
21 outbound grains in larger ships, which we see
22 this year.

1 So, I think there's no easy solution.
2 If I were to start from the industry's
3 standpoint, in this royal commission we were at
4 an event -- and I'm not speaking for Mr. Fisher
5 here -- that the pilotage bill as a total was
6 easy for them to swallow with the bigger ships,
7 as you could spread it over a larger tonnage.
8 It's an argument. There's another argument that
9 you could spread the pilotage billed over the
10 value of your cargo. Another argument. But at
11 the end of the day, after this six-year study, in
12 Canada we keep the weighting factor.

13 I don't say if it's right or wrong.
14 It's just there's a big risk. So, in your
15 formulas it would be the cornerstone of trying to
16 set your tariffs. So, be careful what you wish
17 for on this one.

18 CHAIRMAN TANNER: I didn't hear you
19 correctly. You did what with the weighting
20 factor?

21 MR. LEMIRE: We are using the
22 weighting factor.

1 CHAIRMAN TANNER: Okay.

2 CPT BOYCE: And to talk to your point
3 -- and you mentioned it -- the key difference is
4 the authority's ability to absorb the swing. You
5 can operate at a shortfall and recoup it; we
6 can't. There's just no ability to do that.

7 And when you look at, well, it used to
8 be return on investment; now it's working
9 capital. On a best-case \$200,000 as being your
10 upside swing, that can't float anything in our
11 future year and it can't recoup anything from a
12 prior year. There just isn't enough to cover the
13 variability in things.

14 MR. LEMIRE: Yes, for sure. I mean,
15 it's not an easy topic to try to, I mean --

16 MR. AUBRY-MORIN: If I may, Jean
17 Aubry-Morin, Canadian Seaway.

18 And my comment is not to oppose your
19 position. It's just to put some substance to
20 certain concentration of equipment, as we are
21 considering certain things within the Seaway.

22 It's that it was evident when we

1 looked at the ports for you that you were saying
2 that it's so volatile that you can't predict, and
3 you're right that the equity amongst trader could
4 be very sensitive depending on what makes
5 defeats. And what we noticed is that the big
6 carrier in the Class 4 would favor certain equity
7 traders where there is an elasticity of that
8 cargo, of that trade. It is very sensitive in
9 certain areas.

10 What we realized is the best we were
11 able to get, because we were talking about the
12 commission and the royal commission that, as we
13 participate, that it would be better to leave the
14 market to themselves, be able to do the
15 competitive nature and have a better equity by
16 leaving the weighting factor in place.

17 And I don't put that argument to the
18 table in contrary to what you said. It's just,
19 as a sense of the people of the reason why it was
20 left in in Canada. That's why.

21 CPT BOYCE: I see that point and I
22 understand it, and to a degree, I agree with

1 that. The hard part it comes down to is the
2 ability to absorb the variation, and we have no
3 ability to absorb it.

4 You know, if it was a case of, instead
5 of removing the weighting factor, that you
6 removed the lowest class, the 15 percent is all
7 you remove from it, now there's an ability to
8 absorb it, and I think it would absolutely work.
9 I think that would absolutely work if you left
10 the weighting factors in and removed, instead of
11 the average weighting factor, the lowest
12 weighting fact. That absolutely becomes
13 workable. But, in the absence of having some
14 ability to absorb the fluctuation, we can't do
15 it.

16 MR. AUBRY-MORIN: We noted that my
17 comment does not go to the validity of the
18 argument that you're posing. It's purely as
19 information for the reason behind the statement
20 that Mr. Lemire has put to the table and that the
21 Seaway has substantively worked to be able to
22 understand, the complex of that. It doesn't

1 affect how you resolve the issue that you're
2 tabling, basically.

3 CPT BOYCE: Yes, agree.

4 CHAIRMAN TANNER: Any other comment
5 from the public?

6 (No response.)

7 Hearing none, back to the Committee.

8 CPT GALLAGHER: Dan Gallagher.

9 I agree with Captain Boyce. If the
10 weighting factors are going to stay in, they need
11 to calculate it based on the 1.15. That gives us
12 some leeway in case it goes further goes up or
13 down. We would have the 1.0s, which we do get
14 once in a while on the cruise ships, the tug
15 barges that would handle all the yachts. So, it
16 would be a give-and-take. I mean, I think we
17 probably should look at either eliminating the
18 factors or reducing it. The maximum would be
19 1.15.

20 CHAIRMAN TANNER: John Swartout?

21 CPT SWARTOUT: I am in line with that,
22 too. In regards to what Jean Aubry said, to just

1 eliminate the weighting factors blatantly favors
2 one class of ship over another class of ship.
3 And without knowing what the impact of that is,
4 I'm reluctant to do it. But I think putting an
5 adjustment to the calculated average or three-
6 year average weighting factor makes sense, and it
7 could either be a flat adjustment of, say, five
8 percentage points or it could be, you know, just
9 consider 1.15 as the base case and go with that,
10 as my colleagues were talking about.

11 CHAIRMAN TANNER: Okay.

12 CPT BOYCE: Yes, I'm not making a
13 motion yet, but something that sounded like this
14 came up as a motion: that the U.S. Coast Guard
15 either use the lowest weighting factor, rather
16 than average, for a rate calculation or remove
17 them altogether.

18 UNIDENTIFIED AUDIENCE MEMBER: What do
19 you mean by the "lowest weighting factor"?

20 CPT BOYCE: 1.15.

21 DFO KHANDPUR: So, if I understand
22 that, you're basically saying that there's no 1.0

1 ship. All the 1.0s are 1.15 ships?

2 CPT BOYCE: There are 1.0s, but
3 they're few and far between. There's relatively
4 few 1.0s.

5 DFO KHANDPUR: No, no. What I'm
6 trying to understand is your recommendation. So,
7 when you say using the lowest factor --

8 CPT BOYCE: Well, I suppose I was bad
9 in math. The 1.0 isn't a factor. It's the same
10 number. So, 1.15 being the lowest weighting
11 factor.

12 So, I would say, Coast Guard, either
13 use 1.15 as a weighting factor in the rate
14 calculations to account for vessel size or remove
15 the weighting factors altogether from the
16 calculation.

17 CHAIRMAN TANNER: John?

18 CPT SWARTOUT: I think I could clarify
19 that. What he is saying is that the Coast Guard
20 should amend the methodology to assume that every
21 ship that comes in is going to generate 1.15.

22 CPT BOYCE: Much the same way as in

1 right now, or just this year, as a result of the
2 Supplemental Rule, it calculated out all the
3 averages and, then, reduced the base rate by that
4 amount to be able to, then, reapply the weighting
5 factor. It shouldn't use the average because
6 there's too much variability in it. It should
7 use the 1.15 as the lowest class of weighting
8 factor.

9 DFO KHANDPUR: Okay.

10 CHAIRMAN TANNER: Do you want to build
11 a motion or --

12 CPT BOYCE: All right.

13 MR. HAVILAND: Can I ask a question?

14 CHAIRMAN TANNER: Yes.

15 MR. HAVILAND: Good morning. Todd
16 Haviland.

17 Real quick, in the event that you
18 still overgenerate revenue, what should be done
19 with that revenue that is overgenerated?

20 CPT BOYCE: I think you should presume
21 to overgenerate revenue in certain years if
22 that's what allows you to absorb the variation in

1 other years. I mean, I would assume that's how
2 -- and I'm just quoting Mr. Morin and Mr. Lemire
3 -- that's what allows you to weather the storm,
4 the ups and downs, and all that, is it assumes
5 there will be overgeneration in certain years.
6 And that way, when there's downturns, you can
7 survive. I mean, that's just a fact of matter in
8 the business, is there's a variability in it.
9 It's absolutely unpredictable.

10 MR. HAVILAND: Todd Haviland again.

11 So, as I understand what you're asking
12 is, the step where we take into account the
13 impact of the weighting factor, we should only
14 say that we're going to divide that number by
15 1.15?

16 CPT BOYCE: Agree. Can you tell me
17 what step that is?

18 MR. HAVILAND: Step 7 or 8.

19 MR. LEMIRE: Robert Lemire again.
20 Just a quickie on this.

21 Be very careful on this type of
22 calculation. You were talking 1.15, 1.45. We're

1 talking about a ship that carries 5,000 tons as a
2 Class 1, and you're now comparing that to a ship
3 that's carrying 25-26,000 tons. That is a large
4 ship. So, if you're going to give the same bill
5 to the big guy as the little guy, the small guy
6 is going to have a hard time differentiating,
7 spreading that tonnage. I do understand it's the
8 same job and it's the same efforts, and it's the
9 same everything. But I'm just trying, you know,
10 since the industry isn't here, to please try to
11 have some type of input on the business side.
12 It's a sharing of the cost and who gets it. And
13 on a smaller ship, if we, the pilots, pound all
14 of our tariffs on a smaller ship, we might get to
15 lose some of them. So, it's just a heads-up on
16 that.

17 CHAIRMAN TANNER: Thank you.

18 CPT GALLAGHER: Dan Gallagher.

19 Robert, I think you didn't quite
20 understand what John was saying. We're not
21 saying that all ships are going to be billed
22 1.15. The weighting factors would still be in.

1 We'll still have a Class 1, you know, 1.15, 1.3,
2 and 1.45. Those weighting factors will still be
3 in. It's just the calculation where the Coast
4 Guard, at the end, they're -- in my District, for
5 an example, they said mine was .32. I believe
6 John Swartout's was .313, something like that,
7 and John Boyce's were -- what? -- like 28 or
8 something. That's where it would change.

9 You're still going to have the four
10 billing cycles. So, it's not going to put any
11 burden on them. It's just that calculation, and
12 you either reduce it or you're limiting it. That
13 way, it takes the problem away.

14 CHAIRMAN TANNER: John Swartout?

15 CPT SWARTOUT: That's step 9, in case
16 anybody --

17 MR. HAVILAND: It's step 8.

18 CPT GALLAGHER: According to the Final
19 Rule, it's step 9.

20 MR. HAVILAND: This is Todd Haviland
21 again.

22 What we do is in one of the steps --

1 I believe it's step 8 -- we look at the historic
2 weighting factors. And since we changed the
3 weighting factor in 2014, we wanted to look back
4 from 2014 forward. Once we find that average
5 weighting factor, you, then, divide the original
6 base rate by that average weighting factor to get
7 the new. And essentially, what you're saying is
8 we should combine steps 8 and 9 and just divide
9 whatever rate we come up with by .15.

10 DFO KHANDPUR: I'm still not very
11 clear, but I'm sure Todd will explain it to me.

12 (Laughter.)

13 CPT BOYCE: I think here's what it is.

14 MR. HAVILAND: So, what they're saying
15 is, where we calculated that the weighting factor
16 has brought out about 30 percent more revenue,
17 they want us to cap that at 15 and say we will
18 not have a weighting factor reduction greater
19 than .11

20 CPT BOYCE: Oh, I see.

21 MR. HAVILAND: So, the new number
22 comes out, a Class 1 ship pays whatever the rate

1 is. A Class 2 ship will still multiply 1.15. A
2 Class 3 ship still pays 1.3, and a Class 4 ship
3 still pays 1.45. But all they're asking us to do
4 is either eliminate the weighting factors
5 altogether or use a different standard that
6 allows them to have some cushion.

7 CPT BOYCE: Essentially, step 8 --
8 here's a step 8/step 9 issue -- step 8 is what
9 calculates the average weighting factor. Step 9
10 is the step that applies that weighting factor to
11 the base rate.

12 So, my notion would state to remove
13 step 8 and in step 9 use 1.15 as the factor. So,
14 I guess, before you start -- that was part of the
15 motion. I guess the motion would be for the U.S.
16 Coast Guard to either remove weighting factors
17 altogether or remove step 8 and in step 9 of the
18 rate use 1.15 as the factor.

19 For the U.S. Coast Guard to remove
20 weighting factors completely or remove step 9 --
21 I'm sorry -- remove step 8 and in step 9 of the
22 rate methodology use a factor of 1.15.

1 MR. HAVILAND: Am I allowed to ask
2 another question?

3 CHAIRMAN TANNER: Go ahead.

4 MR. HAVILAND: This is Todd Haviland,
5 and I know I've already asked this, but why 1.15
6 instead of any other number?

7 CPT BOYCE: It would be a presumed
8 factor that already exists and should be
9 sufficient to absorb some variability in traffic.

10 CHAIRMAN TANNER: Okay. John, is that
11 your motion?

12 CPT BOYCE: Yes.

13 CHAIRMAN TANNER: Okay. We have a
14 motion. Do I hear a second?

15 CPT SWARTOUT: I'll second that.
16 Swartout.

17 CHAIRMAN TANNER: John Swartout
18 seconds that.

19 Further discussion?

20 (No response.)

21 Hearing no further discussion, all
22 those in favor of this motion?

1 (Chorus of ayes.)

2 All those opposed.

3 (No response.)

4 We have unanimous positive vote for
5 the motion.

6 Okay. Rajiv, I have a question.

7 Approaching the dinner hour for a dinner break,
8 you had in here there was an option of a tour.

9 DFO KHANDPUR: Yes.

10 CHAIRMAN TANNER: Could you address
11 that and see who wants to --

12 DFO KHANDPUR: So, as Captain Martin
13 was here this morning, we are at the National
14 Maritime Center. This is where they do their
15 credentialing.

16 If you folks or anybody is interested
17 in taking a tour, we can arrange that. If not,
18 we can just break for lunch.

19 I'd like a show of hands.

20 (Show of hands.)

21 Okay. All right.

22 MR. MOYERS: I have a couple of admin

1 things. I have some badges to trade out for the
2 Board members to get you back into the building,
3 if you leave.

4 And then, also, NMC has placed some
5 snacks out here on the table, some waters and
6 snacks from the outside. Feel free to grab those
7 as well.

8 CHAIRMAN TANNER: What do we want, one
9 hour?

10 So, we want everyone back, we want the
11 members back at quarter to 1:00, and it will be a
12 training session. How long? Half hour. So,
13 then, we will reconvene, then, at 1:15, correct?

14 DFO KHANDPUR: Everyone back at 1:00?

15 CHAIRMAN TANNER: One o'clock.

16 Members back at 12:45, and we'll reconvene at
17 1:00. Okay.

18 (Whereupon, the foregoing matter went
19 off the record for lunch at 11:47 p.m. and went
20 back on the record at 1:23 p.m.)

21 CHAIRMAN TANNER: So we'll reconvene
22 and we'll move to the Authorized Piloting Charges

1 with Todd Haviland. Todd.

2 MR. HAVILAND: Good afternoon. My
3 name is Todd Haviland.

4 This session was created primarily
5 from concerns and questions we received from
6 FEDNAV Shipping Federation, the ports.

7 Just a little bit of background. In
8 2016, we changed the methodology. We eliminated
9 most of the ancillary charges and what we were
10 left with were charges for providing pilotage,
11 the surcharges, the charges for cancellations,
12 which is four hours, at least, less travel time,
13 delay charges. So if the ship is delayed and it
14 is no fault of the pilot, then the Pilot
15 Association will add a charge, an hourly charge.

16 After we discuss those three issues,
17 I want to talk quickly about Pilot Association
18 allowances and whether or not the Pilot
19 Associations see any value in issuing an itemized
20 source form.

21 So as far as the surcharges go, we
22 would like to know if there are any recommended

1 changes you think we should consider with the
2 surcharges.

3 CPT GALLAGHER: Dan Gallagher. Todd,
4 the surcharges, the way they stand now, they are
5 only enforced for one year. So last year we had
6 surcharges for training. This year, because the
7 rate did not come out, we still had people, more
8 people hired, working, training, and yet we were
9 not getting the surcharge.

10 The way you've got it now, once we
11 collect the surcharge, the stops. What if we
12 don't get the surcharge? How do we recoup that
13 money?

14 MR. HAVILAND: Todd Haviland. I
15 believe the way the regulation is written, any
16 surcharge deficit could be rolled into the next
17 year and then any necessary and reasonable
18 expense that wasn't recognized by the surcharge
19 will be recognized in a future rate.

20 CPT GALLAGHER: I guess I've got one
21 more question, then. The 2014 rate, I mean
22 expense-based our base rate had about \$200,000 in

1 training that we didn't recoup because we're not
2 able to charge that this year. Will we be able
3 to roll that forward for next year?

4 MR. HAVILAND: Todd Haviland. I don't
5 know what -- in the past, the rate, once the rate
6 went into effect, everything would be overhead.

7 CPT GALLAGHER: But then again, that
8 goes to the problem with surcharges. If we
9 collect over a \$1 more, it's taken away. The
10 problem is, if we're not collecting enough, we're
11 not getting made whole on it.

12 MR. HAVILAND: Todd Haviland. I
13 understand what you're saying. So we've never
14 been presented with this issue.

15 In 2014, we weren't using the
16 surcharge to train applicant pilots. So I'm not
17 sure. I'll have to speak with the lawyers and do
18 some research to see what's allowable.

19 I might have found us something but I
20 can't put my finger on it.

21 CPT GALLAGHER: The biggest problem is
22 when you talk to the lawyers, they say they can't

1 do it but when it's taken away from the pilots,
2 industry suggested that it's automatically done.

3 MR. HAVILAND: Okay.

4 CHAIRMAN TANNER: Any other comments
5 from the committee?

6 CPT SWARTOUT: Swartout. Currently,
7 for most of the season, we're not allowed to
8 charge for delays due to traffic, weather, and I
9 think the third is ice. And as I've said before
10 and I'll say it again, I think we need to be able
11 -- I mean traffic delays happen anytime. Weather
12 delays happen anytime. So I don't know why we
13 can't charge for them.

14 MR. HAVILAND: The traffic delays, I'm
15 not sure what you're referring to. But if you're
16 onboard and you're providing pilotage service and
17 it's not an act of God and it's not your fault,
18 then other than at the opening -- well, at the
19 opening and closing of the season, you can charge
20 for those weather delays but during the regular
21 season you can't. It's been our longstanding
22 practice since the 1960s when those rates were

1 put in place.

2 CPT SWARTOUT: I understand how it
3 works. I'd just like to see it change.

4 MR. HAVILAND: Okay. I mean this is
5 your opportunity to provide us with a
6 recommendation for us to consider.

7 CHAIRMAN TANNER: Any other questions
8 from the committee?

9 If not, anyone from the public have
10 any questions on this? Yes.

11 MR. HAVILAND: This is Todd Haviland.
12 I'm not doing this because I want to represent
13 the shippers' interests. The one issue they've
14 brought up a number of times is they feel that
15 when you're at anchor, you shouldn't be allowed
16 to charge for the delay. I just want to know
17 what your position and thoughts are on that.

18 CPT GALLAGHER: Dan Gallagher. A
19 pilot is a pilot is a pilot. Since we have --
20 when we had point-to-point charges -- and I
21 argued about these hourly rates. I was one, if
22 you look back, I thought all we had to do is

1 adjust the point-by-point charges and everything
2 would be okay. Since we've gone to the hourly
3 rate, in our district, our delays from the agents
4 went from massive hours down to almost nothing
5 now. There are a few times where they bill us
6 hourly, they hold the ships out now, instead of
7 the pilot sitting there for eight hours because
8 before we were cheap. And if you allow the
9 agents to have us there sitting there and not
10 paying, whether we're at anchor, or before we
11 board, or after we get there, you're going to
12 have to add a lot more pilots to the system.

13 The way you've got it now, they're
14 taking us right to the dock. If we go backwards,
15 we're going to go right back to what we were
16 doing before. And we'll be going to the
17 anchorage and we'll be sitting there.

18 They have a choice to release the
19 pilot and reorder or they can go right to the
20 dock. They don't want to pay the line handlers
21 overtime, yet they want the pilots to sit there
22 for free.

1 I think it's an abuse of a pilot's
2 time and if you allow them to do that, we're
3 going to be sitting on trips and you're going to
4 have to have -- if you implement something like
5 that, and I recommend you don't, you're going to
6 have to implement a few more pilots in each group
7 just to handle it.

8 CPT BOYCE: I think it's pretty
9 simple. It consumes pilot capacity. Therefore,
10 you should have to charge for it.

11 If you demand power to be there to
12 accommodate those delays, you need to be able to
13 build to recoup or have the people there to do
14 it.

15 CHAIRMAN TANNER: Any more comments?

16 MR. HAVILAND: Are there any feedback
17 on cancellation charges? Are they appropriate?
18 Is there something like we should do instead of
19 having the monetary charge be along the lines of
20 when you over prospect and the shipper or the
21 agent is potentially given a time penalty instead
22 of a monetary fee?

1 CPT GALLAGHER: Dan Gallagher again.
2 I think we're just confusing things by changing
3 things around.

4 They have the ability. The agents
5 have within a four-hour period to cancel the
6 pilot. If they can't coordinate it, you know
7 sometimes we're mobilizing our pilot for six
8 hours for a job. So we've already got him on the
9 road, sometimes. Sometimes the guy gets within
10 an hour and a half -- well within four hours of
11 the assignment and we lose on it.

12 So they have the ability for four
13 hours to cancel us. I think it's plenty and if
14 they can't coordinate, they have to pay for it.

15 Another alternative, if you did away
16 with that, would be we will not start mobilizing
17 the person until we get the four-hour
18 confirmation that we know that he's there. The
19 pilot will get the two-hour callout. And if he
20 has to transport two hours, four hours, six
21 hours, whatever it may be, the ship will have to
22 wait for the pilot then. They have the ability.

1 So I don't see why you need to change
2 anything.

3 CPT SWARTOUT: Out of -- Swartout
4 here. Out of 1500 assignments, we get ten
5 cancellations. I think the system is working
6 fine the way it is.

7 CHAIRMAN TANNER: Any other questions
8 from the public?

9 MR. HAVILAND: Thank you. Todd
10 Haviland. Is there any merit to itemizing the
11 source form? So a lot of the fees of the shared
12 services are buried in the rates that the U.S.
13 Pilot Associations are allowed to charge. So do
14 you think it would be helpful to say okay, here's
15 the charge that you're paying for pilotage?
16 Here's the charge that you're paying for the
17 pilot boat use. Here's the charge associated
18 with dispatching and then we already do a line
19 item with the surcharge. But do you feel that
20 that would be beneficial in any way for you to
21 add more transparency to what it costs to provide
22 services on the Great Lakes?

1 CPT SWARTOUT: Swartout. No, I can't
2 see any advantage to it. I mean it's impossible
3 to determine the cost of something until you know
4 what revenue is for the season.

5 I mean it would be okay to do it. I
6 just don't think there's any way to do it that's
7 going to be accurate.

8 CHAIRMAN TANNER: Any other questions?

9 MR. HAVILAND: The last issue I have
10 are Pilot Association allowances. The intent of
11 the methodology is to reimburse incurred expenses
12 and those incurred expenses have to be tied to a
13 receipt.

14 I know that in some situations the
15 associations have told me that it's cheaper and
16 more efficient to issue an allowance and forego
17 the necessity for a receipt but based on the
18 methodology and the administrative history, I
19 don't know that I've got the authority to allow
20 reimbursement for allowances but I do think it's
21 important for at least the pilot presidents to
22 maybe give us a little rationale as to why they

1 issue allowances and put forth any
2 recommendations for us to consider about changing
3 the way that we recognize expenses?

4 CPT GALLAGHER: Dan Gallagher. I mean
5 we have like a cell phone allowance that we cap
6 at \$100 per pilot, per month. Some of our
7 pilots, their cell phones bills run way in excess
8 of \$100. We do that just to try to control
9 costs. You know a person doesn't have to be on
10 there streaming and watching movies. If he does,
11 he should be paying for that. So I'm not saying
12 the \$100 is the right amount. We probably need
13 to look at it and revisit because you can't get a
14 plan.

15 I know previous audits, the auditors
16 would come in and they would look at it because
17 we have on pilot gives us about maybe 10 or 20
18 percent less than the flat rate. And they look
19 at them all. If anything, what they should do is
20 add up all the phone bills and we don't have a
21 problem providing the receipts for them. But if
22 they all add up to \$1,000 and we have 10 pilots,

1 well it's \$100. If they add up to \$800, take the
2 \$200 away from it. But if they add up to \$1,500,
3 you don't penalize one guy that's under by \$20
4 but everybody else over. That's what the
5 previous auditors did. They looked at that.
6 That was their -- they were saying that's why you
7 didn't see the deduction because they said well,
8 we looked at it as a group. You spend far more
9 than what you're actually paying out.

10 Shame on our group, I guess, for
11 transportation, for example. When the cost of
12 mileage per mile was \$0.545, we were paying
13 \$0.32. We just never changed it in our system.
14 That's what the guys get. We don't encourage
15 people to driving cars back and forth to make
16 money off the system.

17 And other allowances we have, I mean
18 we give them, instead of -- you know we force
19 people to live in certain areas, away from their
20 homes. We do that for efficiencies. I think
21 it's great.

22 For an example of that, we'd be

1 transporting people back to their homes at a cost
2 far more than we pay for let's say a hotel
3 allowance. It gives the person an ability to --

4 Now, if it's way out of line -- and I
5 don't think it is. You can Google wherever you
6 want and it will give you the average rate of a
7 hotel. I mean we provide our guys with a living
8 allowance instead of buying with the hotels and
9 sometimes it's cheaper to go rent a place. Some
10 of them, we've got a couple guys that do stay in
11 hotels and they pay it on their own but they use
12 that amount of money to utilize it.

13 If not, we're going to be transporting
14 these people home because in our district alone,
15 we have four states plus Canada. So, where do I
16 tell that person he has to live? I've got to
17 provide him with something, whether it's a hotel,
18 transportation back to his home, or to give him
19 the ability to go out and rent an apartment or
20 pay for a hotel.

21 CPT SWARTOUT: Swartout. When I
22 started -- when I was hired by Western Great

1 Lakes Pilots 21 years ago, there were very few
2 cell phones around. I went out and bought one
3 within a few months of becoming a pilot. It was
4 a bag phone and at the time, you could use it in
5 the middle of Lake Superior. Now you've got to
6 be pretty close to shore to use it.

7 But I bring this up because, at the
8 time, the way you gave ETAs for the next pilot
9 station or the next port was to use a ship to
10 shore radio telephone, bill it to the ship at a
11 cost of about \$25 a call.

12 Within two years of my starting, we
13 all had cell phones and we saved the companies a
14 fortune because we were using our cell phones to
15 make these calls instead of charging it to the
16 ship at ship to shore rates. So we instituted an
17 allowance, something that was in the ballpark of
18 what a typical cell phone account would cost for
19 a pilot. We've been doing it ever since for 20
20 years and now all of a sudden, it's becoming an
21 issue.

22 If you want me to produce a receipt

1 for my cell phone, I'm a little concerned that
2 the next thing you're going to do is start going
3 through the detail sheet of my receipt and say
4 oh, this wasn't a business call, oh, this wasn't
5 a business call.

6 As long as the allowance is
7 reasonable, I think it should be allowed.

8 CHAIRMAN TANNER: Any other questions
9 from the committee? Does the public have any
10 questions or statements?

11 Okay, Committee, what's your wish,
12 just to accept the report, action, or --

13 Hearing nothing, let's move on to the
14 next subject, then.

15 Mr. Moyers, the financial report.

16 MR. MOYERS: Hello, Michael Moyers
17 again. The subject is the 2016 on-site audits
18 and then the deadlines for submitting financial
19 statements.

20 I'll give you a quick update on the
21 2016 on-site audits. All three of the on-site
22 audits have been conducted. Our contract auditor

1 is currently working up those sheets and you will
2 be receiving a draft of those for each district
3 when they're ready. And you'll have the
4 opportunity to call me on those and then we'll go
5 from there.

6 Any questions on the on-site audit
7 update for 2016?

8 Moving on for the deadline for
9 submitting financial statements. So this is an
10 endeavor to move the current three-year turnover
11 from operating expense, when you actually expend
12 that money until you capture it back in the rate
13 is three years. Now the idea is we may be able
14 to move that to a two-year cycle, if we can get
15 the financial statements sooner.

16 But I think the final rule last year
17 suggested end of January to receive those.

18 That's the topic for discussion. Is
19 that feasible? Can we do that or do we stick
20 with our statutory time frame?

21 CPT BOYCE: That's very tough to do.
22 You know I'll go on with the on-site audit, Part

1 2. One thing that's a problem with the auditors
2 is they are not auditor in the general sense of
3 the term. There is a couple different terms but
4 it's not an audit they're conducting. I think,
5 at times, the auditors need to be reminded of
6 that. They are verifying costs, essentially, for
7 a regulatory process, which is very different
8 from an audit.

9 But to go further onto that, we need
10 to have an audit and that actually takes time to
11 do. To go have -- it's one thing to have our
12 books closed by the end of January. It's another
13 thing entirely for those to be audited numbers
14 and it's not uncommon for once the auditor goes
15 through our books to have things reclassified or
16 categorized from one year to the next, especially
17 January/December-type bills.

18 What you're almost certainly asking
19 for is numbers that will need to be corrected all
20 the time. It's good-intended and I absolutely
21 agree with the intent of it. I just think the
22 actual operation of things doesn't allow the time

1 frame to be shortened up that much.

2 CPT SWARTOUT: Swartout. We tried to
3 hurry up the audit this year. I think the
4 current deadline is April 7th, thereabouts, say
5 6th or 7th. We didn't get it done by then. It
6 took another week or ten days to get it finished.

7 It seems like the audit work is
8 getting more complicated. And to try to move it
9 up over two months, I've asked my CPA and he says
10 no, it can't be done.

11 I applaud the Coast Guard for wanting
12 to tighten up that process but I don't see it
13 happening. It's just physically impossible.

14 CPT GALLAGHER: Dan Gallagher. I,
15 too, applaud the Coast Guard for wanting to
16 advance it. If we could, we would. I've talked
17 to ours maybe mid-March would be the best we
18 could do and that's if we pushed. I know ours
19 could probably do it in the middle of March. I
20 mean we could shorten up like two or three weeks
21 maybe by the time we reclassify, get all the
22 bills in. And we're even now we're getting stuck

1 with the audits where one bill is overlapping in
2 the other year and they disallow it because it
3 didn't happen in the previous year. You know we
4 don't get our phone bill for end of December,
5 let's say, until usually January, the end of
6 January. So it would be hard for us to do it.

7 As part of the audits right now, the
8 on-site audits, these people lack experience, in
9 my opinion. They're very unprofessional. There
10 have been numerous we've told who we wanted the
11 contact person to be. I know I've experienced
12 it. I believe John Boyce has. They have ignored
13 that. They go around us.

14 When we had the previous auditors, you
15 know for the first year, it was a learning curve
16 for both of us. And then we had consistency for
17 a while. We knew what they wanted. They knew
18 what they were looking at. If there was a
19 question with training, for example, if there was
20 a question of what we allowed for training, they
21 would ask us. And they did the research
22 themselves right in our office. We watched them

1 do it. And they are going in, say oh okay it
2 costs X amount of dollars to renew your license.
3 It costs X amount of dollars for your radar. It
4 costs X amount dollars over here. And they look
5 at it and they say gee, your allowance really is
6 reasonable.

7 So they've done that work. This group
8 here is not doing its work -- that work. They're
9 not looking at things. They're not looking at
10 what the cost is, what we're paying out, or
11 what's reasonable.

12 It seems like, I don't know, they
13 really don't know what they're doing.

14 CPT BOYCE: On top of that, they're
15 definitely some omissions and one that we just
16 brought up over the last week. The auditors came
17 back and had the issues with my district. They
18 were on-site for a week. I was there for the
19 entire week day and night. And the auditors left
20 early. I was overly clear to them any questions
21 or comments they had were to be directed to me
22 and if I needed a secretary or a comptroller to

1 further answer it, I would get that but it was
2 all to come straight through me so I know what's
3 being asked and it's answered appropriately.

4 Then I find out just last week, which
5 is I don't know, six weeks from when the audit
6 took place, they've got a number of issues of
7 things they never even brought up to my attention
8 for questioning. And I said you know that's
9 shame on you. If you can bring it up to me and
10 you could give me a chance to answer what your
11 question is, how can you have a problem with
12 that? Well, they went and asked other people at
13 the office these questions. They'd get a good
14 response. Well, it's their own problem to go
15 further. There are issues.

16 And also with the current contract, of
17 a five-year contract, there's only one on-site
18 visit for having them in the districts actually
19 do things. There's a number of problems and I
20 don't even want to speculate what it's going to
21 be the next three years if their contract is
22 extended without being on-site and doing it all

1 remotely.

2 They've already got us doing a
3 majority of their work as far as variance
4 analysis and things like that. The auditors
5 should be doing that on the information we
6 provide, not us doing the analysis for them.

7 CHAIRMAN TANNER: Any other committee
8 questions?

9 CPT BOYCE: Yes, it's me again.

10 I would further suggest on the audits
11 in the past there wasn't an outside auditing
12 firm. That was an internal Coast Guard function.
13 There was somebody on the staff that understood
14 what they were looking at, understood the
15 interplay between numbers, what something means
16 when its classified one way or another. I don't
17 understand, especially if you look at what's
18 being paid to the auditors, why that same money
19 couldn't fund or -- I don't know how much slack
20 there is in the current manpower. I mean I know
21 Michelle's gotten out, everybody's one position
22 short-handed, but in general that that could be

1 an internal function of the pilot, a job that's
2 to handle that task.

3 I think it would be a lot more nimble
4 and know exactly what happened, when to look at
5 things and make its own determinations on what's
6 allowable and what's not.

7 CHAIRMAN TANNER: Public have any
8 comments?

9 MR. HAVILAND: Todd Haviland. Is
10 there any way that we can accelerate the audits
11 that you guys do for your own books to try to
12 recognize your expenses sooner than we do now?

13 CPT BOYCE: I don't think so. That's
14 the one commonality is I didn't mention it but I
15 talked to our auditors, too, and they are adamant
16 there is no way they could shorten it up by an
17 appreciable amount of time. Just on the
18 requirements for them of what they can use for
19 information to be audited and issue an
20 unqualified opinion, there has to be way too many
21 accruals and estimations for year-end numbers,
22 even at the end of January.

1 The only way I think you can really do
2 it is if the pilot accepted unaudited financial
3 statements from us. And I'm not sure that's
4 something I could ask them to do.

5 CHAIRMAN TANNER: Committee, we've
6 discussed this. Any other recommendations you'd
7 like to make? Action? Are we done?

8 CPT BOYCE: Is it even in the realm of
9 possibilities? Maybe this is a question to
10 Rajiv. I'm thinking more about if the pilot
11 office itself did the audits versus an outside
12 firm.

13 I'm firstly not aware why it changed
14 from an internal function to a third-party
15 contract. I understand there's pros and cons to
16 it but at first glance I would say you are
17 probably awful close to funding the position on
18 the cost of contract and we'd have more capacity
19 for other things, whether it be some of the
20 studies or other things in there.

21 DFO KHANDPUR: Well, I can certainly
22 look into it but sometimes funding really is a

1 whole different thing because you've got to get
2 billets on one side. You've got to have a
3 solution available. And you've got to have
4 funding available because they are two separate
5 things. So, they don't necessarily match because
6 of what you can do with just an audit.

7 But given our existing resources, that
8 is something that I would try and see and see
9 whether it is plausible.

10 CPT GALLAGHER: Rajiv, I have a
11 question. The problem with the auditors is by
12 the time your get our financial statements, by
13 the time you release the contract and they've got
14 to coordinate it, if it was done within your
15 office, I think there's much more leeway on your
16 part. You could send a guy out, we could
17 coordinate him a lot easier. It's such a big red
18 tape to try to get these people out here,
19 coordinated with our because most people have
20 busy schedules also.

21 To me, if we want to speed things up,
22 I think that's one way definitely to go.

1 DFO KHANDPUR: Please make a
2 recommendation.

3 CPT BOYCE: And on top of that, just
4 to tie in some other discussions not really with
5 them all but to some of the studies going on.

6 I think a large part of why the Martin
7 Study turned out the way it did and I and a
8 number of us have a great concern about the
9 compensation study is when you have somebody
10 conducting these studies or, I suppose, the
11 contracted firm is just conducting the study but
12 who is originating the study, whatever the
13 appropriate term is, that doesn't have a base
14 knowledge of what they're asking, you're not
15 going to get a good study. You know that's what
16 I brought up before.

17 And I think the Martin Study and this
18 compensation study need to be originated,
19 whatever the appropriate term, from the pilot
20 office so you've got somebody managing the
21 contracts and looking at it that knows what
22 they're asking, knows why they're asking it,

1 knows John's question is this retrospective or
2 prospective, knows that you're looking at and you
3 can say yes, it was delivered -- this is what I
4 was looking for, this is what I needed versus a
5 layman on the street that just wants a study
6 done.

7 If you don't know what you're asking,
8 you're not going to get the answer you need. And
9 that's why I think there would be a lot of value
10 if this could originate -- I understand funding
11 streams and all that too, sometimes you can get a
12 dollar here, you can't get a dollar there for the
13 same thing. But I think there would be a lot of
14 merit if the pilot office was conducting them.

15 DFO KHANDPUR: Just to clarify, the
16 Martin Study was not done by our office because
17 we did not have a need for it. We were not going
18 to use it in any shape or form, in terms of
19 condoning -- we've got a very similar nine-step
20 process that we use. And so the Martin Study
21 does not influence that at all. The Martin Study
22 is for the rest of the, like you mentioned

1 earlier, the regulatory folks that do a
2 benefit-cost -- cost-benefit analysis, do a
3 regulatory analysis and all of that. That is
4 what meant for those folks.

5 So yes, I understand that some of the
6 results that came out then in terms of perception
7 and in terms of the word out on the street, could
8 have different consequences for different
9 parties. But that study was not a study that we
10 would have done.

11 The compensation study would be,
12 again, the rulemaking which we'll have looked
13 into more of that but that, again, is being done
14 by the party -- I'll try and find out what that
15 third-party is, the regulation folks, the
16 regulatory folks.

17 So, we'll definitely be engaged with
18 that.

19 CPT BOYCE: But that's -- so, it's
20 still being done by a different office but there
21 will be input from the pilot office on that?
22 That's just not -- so it's like a tangential type

1 thing?

2 I don't know understand why that one,
3 specifically, wouldn't originate with the pilot
4 office. I mean to me, that would be clearly
5 breaking a line with ratemaking.

6 DFO KHANDPUR: See, we didn't have the
7 funding for that, so that's again, not in our
8 lane and that's it. But it's from the Coast
9 Guard and so we are certainly involved. Any
10 input that would have in terms of making the
11 determination for pilot compensation would
12 certainly have our input. And that's one of the
13 studies which we will use as needed. It's one
14 marker.

15 CPT BOYCE: Okay. And admittedly, I
16 don't live in lock and hauls of the Coast Guard
17 of some of the behind the scenes inner workings
18 have it. It just -- when you seem to be very
19 divorced from the Martin Study and not using it,
20 the same office is conducting the compensation
21 study like you are using it.

22 I understand there is very likely a

1 lot of latitude in what you do and don't do. I
2 guess I'm just not entirely clear on what that
3 latitude is.

4 DFO KHANDPUR: Just to reiterate, the
5 Martin Study was done for regulatory purposes.
6 And it was not done for any of the rulemaking
7 that originated from our office. The pilot
8 compensation that resulted in the pilot
9 compensation is certainly very, very pertinent to
10 what we both want it to do. We will have
11 definitely. I've been saying that.

12 CPT BOYCE: Okay. So that's
13 essentially, that's where you get the funding
14 stream to conduct the study and if you couldn't
15 get the funding stream to do it, straight to the
16 pilot office?

17 DFO KHANDPUR: Right.

18 CHAIRMAN TANNER: Okay, what's your --
19 Committee, any recommendations from this before
20 we move on?

21 CPT GALLAGHER: Yes, I'd like to make
22 a recommendation that, if possible, if the pilot

1 office does the audits of the associations.

2 CHAIRMAN TANNER: And your
3 recommendation is?

4 CPT GALLAGHER: My recommendation
5 would be that the pilotage office, if possible,
6 do the audits of the association.

7 And the reason behind that, I think it
8 could definitely -- I mean if we're looking at
9 speeding things up, I definitely believe that
10 would be one way to do it because you don't have
11 to go through contracting. And any questions, I
12 mean what they're doing now is they're going
13 through third parties all the time and we're
14 answering to three different people. And the
15 people that are asking the questions have not a
16 clue what they're asking.

17 CPT BOYCE: I would take out "if
18 possible" because if it's not possible, they're
19 not going to do it anyway.

20 CPT GALLAGHER: Yes, okay.

21 CHAIRMAN TANNER: Dan is that your
22 motion?

1 CPT GALLAGHER: Yes.

2 CPT BOYCE: Do the audits of the
3 associations --

4 CPT GALLAGHER: Do the audits for
5 ratemaking purposes.

6 CPT BOYCE: Conduct, rather than do?
7 Conduct?

8 CPT GALLAGHER: Yes, conduct. Excuse
9 me.

10 CPT BOYCE: I'll second that.

11 CHAIRMAN TANNER: Okay, we have a
12 motion. We have a second. Further discussion of
13 the committee? John.

14 CPT SWARTOUT: I just have a question.
15 I assume that this company that's doing the
16 audits this year that they are a CPA firm, right?

17 PARTICIPANT: That's correct.

18 CPT SWARTOUT: So I just wondered if
19 there's any issue. I mean the Coast Guard Great
20 Lakes Pilotage Office is not a CPA firm. So, can
21 they do the job themselves?

22 CPT BOYCE: I would interject on that

1 that there's actually no requirement you be a
2 CPA. It's not really an audit as far as GAAP
3 accounting standards go and things like that.
4 There is no unqualified opinion being issued from
5 it. It's data collection for rate purposes and
6 determinations on that data.

7 So other than a CPA is familiar with
8 looking at numbers, I don't see a whole lot of
9 value in a CPA being attached to this process.

10 CHAIRMAN TANNER: Any other questions?
11 If not, I'll call for the vote.

12 All those in favor?

13 All those opposed?

14 It is unanimous. The motion passes.

15 Todd?

16 MR. HAVILAND: Yes, sir?

17 CHAIRMAN TANNER: Working Capital
18 Funds.

19 MR. HAVILAND: Todd Haviland.

20 Again, this was another issue that
21 FEDNAV, in particular, wanted to discuss. Their
22 concern is that the working capital fund is just

1 a tax that they're paying and the pilots are just
2 taking that extra money and using it as
3 compensation.

4 My question to the committee is the
5 intent of the working capital fund is two-fold
6 and I don't know if this is too much to ask. But
7 the first thing it's supposed to do is show that
8 you guys are earning a profit. And so when you
9 go to apply for credit, you get a loan, you can
10 show the financial institution that your company
11 has been in business for all these years and yes,
12 it's solvent, it's turned a profit. And it then
13 could help you get access to capital.

14 The other thing it's supposed to do is
15 encourage investment in your operations and in
16 your infrastructure.

17 Does the current methodology do that?
18 And then also, how hard would it be for you to
19 establish a separate account that the working
20 capital fund would go into? And then the idea
21 would be that my office would provide guidance
22 through probably a memorandum or some type of a

1 policy paper that says you can spend the working
2 capital fund monies on these types of things and
3 it's not going to go towards compensation.

4 CPT BOYCE: I would say, for one, a
5 working capital fund is hugely needed. You need
6 to have the first dollar to be able to reinvest
7 in a system that is designed on reimbursed costs.
8 You know essentially the only money that we have
9 to invest into current or future infrastructure
10 is what we're taking out of our pocket for
11 compensation, thereby shorting ourselves to be
12 able to move the system ahead. But then as it
13 is, you don't get it back for three years and
14 then, depending on what it is, it could be for
15 multiple years after that. So there has to be
16 money on the front side to be able to move
17 forward. Otherwise, you just handicap yourselves
18 in a stalemate.

19 As far as guidance onto the use of it,
20 I think it's on the face value a simple concept.
21 I think once you're getting into the nitpicking
22 of what it can and can't be used on, it becomes

1 more complicated than it's worth in reality.

2 To say it can't be used for
3 compensation, on one hand it's a rational
4 statement. I don't think I have a problem with
5 that. But like I just said, anything that we use
6 now is basically reducing compensation because
7 the only -- compensation is the only slack in the
8 system. So anything you spend on the expense
9 side frees the money for compensation someplace
10 else. It's one big pocket. You can segregate it
11 out into a different line item category and you
12 can have X amount of money sitting in there but
13 I'm not sure it's quite as simple as what I'm
14 envisioning you saying.

15 Now, that's not to say after
16 considerable discussion what your proposing is
17 entirely workable. I think there's a lot more
18 devil in the details on it than a two-minute
19 conversation right here, though.

20 MR. HAVILAND: Thanks, John. Todd
21 Haviland.

22 I think it's pretty simple. We'll say

1 that Moody's AAA bond rate is four percent. So
2 four cents on every dollar that you guys generate
3 would then be put into this working capital fund.
4 I understand you'd have to take taxes away from
5 that. But I think it would be pretty simple. We
6 would say the intent of this fund is to be spent
7 on infrastructure, training, technology,
8 operating expenses and it's not to be used for
9 compensation.

10 So the idea would be that when you've
11 got a million bucks, and I'm assuming it gets
12 that big, but if you get \$1 million into that
13 fund, you know a guy that's retiring doesn't get
14 greedy and slide some of that money and throw it
15 in his pocket.

16 But it's really to help facilitate you
17 guys investing in your systems and also to show
18 that credit worthiness. So like you know when
19 Danny Gallagher wanted to buy his boat in
20 Detroit, I mean thankfully Robert Lemire and the
21 GLPA were willing to front some of that money and
22 the same with the dock up in District 1. But

1 it's some money that's set aside that you can use
2 for some of these big investments.

3 And what I don't want it to be is
4 you've accumulated all this money; let's give
5 ourselves a bonus.

6 CPT BOYCE: Agreed. And I think if
7 your guidance or policy, whichever, is basically
8 as simple as you just laid it out to be, I think
9 that's workable.

10 MR. HAVILAND: And a question that
11 Sharon would have, and I think you all know who
12 Sharon is, you know how hard would it be for your
13 associations to set up and maintain that account.
14 I, personally, think it's easy but I don't run
15 your associations.

16 CPT SWARTOUT: Swartout. Easy enough
17 to open a bank account and put money in it but
18 because we are a partnership, what the Coast
19 Guard thinks and what the IRS thinks are two
20 different things. Any money that we don't spend
21 on either infrastructure or operating expenses,
22 the IRS considers income to the partners. So

1 even though that money, if there isn't an
2 immediate use for it in the current year and it
3 goes into a bank account for the next year or
4 future years, it's still considered income by the
5 IRS and the partners are going to have to pay
6 taxes on it. In other words, they're paying
7 taxes on money they didn't take home.

8 So I think the accounting would get
9 complicated. I'm not prepared to give a complete
10 answer today but I can look into it with my CPA
11 and report back to you.

12 MR. HAVILAND: Thank you.

13 CPT GALLAGHER: Dan Gallagher. Same
14 thing, Todd, I don't have a problem with the
15 idea. I don't think it would be that
16 complicated. We're a corporation and I'd like to
17 talk to my tax people and we can report back.

18 MR. HAVILAND: Thank you.

19 CHAIRMAN TANNER: Is that it?

20 MR. HAVILAND: Yes, and if they want
21 to put forth a recommendation or if not, I'll sit
22 down.

1 CHAIRMAN TANNER: Okay, let me just --
2 does the public have any comments on this?

3 Seeing none, any action the committee
4 wants to take, recommendation?

5 MR. HAVILAND: Todd Haviland. May I
6 say one more thing?

7 CHAIRMAN TANNER: Yes, you may.

8 MR. HAVILAND: You didn't really
9 answer the question is the working capital fund
10 structured in a way right now that it's providing
11 you you know what that money to show your earning
12 profit and it's encouraging you to reinvest back
13 into your infrastructure and operations.

14 CPT BOYCE: Yes and no. As far as
15 encouraging reinvestment, I think it does. As
16 far as showing a profit, it shows a very, very
17 small profit.

18 So a bank, and I know this because we
19 purchased property and are looking at purchasing
20 a new boat and have just gone through all this,
21 they are not real enthused about the profit
22 margin. It's a bank that we've used for a number

1 of years and we kind of got them to go with it
2 but the profit margin that's being shown --
3 because they see the variability and everything
4 and when the profit is less than your
5 variability, that doesn't count for a whole lot.

6 MR. HAVILAND: Okay.

7 CPT SWARTOUT: Swartout. It's good to
8 have it. We need the money for infrastructure
9 but like every other element of the rate, it goes
10 up and down with traffic. And so it's
11 inconsistent.

12 But you know in looking into funding
13 for a dock and dredging, the bank is interested
14 in knowing if there's a dedicated income stream
15 for that purpose. And the only reason they are
16 interested in that is they say if -- and I'm
17 talking about if an infrastructure project is
18 funded from a surcharge, not from working
19 capital, which working capital fund doesn't have
20 any earmarks on it. It's for whatever you need
21 it for. But a surcharge is for a specific
22 investment and the bank says that money, to the

1 extent you have it, goes right back into repaying
2 the loan.

3 CPT GALLAGHER: Dan Gallagher. I
4 think it's an important tool. We put a lot of
5 money into our system. I know John Boyce has
6 Captain Swartout working towards that way. I
7 think it's very much needed, yes.

8 CHAIRMAN TANNER: Okay. Committee,
9 any recommendations? Hearing none, we're ready
10 to move on to the next --

11 CPT BOYCE: Well, would it be helpful
12 to have a recommendation to continue doing what
13 it's already doing?

14 MR. HAVILAND: Whatever input you
15 provide me is helpful.

16 CPT BOYCE: All right, then I'll make
17 a motion to continue the working capital fund.

18 MR. HAVILAND: Okay.

19 CHAIRMAN TANNER: We have a motion to
20 continue working capital fund.

21 CPT SWARTOUT: Second.

22 CHAIRMAN TANNER: We have a second.

1 Any discussion? Hearing none, all
2 those in favor?

3 Those opposed?

4 The motion was carried unanimously.

5 Thank you.

6 MR. HAVILAND: All right. I'll speak
7 for Ari for a couple of minutes.

8 CHAIRMAN TANNER: Thank you.

9 MR. HAVILAND: Todd Haviland. The
10 next issue on the agenda is Coast Guard
11 communication with external stakeholders. Mr.
12 Scott thought that this was going to take place
13 tomorrow, so he was not able to make it today.

14 But essentially what he going to talk
15 about is when we're engaged in a rulemaking, we
16 can't talk about the rulemaking. You know the
17 Administrative Procedures Act says that any
18 action we're going to take with regulations
19 requires notice and comment. So when we start
20 working on the NPRM, we can't talk about the
21 NPRM. You've got to wait until we publish and
22 once it's published, we can explain the questions

1 you have about the NPRM but we can't answer
2 questions you have about how we were going to
3 rule on a given comment.

4 So during that comment period, you're
5 free to put together your comments, request an
6 extension, ask for a public meeting but please
7 understand what we put in the NPRM is what we
8 think, based on the information we have, is the
9 best way forward.

10 Now if some of the information we have
11 is erroneous, it's best that you should tell us
12 why it's erroneous and then give us information
13 that we can have access to to change things and
14 you know just because I don't like it isn't
15 really a good enough reason.

16 And then if we've misapplied the math
17 or if you think there's a -- you know you can
18 tell us how we've misapplied the math.

19 But the rulemaking is constrained to
20 -- you know the comments today need to be
21 constrained to what's in the rulemaking.

22 And then there's the comment period.

1 So the NPRM stops. You've given us all your
2 comments and we still can't talk about them. And
3 then we consider every comment like it's the
4 first time we've seen it. We weigh the merits of
5 the comment. If it's sufficiently justified, we
6 will make changes. We will explain why we made
7 those changes or we will explain why we're not
8 making the changes. And then we will finalize
9 the rule.

10 The final rule is our decision. Now,
11 if in the final rule we've made an error in the
12 math or, again, there's a glaring mistake, that's
13 one thing but if you just don't like what we did
14 in the final rule, I'm sorry, you're going to
15 have to wait until the next rulemaking or it will
16 have to go to litigation.

17 But lots of times I get all these
18 calls and people say when are you going to do
19 this; what are you going to do with that? I know
20 it was unfortunate this year that we published
21 the 2017 final rule so late but until that rule
22 is finalized, I keep telling the pilot

1 associations I don't know how many pilots you're
2 going to have authorized in the next rate.

3 And it wouldn't be fair for me to tell
4 you something that number one, everyone doesn't
5 get access to and, number two, until that rule is
6 finalized, it's not our final decision.

7 So I know some folks get frustrated
8 and they think we're just hiding behind this
9 bureaucracy or I get accused of hiding behind the
10 law but I don't have the authority nor the desire
11 to talk about things before they become the
12 decision of the Coast Guard.

13 And with that, Captain Gallagher
14 wanted to raise an issue about his concerns with
15 what he believes are inappropriate conversations
16 between people in the Coast Guard and some of the
17 external stakeholders. Am I correct?

18 CPT GALLAGHER: Yes, Dan Gallagher.

19 When the rate 2017 -- 2016 rate didn't
20 take effect in March we thought it was because of
21 the administrative change with the President.
22 Everything was on hold. We've seen that before.

1 We assumed all three Presidents assumed that was
2 the case.

3 Captain Boyce, and he can attest to
4 it, I'm just going by what he told me, he was
5 there at the meetings in Montreal and everybody
6 in Montreal saying oh, there's going to be cuts
7 coming. There's going to be some type of rule
8 change coming out. And that's the first we had
9 heard it. And we contacted Rajiv and we talked
10 to Captain Barata on the phone. We were assured
11 that that wasn't the case.

12 And two or three weeks later, the
13 supplemental rule came out and the industry was
14 spot on with their information. Somebody's
15 talking to somebody. We don't know who.
16 Somebody's talking to somebody.

17 At the subcommittee meeting that I
18 had, when I first started it, I contacted some of
19 the people to see if they would sit on the
20 committee. I thought I was doing the right
21 thing. I think -- I believe I talked to Michelle
22 or someone. I said I sent a list in. She said

1 you can't do that until you get permission. I
2 said gee, okay, I'm sorry. I didn't realize the
3 procedure.

4 So I then went through Michelle when
5 I had the other meetings. The last one I sent
6 Michelle a collection saying here's the date I'm
7 looking. Are you available? Because it has to
8 be her, I was told to go through her and she
9 would check with Rajiv and I did that.

10 She sent an email out to what they
11 call, I guess, interested stakeholders. Pretty
12 soon, there's email flying around and of course I
13 happened to see them this time because I had sent
14 the request in.

15 It was Steve Fisher saying well you
16 know the members haven't even been asked yet.
17 Well, I can't ask the members for a meeting if I
18 don't know if the designated federal officer or
19 the alternate designated federal officer is
20 available. I mean if they're available, there's
21 no sense me contacting everybody. I was trying
22 to do the proper procedure.

1 But it seems like everything that's
2 going on, Mr. Fisher, Mr. Gordau, and Mr. Barata
3 are on an email chain direct link coming from the
4 Pilotage Office.

5 Michelle apologized for it. Mr.
6 Gordau said well you know you're only giving
7 people a two-day notice. Well, I asked if it
8 wasn't cut in stone, if somebody had a problem
9 with it, I'd change the date, which we ended up
10 doing. I didn't have a problem with that.

11 Number one, for them people to be
12 chiming in before anybody else is aware, it's not
13 fair. Somebody is sending things out. It seems
14 like anything we send in is going right to them.

15 So if we have a question, there is
16 email chains going from someplace in the Coast
17 Guard and I don't think it's fair to us.

18 DFO KHANDPUR: The only one was the
19 one that Michelle sent out and I reprimanded her
20 for that because she had no -- you're right. At
21 that point, all you were doing you were asking if
22 the ADFO and DFO was available. And so her

1 response would have been yes, we are and send it
2 back to you and then you would have reached out.

3 She jumped the gun on that one but
4 that's about all I know. I don't know what other
5 information you are talking about.

6 CPT BOYCE: There's definitely many
7 others. It becomes -- we're at a lot of the same
8 meetings very often and it's obvious that they
9 have far more insight into what's going on on a
10 number of issues than we do.

11 And especially one that was telling
12 was when the supplemental rule came out -- well,
13 before the supplemental rule came out. They
14 clearly knew that was coming. There was no
15 question. I mean there was never a supplemental
16 rule -- the NPRM, then final rule. So there was
17 no way that was blind speculation that this might
18 be happening. There is no way you would
19 speculate that.

20 Sure enough, that's exactly what
21 happened. There were cuts to the rate and a
22 supplemental rule or rule change, in their words,

1 that came out. And frankly, I think they don't
2 realize what they were talking about when they
3 were talking about that. But it's an issue.
4 There is no question there's an issue.

5 CHAIRMAN TANNER: Any other discussion
6 from the committee? Public, do you have any
7 comments on this subject?

8 Hearing none, the committee, any
9 action? Hearing none, okay, we'll move on.

10 Next is Reports and Updates of the
11 Shipping Season. If the respective presidents
12 could -- yes.

13 MR. HAVILAND: Sorry to interrupt.
14 Todd Haviland.

15 This is an issue that Steve Fisher
16 wanted brought up. So I don't know if we still
17 need to address it.

18 CHAIRMAN TANNER: Evidently, Todd if
19 you could explain --

20 MR. HAVILAND: Yes, Todd Haviland.
21 Steve Fisher called. I talk to lots of people
22 all the time but he said that he would appreciate

1 if at this Advisory Committee meeting if the
2 Pilot Presidents could go around like they've
3 done the last few years and just explain how
4 their staffing looks, how their recruiting
5 efforts are doing, what the forecast is for the
6 rest of the season, how shipping's been compared
7 to last year and if there are any unforeseen
8 challenges that the users might need to know
9 about prior to the end of the season.

10 CHAIRMAN TANNER: Okay, any -- do you
11 want to give a little update? We're trying to
12 move the meeting through.

13 CPT BOYCE: I think I can probably
14 talk for everybody real quick.

15 CHAIRMAN TANNER: Could you do that,
16 John? Go ahead.

17 CPT BOYCE: The traffic is actually up
18 right now in our district to about 16 percent on
19 bridge hours. The numbers are very -- we've
20 definitely seen over the last couple of years
21 different traffic patterns but it's all generally
22 up, which is good.

1 All the groups have been working
2 towards training and adding pilots, which I think
3 is beneficial all the way around. And the system
4 becomes healthier without delays. It works
5 better for the seaways, both the U.S. and
6 Canadian seaways. It works better to tie in with
7 the Canadian Pilotage so one side is not waiting
8 on the other. It's a huge efficiency for the
9 system to staff properly.

10 And all three groups have been, as
11 much as possible, trying to stay ahead of that
12 ball, even working ahead of the rates and
13 funding, especially this year. When '17 never
14 came out, we still continued to move forward with
15 what we knew we had to get to.

16 So I think I guess probably enough on
17 that.

18 CHAIRMAN TANNER: Briefly, John.

19 CPT SWARTOUT: Yes, just a word about
20 traffic. We were running about 20 percent ahead
21 of last year up through July and then August and
22 September have been quite slow. And you hear a

1 lot of rumors about the grain crop. And
2 mid-summer, it sounded like it was going to be
3 good and lately I've been hearing words that it's
4 not that good. So we can't predict what the rest
5 of the fall is going to bring.

6 CHAIRMAN TANNER: Thank you. Public?

7 CPT GALLAGHER: John, in our district,
8 District II, last year we had an anomaly.
9 Basically we had the tug and barge in our system
10 that we generated up to probably 13 or 14 percent
11 of our revenue off of a noncompulsory tug and
12 barge that came into the system and didn't
13 realize when they bid a contract that they had to
14 have first class pilot licenses. Now, they
15 didn't have to have a lot of U.S. registered
16 pilots but they had to have a first class pilot.
17 They didn't want to go out and hire people. They
18 were afraid of, I think, of unions or something
19 so they went ahead and they hired us.

20 They had us for the majority of the
21 year. There was a huge increase in revenue. We
22 are seeing revenue this year as down probably

1 about \$800,000 and it's -- so our business was
2 actually good but the revenue we've seen, just
3 like I predicted, we're going to lose all that
4 revenue. What we're down in revenues this year
5 will be, at the end of the year, probably close
6 to what we generated from that noncompulsory tug
7 and barge unit that was a one-off thing.

8 CHAIRMAN TANNER: Thank you.

9 Let's take about a ten-minute break
10 and then we'll come back and address the rest of
11 this issue, okay?

12 (Whereupon, the above-entitled matter
13 went off the record at 2:34 p.m. and resumed at
14 2:46 p.m.)

15 CHAIRMAN TANNER: Okay, we'll
16 reconvene. Mr. Berg?

17 MR. BERG: Yes.

18 CHAIRMAN TANNER: Would you step
19 forward with your Klein report, please?

20 MR. BERG: Can you hear me?

21 I will be talking today about the
22 Klein system on migration. First of all I would

1 like to say the Coast Guard supplies the
2 districts who have a system that provide data to
3 us so that we can pull up reports anytime and we
4 do.

5 And the update on the migration is
6 2016 we contracted with Saab Technologies to
7 upgrade to a web-based type system. And that is
8 far better than what we had from the old Klein
9 system, which was this one big long spreadsheet
10 about 20 miles long and it was hard to get data
11 out of there. And we haven't been using that
12 since the early 2000s.

13 In 2016, we contracted with them to
14 come up with this web-based system. They started
15 working on it in May of 2016. And in June and
16 September, we had meetings, one in Port Heron and
17 one in Vancouver to help them develop. Pilots
18 went up there, dispatchers went up there to
19 develop the system.

20 And then shortly after that, we
21 conducted a -- they put a training environment in
22 October of last year. So it would have been a

1 pilot's concern in Houston. And we wanted to
2 have the system ready for opening season in 2017.

3 So in 2017, the season opened March
4 20th and we also had our training session out in
5 Port Heron again, for the pilots and dispatchers
6 in the billing and invoicing.

7 And it actually started that week.
8 Mike Z from D1 put the first chip in the system
9 on our side on that Wednesday of that week.

10 Since then, the system is in the
11 maintenance phase and throughout this year, we've
12 worked with the District and anything that's come
13 up, we've worked with Saab Tech and they take
14 care of those issues or those problems.

15 We are in the option year, the second
16 year of the contract and can do another option
17 year starting in May of next year.

18 And currently right now, the 2017
19 rates and surcharges are preloaded so that
20 October 2nd, they start immediately. You guys
21 don't have to do anything with the systems.

22 We would like to know if you have any

1 suggestions or any discussions on the system or
2 any further ways to go in the system with the
3 data that we need to do Friday.

4 CPT BOYCE: Yes. Klein, I'm sure in
5 and of itself, can produce an acceptable product.
6 I don't think there's any question it's become a
7 monster trying to serve five different masters,
8 between the GLPA, the U.S. Coast Guard, and three
9 different pilot groups. And I think there's far
10 better ways to skin that cat.

11 I've been learning about the Klein
12 system for a number of years and decided to go
13 out and have a software developer build a whole
14 new system that I feel performs much better.
15 It's much simpler to use. And one of the biggest
16 things is it's much more responsive to changes
17 that need to be made or want to be made, whether
18 it's reporting to the Coast Guard or operational
19 things that we want or needed to do. It's very
20 simple. If it's not changed or fixed to what we
21 wanted that day, it is within a day or two.

22 We've been using it for a year and

1 however many months into this year now. The only
2 issues we've had with it, in order to accommodate
3 paper source forms last year into an electronic
4 system, we had to photo capture them all. So
5 there's a huge data file but it's a little bit
6 difficult to retrieve. We just have to go right
7 to the software. They're not right online to
8 pull off. Other than that, I think the system
9 performs much better and is much more user
10 friendly than the current Klein system.

11 I mean we have provided the Coast
12 Guard with access to it and from what I have
13 gathered, it seems to be working well from that
14 point of view, too.

15 One of the big benefits is it gets out
16 from the whole Coast Guard contracting
17 bureaucracy to have something from blue to
18 yellow. You know that seems to take an act of
19 Congress. I can make a phone call and that's
20 done probably before I hang up the phone call.

21 So I would strongly, strongly urge the
22 Coast Guard and the other two districts to

1 explore and migrate to that program.

2 I would assume -- I went out and did
3 that because I saw there was a need of something
4 that had to be done. And if I'm going to
5 complain about one, I'll have a solution for
6 something else, too. Now that the proof of
7 concept is there, I would assume if the other two
8 districts would allow the Director to recognize
9 that as a foreseeable expense and not have to
10 wait a three-year cycle to get it recouped in the
11 rates.

12 That's my leading tell-all.

13 CHAIRMAN TANNER: Any other questions
14 from the committee?

15 CPT SWARTOUT: I just want to backup
16 what John said. I've looked at his system a
17 couple different times. He's walked me through
18 how it works. I've been working with the new
19 Klein. It's better than the old Klein by far but
20 it's not user friendly. It's not customizable by
21 district. And so I would like to see the Coast
22 Guard move in the direction of the system that

1 John's got for all three districts.

2 CHAIRMAN TANNER: Any other?

3 CPT BOYCE: From the Coast Guard's
4 perspective, is there any issues with that, with
5 the Sea Pro system or any -- I mean you can find
6 an issue with any, I suppose, but do you foresee
7 any issues with migrating over to that?

8 MR. HAVILAND: Todd Haviland. The
9 only issue would be, and we would have to have
10 guarantees that if we were to go away from the
11 Klein system, that when you disagreed with some
12 of our findings, you wouldn't shut it off.

13 Like we're not getting enough money in
14 the rate and the one thing we're going to close
15 is this common dispatch system that gives us
16 visibility so it could use this as a negotiating
17 tool or just trying to influence us.

18 CPT BOYCE: Understood. How would
19 that be any different than just not utilizing the
20 Klein system?

21 MR. HAVILAND: Well not utilizing the
22 Klein system, the framework would still be there.

1 CPT BOYCE: But blank boxes don't mean
2 a whole lot.

3 MR. HAVILAND: No but that's two
4 separate issues. I mean if you're not going to
5 use the current system and I know what you're
6 excuse what would be. I don't want to hear in
7 the future that we don't have enough money to
8 keep this thing running, so we're turning it off.

9 When you asked what our concern would
10 be, that would be the concern.

11 And I don't know if this is the
12 appropriate time but I mean is this something
13 that would be worthy of bringing everyone back
14 tomorrow and you doing a presentation of it or
15 should we just finish the meeting today and be
16 done?

17 CPT BOYCE: I don't think it would be
18 worth bringing -- I don't have anything to
19 prepare to present on this. So I think that
20 would probably be -- I won't waste everybody's
21 time for me to just talk about a system that
22 likely there's five people in this room that are

1 really going to get anything out of it.

2 MR. HAVILAND: And then the only other
3 question I would have, I mean not that this would
4 be a deal breaker but what concerns would the
5 GLPA have of us going to the system, as long as
6 we shared the information with them?

7 MR. LEMIRE: Robert Lemire, GLPA. To
8 us, it really doesn't matter. You guys do what
9 you want to do. You are doing it. You're doing
10 it now.

11 I'm not a Klein employee so I'm not
12 here to defend it but I'm also not an idiot. I
13 don't spend a lot of money on a system that works
14 for us. We have dedicated people that work at
15 it. That's why maybe I understand there are
16 three different groups are using yours
17 differently but it works perfect for us. It
18 works perfect for the Merchant Pilot that has
19 about 300 pilots and it works perfectly for
20 Pacific Pilots, they have 100, mainly because
21 we've got an office structure and we've got tech
22 people that work for it and we've made it work.

1 So you know I don't want to defend
2 them but I don't want the Coast Guard to think
3 that we've got duped into something that's no
4 good. Klein sold across the world. We've got 50
5 pilot authorities that use this thing. So it's
6 not a bad thing.

7 CPT BOYCE: That's not what I meant.

8 MR. LEMIRE: Hold on. No, and I know
9 that. And I understand that you've designed
10 something that's easy for you. I would do the
11 same thing. You have 70 pilots and we would do
12 the same thing.

13 But you know we are sharing a lot of
14 things that's always been an advantage to the
15 users that this integration to the Coast Guard
16 and GLPA but more and more there is less and less
17 of that. We all do our dispatching differently
18 and it's working pretty good.

19 So I call that. Now, the next thing
20 is we're going to do pilot boats. We're sharing
21 that. Eventually we will see until we start
22 using an old pilot system.

1 I just have to caution the group and
2 U.S. Coast Guard, and I know the industry is
3 asking me all the time why don't we just rip this
4 MOU and start all over again. Well, I don't want
5 to do that. I think the MOU is more than just
6 sharing dispatching and sharing pilot boats.
7 It's about resolving the sharing of jobs and that
8 works great.

9 So there's a big -- you know this
10 dispatching climate is minuscule to me but the
11 more we're going at it, the more we're all doing
12 what the designers of the system didn't want to,
13 which is two separate pilotage organizations in
14 one system. So let's be calling it -- and
15 there's no doubt there is an additional cost to
16 the users on this. It's not a large cost but
17 there is an additional cost.

18 CPT BOYCE: Agreed. I don't think
19 this is Klein's fault that it's not usable in
20 ways that we would like. It's the structure on
21 our side, largely. And that's why I brought up
22 specifically the contracting side of things. It

1 makes it so cumbersome to try to amend or do
2 something that it really doesn't deliver to us --
3 not through Klein's fault whatsoever, not through
4 your fault whatsoever -- what we want and need to
5 more efficiently track and do things.

6 You know with ours, all of our travel
7 and all of our hours, expenses, all of that flows
8 directly into the accounting spreadsheets and has
9 all a direct tieback for the auditors to go
10 through all that stuff. It works for us.

11 But we couldn't get that built into
12 Klein because the Canadian system and the
13 American system both move ships but they do it
14 differently. And some things, by trying to force
15 them into the same thing, more is lost in the
16 inefficiency of trying to make them line up than
17 is deemed by making them line up.

18 MR. LEMIRE: I get that. I just have
19 to -- you know in Canada, for the record, there
20 is a national pilotage review online. And the
21 individual that's leading it, the question to our
22 board is why do you have an MOU? Why can't you

1 rip it up? Why are all these services being
2 duplicated everywhere? Valid questions on the
3 Canadian side and they are being asked as well by
4 the industry. And we're all in the same boat,
5 excuse the expression, but it's a tough for me to
6 answer when I'm asked why do we have four
7 dispatching centers now in the Great Lakes? I
8 mean to me it works well, I'm happy with it but
9 that's a tough one to answer.

10 I'm not going to be around here
11 forever but those questions have to be answered.
12 So what happens if we disconnect from Klein? It
13 will actually be easy for us because right now we
14 just see the stuff that you're putting on is
15 cluttering what we see because you're not using
16 it how we are, which is fine. So we're seeing
17 ships on our three-days older and blah, blah,
18 blah and it just clutters the screens. We'll be
19 business as usual.

20 And I must commend the three
21 presidents. Our dispatch centers are working
22 amazingly. They've never worked so good. It is

1 seamless, I think, at times to the customer.
2 That's what's important. We're not missing any
3 ships. We haven't lost one yet.

4 So but perception is the whole pilot
5 business and you know somehow we're going to have
6 to wrap our minds around about what are we going
7 to do with it. What are we going to do with it?
8 I'm getting asked the question and I know in
9 Parliament the question is going to be asked
10 probably very soon in the next report before
11 another meeting, I guess.

12 But I think the answer to your
13 question, what happens if you drop off? That's
14 fine. We still have the one-on-ones with the
15 dispatcher. It works well. We'll be all right.

16 CPT GALLAGHER: Dan Gallagher. The
17 meeting in Vancouver, it was very disappointing
18 to me. Just the further we went this spring when
19 we started out, again, it was a little bit
20 disappointing.

21 I think we're making headway with this
22 now. I think our office has figured it out

1 pretty decent.

2 I agree with what John's saying. You
3 know under his system he can call a guy out and
4 pull the reports up. I think we need to -- I
5 personally, would like to give it some time until
6 the end of the year I think before we start
7 making a decision and see what we're doing
8 because it seems to be working for our office
9 now. Is it perfect? No but from Vancouver,
10 actually I think it was the middle of October or
11 November to right now it's a huge difference. If
12 we can just pull the reports up as easily as John
13 can, I don't think it's the end of the world.

14 But I would like to just give it at
15 least throughout the season to see if we can pull
16 the reports up because I know we had a little bit
17 of a problem when you guys asked for some
18 reports, us pulling them up. Under the old
19 system, we could do it. Under this new system,
20 evidently there was a glitch or something -- you
21 got it but our office should be able to do it.
22 So if you call or if we want it, we could be able

1 to just go in and do it. And I think we can,
2 can't we? Is it possible?

3 MR. BERG: You can't because under the
4 system we were going to give you the permission
5 to do that and I think they did. I just have to
6 check the roles and responsibilities.

7 CPT GALLAGHER: Yes, that they're in
8 there.

9 Personally, I would like to see us
10 finish off the year and see how we actually --
11 because we -- from the beginning, from the
12 spring, I viewed it as a disaster. Right now,
13 the billing seems to be working for our group.
14 I'd say we just give it at least a year, I mean
15 finish out the year and see what we think.

16 CHAIRMAN TANNER: Okay, thank you.
17 Any other public comments?

18 Okay, committee, any action on this
19 subject or as John said -- or Danny said, just
20 give it a year?

21 CPT BOYCE: When does the
22 determination need to be made on extending the

1 contract here? Does the contract start in May or
2 does a determination need to be made prior to May
3 or it could be turned on again in May?

4 MR. BERG: It needs to be made before
5 May. They need it 60 days before May.

6 CPT BOYCE: Sixty days before May
7 first?

8 MR. BOBAL: To go on with another
9 option, yes.

10 CPT BOYCE: So basically, March first?

11 MR. BERG: Yes. Okay, so the subject
12 is complete. We'll now go with work rules.

13 Working rules, currently we have
14 District 1's working rules on file which are
15 dated 2014. And those are the current ones we
16 have. We also have currently reviewed, in the
17 last few weeks, D2's and D3's. We have returned
18 them both. D3's we returned on the second set of
19 pass backs. We're waiting for those to come back
20 and we've returned D2's for pass backs for the
21 first time. So we're still waiting on those. We
22 hope to have those completed and on file, signed

1 copies by the end of the year.

2 Other than that, I don't have anything
3 else, unless you guys have something on working
4 rules.

5 One thing we would like to do is we'd
6 like to have the working rules and all these
7 other things we're talking about plans, you know
8 compensation plans, trading plans, we'd like to
9 have those all separated out. That way, if you
10 guys go to change something, to make a change,
11 and we're not reviewing the whole entire thing.
12 We're not reviewing a big book like this. We're
13 just reviewing the small portion of the working
14 rules, or an example of your compensation plan.
15 We're only reviewing that. We're not reviewing
16 200 pages. We may be reviewing 15 or 20. That
17 way, we can turn them back around a lot quicker
18 so that we have currently up-to-date ones so that
19 we can provide those to the public, if they ask
20 to see them.

21 So any thoughts, any concerns, any
22 discussion on that?

1 CPT GALLAGHER: Vince, would you say
2 -- you said our office was the pass back. You
3 want us to review them again or --

4 MR. BERG: Yes, we made either changes
5 to them or things that we suggested you might
6 want to put in there. Like in these three, it
7 talked about doing source forms and even using
8 those as backup. In other words, this new age of
9 the electronic data recording system, we put some
10 things in there about that. We may want to
11 update that. Even though you may still put in
12 there, they will use at the beginning of the
13 season, at the beginning of the season use source
14 forms just to make sure the system is still
15 working okay. Those kind of things we put in
16 there and we just want you to review them. If
17 you agree to them, send them back. We'll make a
18 final copy. We'll sign both and yourself will
19 sign them.

20 That's something else we like to see,
21 too, is some of these things that are on file
22 have all the presidents on them. Just like the

1 President of the United States, he signs new
2 stuff just so his name is on it. We'd like to
3 see those, too, that way we can at least say oh,
4 D2 looked at these. Nothing's changed but the
5 new president or the president agrees with what
6 he wants to see in the association, or the
7 members do but you sign for them. Things like
8 that.

9 CHAIRMAN TANNER: Any questions from
10 the committee? Does the public have any
11 questions pertaining to this?

12 If none, Committee, any action on
13 this?

14 Assuming none, let's move on to the
15 next subject for the pilot association training
16 plans.

17 MR. BERG: Okay. Kind of the same
18 thing along the lines of the working rules. I
19 have seen some training plans and I know you
20 probably all have them, however, I don't know
21 that we have them. I have a hard copy of D3's on
22 my desk but I don't recall the year that is going

1 over.

2 What we would like to do is the same
3 thing with the working rules. We'd like you to
4 have your groups -- I think Danny -- Judy talked
5 about you guys were going to look at the training
6 plans. And just the same thing, make sure it's
7 the same thing and just have it be signed and
8 updated that it's been reviewed via the
9 association.

10 And the same thing, we decided to have
11 that on file so that we can refer to it if
12 anything ever comes up or major changes or
13 something changes, then we can go back and we can
14 review. And the same thing, let's kind of keep
15 that separate for the same reason, we can review
16 that and in a quicker time.

17 In the 2014 NRPM we encouraged
18 everybody to train. I think that's when the
19 surcharges started for training the pilots or the
20 applicants. And we encouraged everybody to do a
21 five-year continuous development plan. And
22 that's both for the applicants and the registered

1 pilots.

2 Some of the things that we've brought
3 up and we'd like to see sent to us so that we can
4 track this also along with your folks is radar
5 observer certificate, bridge resource management,
6 SCCW Seafarers, legal aspects of pilotage,
7 fatigue mitigation, emergency ship handling and
8 simulator manned model.

9 I know some of you went down to New
10 Orleans last year, a couple groups went down
11 there. We track this up in our office. So we
12 would like to have, if we could, unless those
13 folks that went down there, and whenever you do
14 things like this, you know send it to us or send
15 it to me. Then we can kind of help you keep
16 track of the training.

17 And the reason being is industry wants
18 to see what they are going to pay for their
19 surcharge. So if they ever ask us, we can say,
20 hey, they didn't pay it again, besides asking
21 you. You know they ask us these things all the
22 time. So at least we will have this on-hand and

1 say hey, this is the program that they're doing.
2 You know this is what they're doing with the
3 money. The surcharge is going to what it's
4 supposed to be going to. Okay?

5 We also track the applicants, all
6 their training, their required trips, and their
7 performance reviews, their midyear reviews. We
8 started that this year for midyear reviews. We'd
9 like to know how the applicants are doing halfway
10 through the year so that we can track them and
11 know that your program is working on the training
12 side.

13 One thing about the performance
14 reviews, if you did them, I know that all of them
15 have numbers one through five. If they did four,
16 they did great. Those numbers really don't do
17 anything for us. We'd like to really see words
18 on the comment remarks saying you know it was bad
19 weather; he was given this situation. More
20 written comments rather than one through five.
21 Sometimes we give them back and the bottoms are
22 blank, there's nothing in the remarks. Okay, you

1 did all fives, you made all circle fives, okay
2 but we'd kind of like to know more. Does he need
3 more help here? Does he need more help there?
4 And that way we can help also track that, too.

5 And we also encourage also you guys
6 did this stuff down in New Orleans. I don't know
7 if the applicants went with you but we encourage
8 those folks to go with you down there to New
9 Orleans also.

10 So if you could give us a brief on
11 each one of the districts of what training you've
12 done recently and what you plan to do in the
13 future, if we could do that, please.

14 CHAIRMAN TANNER: Okay, Danny, we'll
15 start with you. We'll go to John and then John.
16 Also, could you add the number of apprentice
17 pilots, pilots, and your recruiting effort, how
18 that's going?

19 CPT GALLAGHER: Vince, when you talk
20 about training, the money that's in the surcharge
21 is for bringing the new pilots on and paying
22 them. It's not for -- I don't think that -- that

1 money is not earmarked for continuing education,
2 training let's say of the simulators or bridge
3 resource managers. Because what you're saying I
4 mean the way it is now, you're saying once you
5 reach -- you're allocating \$150,000 per person,
6 when that amount is reached, let's say there is
7 two trainees in the rate, so there's \$300,000.
8 When that \$300,000 is reached, that surplus is
9 shut off. Even if it costs us \$500,000, it's
10 being cut off at \$300,000.

11 So industry wants to know where their
12 money goes for training, it's not going towards
13 that. And I think we need to keep that separated
14 where it's not confused.

15 CPT BOYCE: More to that point, that's
16 all within the scope of I'll use the term audit.
17 But that's a reimbursed expense, not a surcharged
18 expense. So there's an audit function for that
19 already in place.

20 CPT GALLAGHER: Okay, you're not just
21 right but we started the year off with 13 pilots,
22 of course the two trainees. We were cut to --

1 because the rate didn't come out, the surcharge
2 didn't come out, we were cut. We had a
3 retirement.

4 Now we're, even though the rate is not
5 going to be out here until October, we've already
6 -- again, I kept asking Todd, he wouldn't give us
7 an answer, and Rajiv even knows, we asked Rajiv
8 and we were told it was because of the rate they
9 couldn't talk about it.

10 We didn't bring anybody on. We made
11 plans to bring somebody on. As soon as the rate
12 came out, we went forward. We brought the two
13 people on premature. So we're actually going to
14 eat the cost for those two people about three
15 weeks before this rate comes into effect.

16 So we're being proactive. We realize
17 that we have an opportunity to bring us good
18 people, we do. So in the next couple weeks, we
19 will have, actually, 15 working pilots -- 14 and
20 then one still getting his trip. So we will be
21 above what we've got but we're just considering
22 the other guy, even though he's working, we're

1 considering him training, too, but he will be
2 producing and working.

3 We were very lucky to get the people
4 we are. We are getting a few applications here
5 and there. The one we just hired, I got a call
6 from one of the shipping companies yesterday. He
7 wasn't too happy. We were able to track one of
8 their top people is what he told me. He said you
9 know it's bad enough you took somebody, you took
10 the best of the best.

11 And John Swartout, I'm sure he's going
12 to be getting a call from this same executive
13 from the shipping company because he told me he
14 was going to call. And they're upset because
15 they have put -- they have put hundreds of
16 thousands of dollars into training these people.
17 And the only way that we're -- the reason we're
18 getting them is people have seen some stability
19 in this pilot program. Before, we couldn't get
20 anyone. It's the only reason we're able to
21 attract some really good, talented people and
22 it's going to show for years with industry. It's

1 going to pay off.

2 So that's where we are with our pilot
3 numbers.

4 For training this year, we brought
5 MITAGS to our office. Again, it is
6 cost-effective. We had our meeting. We brought
7 everybody in a few days early. We went through
8 the client training. We had MITAGS there for a
9 couple days. You know we've done the legal
10 aspects of pilotage. We had the bridge resource
11 management. You know a lot of the newer guys,
12 they know these things but some of the older
13 pilots, they didn't realize the risk that we've
14 been taking. And the new younger guys, they
15 don't want that risk tolerance anymore.

16 Years ago we used to go up alongside
17 -- I used to run a log deal with island ships and
18 we used to use the bridges to turn on, railroad
19 bridges. You don't do that anymore. If you
20 touch that bridge, there's cameras, you're going
21 for a drug and alcohol test. The tolerance for
22 nobody seeing something, it's different. It's

1 totally different and our guys are more cautious,
2 especially our new guys because they look at this
3 if the system goes backwards, which it's
4 responsibility is looking that way in the eyes of
5 some of the pilots. They're not going to take a
6 risk. They're going to go in. They're going to
7 be safe. They are going to make sure they use --
8 they're going to cover themselves with tug usage
9 and we have not had any incidents. You know it's
10 go to say something for our system and the way
11 we're handling things.

12 We have not had a major incident in
13 the pilotage in years, and years, and years.
14 We're very fortunate and it's because of the
15 outside pressures from the shipping companies.
16 They can't put those pressures on us. They might
17 not like it but it's our job to look out for the
18 public, not their bottom line.

19 As I say, we went through this
20 training and we'll continue the training in the
21 future here.

22 MR. BERG: Thank you, Captain

1 Gallagher.

2 DFO KHANDPUR: So you mentioned that
3 they're not happy with you. You're talking about
4 the lake pilots that are coming over to you? Who
5 is not happy, the shipping companies?

6 CPT GALLAGHER: The shipping
7 companies.

8 DFO KHANDPUR: Because you are now so
9 much more desirable than them that you are
10 siphoning off them?

11 CPT GALLAGHER: Yes, I've seen this,
12 Rajiv, that the pilotage office, the Coast Guard,
13 has taken some positive steps in the last three
14 or four years. And people that wouldn't take a
15 look at us before are looking at us now. And
16 there is a lot of good experienced people out
17 there. I know John Swartout has got a couple of
18 them.

19 We were able to get captains. I mean
20 there is a shortage of captains. American
21 Steamship, they told me yesterday if they lose
22 one more guy, they've got to lay a ship up. And

1 they're canceling all their vacations for the
2 captains. They can't get people now.

3 CPT BOYCE: But that's the big one
4 right there. As much the compensation, it's the
5 predictable time off. And you start pulling that
6 way --

7 As much as the compensation side of
8 things, it's the intangibles, which is
9 predictable time off and the other is the benefit
10 schedules that are changing. You know it's no
11 longer on the shipboard side, a defined pension,
12 it's contributions and they can walk away from
13 that now.

14 The other is we've just recently, with
15 shortages, it's the defined or guaranteed, I
16 guess I'll call it, time off, which ours isn't
17 great but it's better than it used to be. And
18 what's bigger is trends and things. It's getting
19 better on the piloting side.

20 It's not where it needs to be on par
21 with the rest of the country but it's trending in
22 the right direction and people believe in trends.

1 I mean that's how you invest in the stock market
2 is on trends. But it doesn't take a whole lot
3 for a hiccup in the trend and it all goes out the
4 window. And that's really where we are right now
5 is there is no long track history of things
6 getting better. There's a short one going in the
7 right direction. And if it continues to do so,
8 we will be in a good place soon.

9 On the map right now, we've actually
10 got nobody in training right now. Based on prior
11 years and where things were, we're looking to be
12 going with the relief at Iroquois. We needed to
13 get the 17. We've currently got all 17 guys
14 training. So come October 2nd, we'll have 17 on
15 the tour roll or on the days off rotation.

16 We have one definite upcoming
17 retirement next year. We also have the one pilot
18 that's 70 -- I forget now -- 72 or 73 years old
19 that can't be fully registered anymore. So he's
20 temporary registered but continuing to keep
21 working. And basically, he stayed on because
22 he's been in this for longer than any of us here

1 have. And he's finally seeing it go in the right
2 direction, wants to stay part of it and has
3 agreed to keep working. He's working a full tour
4 on the lake for us but he's starting to get tired
5 of staying around to help us train up to the
6 numbers that we need to be. So we're, very
7 likely, going to need two training slots for next
8 year to replace the two guys.

9 And as far as the continuing education
10 side frame, we were one of the groups that went
11 down to the manned model school down in
12 Louisiana, which is very, very good training.
13 You know it won't make an expert boat handler out
14 of somebody who doesn't know what they're doing
15 but it was very good training. And it almost
16 forces you to be in the mindset of the training,
17 whereas, a simulator you get the computer game
18 effect going on and you almost have to believe
19 what it tells you to believe, whereas, on the
20 manned models, it's a real ship that's scaled
21 down and it's going to do exactly what you made
22 it do, whether you like it or not. So you can't

1 kind of continue to blame the program, it isn't
2 right or they didn't have the current program.
3 It really doesn't. So, I'll get off that soap
4 box.

5 CHAIRMAN TANNER: All right, John.

6 CPT SWARTOUT: We started a rotation
7 like Vince was talking about with five or four
8 elements -- bridge resource management for
9 pilots, ECDIS training for pilots, which is
10 electronic chart display and information system,
11 ARPA for Pilots, automated radar skills, and then
12 a sort of a catch-all column for other things
13 that the American Pilots Association likes.

14 And we, this spring, send seven of our
15 guys to manned model in Covington. We combined
16 that with our annual meeting. We always meet --
17 I mean everybody has to travel for meetings. So
18 we meet in usually a warm place and, this year,
19 combined our annual meeting with our training so
20 it saved on transportation and lodging costs.

21 Seven manned model and 11 of our guys
22 went to ECDIS training. And that is both

1 applicant pilots and fully registered pilots
2 attend those.

3 We had one of our three applicant
4 pilots went to the ECDIS and two went to manned
5 model. And we have five applicants but two of
6 them were hired after we did the training so they
7 couldn't participate.

8 So we've cycled through BRMP, ECDIS P
9 and fatigue management, legal aspects of
10 piloting, and pilot electronics. So, we're doing
11 good.

12 We haven't done any ARPA training yet
13 so that's the next thing we're going to be
14 looking at trying to send a bunch of guys all at
15 the same time.

16 For pilot numbers, we've had 15 fully
17 registered pilots all season. The rate is paying
18 for 13 of them.

19 We have five applicant pilots. Three
20 of them should be fully registered in the spring,
21 April 16th will be their anniversary dates except
22 for the first one, whose anniversary date is in

1 November. So we expect to get him fully
2 registered in November and the other two in
3 April. And God willing, we'll hire two more in
4 the spring but we have been advertising for
5 applicants. We advertised in gCaptain and
6 BoatNerd and Professional Mariner.

7 And we've got about 21 or 22
8 applications or resumes on file and we've got a
9 lot of deep sea guys with no lakes experience. I
10 think there is one or two resumes with lakes
11 experience, no captains experience. So we're
12 concerned about hiring plans for next spring but
13 we'll keep advertising and getting the word out.

14 DFO KHANDPUR: Okay, thank you very
15 much. So I have a question, John.

16 So you have 15 pilots plus five
17 applicant pilots at the present time and you're
18 looking to add two more. Is that your full
19 strength, 22?

20 CPT SWARTOUT: The 2017 final rule is
21 17 pilots authorized -- I'm sorry is 22 pilots
22 authorized but we didn't know that until less

1 than a month ago. The 2017 NPRM said 18 pilots
2 total. So we were already on track to exceed
3 that.

4 But we've been operating under the
5 2016 rule, which expected that we would have 13
6 fully registered pilots. We actually have had
7 15. It's 2017 now, it's not 2016 anymore. So
8 the rate is catching up to us. That's why I say
9 we have two fully registered pilots who are not
10 funded in the rate or won't be at least until
11 starting October 6th I think -- or October 2nd.

12 DFO KHANDPUR: So at this time, are
13 you experiencing any delays or everything is --

14 CPT SWARTOUT: A few, yes. It's a
15 struggle to keep up right now. I mean we're
16 doing an awful lot of overland travel in order to
17 try to avoid the delays and most ships going
18 through the St. Mary's River are being delayed
19 two to three hours because we don't have enough
20 pilots to relieve twice at the river. They have
21 to get ten hours' rest. So we anchor the ship
22 for two or three hours to get the lake pilot

1 those additional rest hours.

2 CPT MARTIN: Okay, thank you.

3 CHAIRMAN TANNER: Thank you. Good
4 reports. Good job.

5 Does the public have any question on
6 this? I think everything explained itself so
7 that we can move on.

8 We're on the home stretch right now.
9 So let's go to Captain Boyce and the reports of
10 the ongoing projects in his district.

11 CPT BOYCE: Okay in the last year, we
12 had purchased a building on one end of our Area 1
13 of the River District. That's where we dispatch
14 out of and it's also a place of rest for the
15 pilots on that end of the run. It's basically
16 completely limited use of hotels on that end.

17 In Cape Vincent, we've moved our
18 office from where it was about a mile and a half
19 towards the lake on the river and that facility
20 has an office, a station for the boat, and it's
21 actually got a ten-room hotel as part of it. So
22 we've completely eliminated hotel bills in that

1 area, too.

2 On the other end of the lake, we still
3 have hotels. Hopefully, at some point in the
4 future, we'll look at buying a place on that end,
5 too, to eliminate the use of hotels almost
6 completely. It becomes far cheaper to own a
7 building than put people in hotels all the time.

8 At the new facility, there's been a
9 number of projects we've had. We just got done
10 repaving the roadways and parking lots. Right
11 now, we're going through the permitting process.
12 There's a break wall in front of the property, a
13 dock-end break wall that's in seriously bad
14 shape. We hope at any point in time to get the
15 last leg of the permitting done and next month to
16 have that completely rebuilt.

17 What that will do is allow us with
18 another project we're going on right now is
19 building a new boat to be able to keep the new,
20 heavier boat right at our facility over the
21 winter bubbled in place, so it's ready at the
22 start of the season, once the ice starts clearing

1 and it will be ready as far as we can into the
2 end of the season. It's absolutely not an
3 icebreaker but it will have some ice ability.

4 It's essentially the same boat as
5 Danny just built in D2 with a few modifications.
6 So we hope to have that contract signed also by
7 the end of the year with about a two-year
8 turnaround for delivery.

9 So we've definitely been reinventing
10 heavily into infrastructure.

11 MR. BERG: Thank you.

12 CPT GALLAGHER: Okay, last year, and
13 we finish it up this year, our facility over at
14 Port Colborne. We completely rebuilt the house,
15 gutted it right down to the studs new plumbing,
16 electrical, heating, everything, kitchen and
17 bathrooms. That's completed. We've got some
18 outside work to do on some deck shed, whenever
19 the contractor calls us back to finish that up.

20 Of course we took delivery of a new
21 pilot boat last November. We had it in operation
22 for about a month. This spring we had a little

1 problem. We were hoping -- our intentions were
2 to get the Belle down to Westcott. We had some
3 problems with the new boat we had to address. We
4 lost a couple months with it. We had to put the
5 Belle back in service. We actually had it out to
6 do some repairs and we had to put that back in
7 service.

8 In the meantime, we've going through
9 the Belle -- the Belle and the Maid. We had
10 rebuilt engines, gearboxes, but we never did any
11 electrical upgrades, the plumbing upgrades on
12 them. There were just a lot of things that
13 needed to be done that we, number one we didn't
14 have the time to take it out of service to do it.
15 This year, we were able to do it. We had to keep
16 the boat around because we were still going
17 through some growing pains with the new one.

18 We plan on -- like I say, we plan on,
19 hopefully within the next couple of weeks getting
20 it back down there for the end of the year, the
21 bigger boat. We're looking at a new dock system.
22 Our dock is -- nothing's been done with that dock

1 in probably 35 years. It's still okay but the
2 pilings are starting to rust out on it. So we've
3 got to address it. It doesn't have to be done
4 today but we're looking at it. We're getting
5 some bids on it. It's got to be done sooner or
6 later.

7 That's probably it for us right now.

8 MR. BERG: Okay, thank you very much.

9 CPT SWARTOUT: Well, at long last, we
10 got a ground lease signed with Cloverland
11 Electric Cooperative in Sault Sainte Marie that
12 will let us build a dock and do some dredging so
13 that we can move the pilot boat from below the
14 locks to above the locks. The pilot changes take
15 place about eight miles above the locks. And for
16 several years now, we've had to pass through the
17 lock with the pilot boat for every pilot change.
18 So, sometime in the next few months, we'll be
19 back to having 20-minute pilot boats instead of
20 an hour plus pilot boat runs.

21 I don't know if we're going to be able
22 to get work done yet this fall. There is a

1 moratorium on dredging in this area because fish
2 spawn in the fall and they have said you can't
3 dredge past November first. So we're already
4 almost into October and if you dredge now and
5 wait until spring, some of the dredging will have
6 to be redone before you can build a dock. If you
7 build a dock, well, you can't use it until spring
8 because you haven't done the dredging yet. So
9 there's a bit of a -- we've come up against a
10 time constraint here. So, we'll just start it as
11 soon as we can.

12 We're also considering buying a dock
13 in De-Tour, the other end of the St. Mary's
14 River. It's not urgent. We have a dock that
15 we've leased there for a long time. Our pilot
16 boat contractor has leased there and they haven't
17 threatened to take it away but we would never
18 want to be in the same situation in De-Tour that
19 we have been in Sault. And so it would be
20 beneficial to own our dock instead of leasing it
21 and be at the mercy of the landlord.

22 The other project we're working on

1 right now is deck heat for the Sault pilot boat.
2 This is an electric mat system that is mounted on
3 top of the deck. We looked at doing under-deck
4 heat but as a retrofit, it would be a very
5 difficult project to undertake.

6 So there's a company in Texas that
7 makes a surface-mount, it's like a rubber mat
8 that is about an inch thick. It has heating
9 elements in it. And this will help enhance the
10 safety of the boat because you won't be having
11 ice buildup on deck in the spring and fall when
12 you have sub-freezing temperatures and spray.
13 It's an aluminum boat so you can't use salt or
14 other ice melters on it. Heat is the only way to
15 take care of it.

16 So we've got the drawings complete now
17 for that and that will require installation of a
18 diesel generator to power it. And we're just
19 getting those things lined up right now.

20 And there are other infrastructure
21 projects out further out the pipeline but too
22 immature to discuss at this point.

1 MR. BERG: Okay, thank you very much.

2 CHAIRMAN TANNER: Do we have any final
3 public comments as this meeting comes to an end?

4 Hearing none, Rajiv, do you have any
5 comments?

6 DFO KHANDPUR: Yes, I would like to
7 take this opportunity to thank you all and I am
8 really quite impressed and pleased with the
9 reports that you all have given and the strides
10 that you have made in pilot safety, the proper
11 training that everybody is receiving.

12 And it's been a joint effort. From
13 what I've seen, it's been the APA, Clay Diamond
14 and Todd Haviland has really done this
15 partnership, gotten you guys working. And of
16 course, the three presidents, you all have done a
17 wonderful job.

18 Our folks at the Cast Guard, I've got
19 to mention them as well because they've been
20 working hard to make this as equitable and
21 cost-effective, as well as make sure that
22 nobody's short-changed and everybody gets what is

1 needed to have safe and secure pilot systems.

2 So folks like I mentioned, Tim
3 Paviloris, who has been our legal person advising
4 us through all of this. And believe me, there
5 has been a lot of work going on behind the scenes
6 for all these rulemakings and all the stuff that
7 we've been working on over the years, the various
8 studies and everything else.

9 So there's a lot more manpower and
10 effort that is going on in Coast Guard
11 Headquarters as well to get this all up to where
12 it needs to be.

13 And I think I would like to thank our
14 folks across the border. Thanks for coming over
15 and helping with this process.

16 And of course, our staff that has been
17 basically really running around trying to get
18 this place done, get all the logistics and
19 everything else. And the DHS, as well, because
20 that was another big thing because we didn't get
21 the members until the last day and I was
22 basically threatening to pull strings to get that

1 pushed. And it was Traci that helped us to get
2 over the hump and get that in time and everything
3 else.

4 So I think kudos all around, a great
5 job. I think this is a great discussion. I've
6 learned a lot. I think we're all on the right
7 track.

8 I also learned about that we should be
9 having, what did she say, administrative meetings
10 and proprietary meetings. So we'll have those as
11 well now. So we'll get on that, which I don't
12 think we've ever had in this committee. So we'll
13 try to doing that and, hopefully, that will be.

14 So thank you, all.

15 And I think Mark Bobal, thanks for
16 coming down from D9 and making the trip here so
17 that we have D9 representation as well.

18 And thanks to the committee members.

19 John, I'll turn it back to you.

20 CHAIRMAN TANNER: Okay. It was great
21 to see everybody again. Good meeting. We got
22 done a day early. And with that, do I have a

1 motion for adjournment?

2 CPT BOYCE: So moved.

3 CHAIRMAN TANNER: So moved. We stand
4 adjourned.

5 (Whereupon, the above-entitled matter
6 went off the record at 3:44 p.m.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

A		
A-4 40:22	accurate 57:20 187:7	160:16
A-L-I 47:5	accurately 142:6	admin 2:6 176:22
a.m 1:14 5:2 50:10,11	accused 223:9	administrative 5:13
AAA 214:1	acknowledge 71:9	21:3,4,8 125:18
abandoning 32:17	acknowledged 79:17	126:13 187:18 220:17
abilities 124:5	across-the-board 54:7	223:21 278:9
ability 45:10 106:18	act 12:11,21 31:8 41:2	Admiral 26:4 69:7
134:1 163:4,6 165:2,3	87:22 181:17 220:17	admittedly 206:15
165:7,14 185:4,12,22	236:18	adopt 93:2
190:3,19 271:3	acting 25:21	adopted 69:19
able 17:5 27:22 84:17	action 28:19 29:13 91:5	advance 49:16 50:5
111:1 115:7 120:3	141:8 192:12 201:7	67:5 75:8 195:16
121:10 128:3,13	217:3 220:18 228:9	advantage 187:2
129:6,18,22 164:11	247:18 251:12	241:14
164:14 165:21 169:4	active 17:14	adverse 69:21
180:2,2 181:10	acts 41:3	adversely 71:15
184:12 193:13 212:6	actual 29:12 59:10 81:9	advertised 267:5
212:12,16 220:13	95:21 115:9,12,12	advertising 267:4,13
246:21,22 258:7,20	194:22	advice 13:3 94:2
261:19 270:19 272:15	adamant 200:15	advising 277:3
273:21	add 22:4 58:8 97:13,17	advisory 1:3 12:10,19
above-entitled 232:12	97:20 118:6,7 120:19	13:2,6 16:19 18:17
279:5	134:11 139:14 152:21	20:3,7,13,14 21:17
absence 61:20 165:13	160:2 178:15 183:12	36:16 94:1 96:17
absolutely 84:19 86:2	186:21 188:20,22	149:13 152:10 153:13
121:18 150:14 165:8	189:1,2 255:16	229:1
165:9,12 170:9	267:18	advocacy 68:12
194:20 271:2	added 31:10 139:22	affect 71:15 72:12 79:1
absorb 163:4 165:2,3,8	156:11 159:20	166:1
165:14 169:22 175:9	adding 230:2	afraid 231:18
absorbs 161:17	addition 41:1 110:21	afternoon 116:7 178:2
absurd 54:1	additional 41:22 45:11	age 250:8
abuse 184:1	58:8 74:22 76:14 77:5	agency 12:14 56:4 64:2
AC 11:10,14	79:4 100:12 125:1	73:20 76:7
accelerate 200:10	131:8 158:11 242:15	agency's 73:2
accept 33:20 86:20	242:17 269:1	agenda 3:2 4:11 10:11
139:5 192:12	address 12:17 17:16	13:15,16,22 15:4,13
acceptable 144:3 235:5	18:10 35:6 39:15	17:14 30:13 37:16,22
accepted 84:22 86:4,20	50:16 102:8 134:21	145:1 220:10
201:2	144:2 176:10 228:17	agent 65:6 116:15
access 211:13 221:13	232:10 272:3 273:3	184:21
223:5 236:12	addressed 25:14 116:3	agents 183:3,9 185:4
accidents 94:11 95:9	addressing 144:2	aggregates 76:16
accommodate 10:14	adequate 13:18 53:12	aggressive 67:1
184:12 236:2	53:16 118:5 133:12	aggressively 66:1
accomplish 126:17	152:4,9,16,17	AGLPA 65:15 66:20
account 44:8 96:19	adequately 123:22	67:5 72:20 74:5,18
103:9,10 119:12	139:17 141:15 142:8	79:22
156:18 157:17 168:14	143:4	AGLPA's 66:6 74:19
170:12 191:18 211:19	ADFO 226:22	ago 23:13 84:1 118:15
215:13,17 216:3	adjourn 4:20 14:14	191:1 259:16 268:1
accounted 44:13	adjourned 279:4	AGPLA 73:5,10 74:10
accounting 210:3 216:8	adjournment 15:3	agree 22:14 68:20
243:8	279:1	143:2 150:19 151:22
accounts 79:3 109:2	adjust 183:1	159:6,7 164:22 166:3
accruals 200:21	adjusted 155:20	166:9 170:16 194:21
accumulated 215:4	adjustment 167:5,7	246:2 250:17
	adjustments 58:3	agreed 215:6 242:18
		264:3
		agreement 29:2 135:18
		agrees 251:5
		ahead 28:7,16 30:1
		38:3 40:4,5 91:13
		93:18 97:18 134:19
		141:12 148:19 156:3
		175:3 212:12 229:16
		230:11,12,20 231:19
		airports 131:18
		alarm 9:16 109:10
		alcohol 259:21
		ALGP 65:19 66:15
		Ali 2:8 39:20,22 40:2,5
		46:13,22 47:2,5 81:1
		99:16 101:8
		Allen 21:20
		allocated 158:21
		allocating 256:5
		allow 23:22 24:7 35:9
		38:14 39:8 134:17
		141:18 142:11 183:8
		184:2 187:19 194:22
		237:8 270:17
		allowable 180:18 200:6
		allowance 187:16 188:5
		190:3,8 191:17 192:6
		197:5
		allowances 178:18
		187:10,20 188:1
		189:17
		allowed 103:11 175:1
		181:7 182:15 186:13
		192:7 196:20
		Allowing 74:12
		allows 169:22 170:3
		174:6
		alluded 101:9
		alongside 259:16
		alternate 225:19
		alternative 185:15
		altogether 156:8 159:3
		167:17 168:15 174:5
		174:17
		aluminum 275:13
		ALYCE 2:6
		amazingly 244:22
		amend 134:17 141:17
		142:10 144:9 152:13
		153:10 168:20 243:1
		American 2:7 60:19
		64:21 65:5,10,11 67:2
		67:15 68:5 70:20
		72:14 91:17 132:6
		243:13 261:20 265:13
		amount 53:19 54:3 82:4
		103:17,21 108:2,12
		114:12 115:8 124:9

124:16 169:4 188:12
 190:12 197:2,3,4
 200:17 213:12 256:6
analyses 83:21 87:16
analysis 40:14,15,16,17
 41:1,3,5,22 42:8,12
 43:11,13 45:1,18,21
 64:7 65:4 69:12 70:16
 71:14 78:4 82:22 83:1
 84:4 87:11,12 88:4
 199:4,6 205:2,3
analyze 37:18 42:6
 75:10
anchor 104:6 129:5,9
 182:15 183:10 268:21
anchorage 183:17
ancillary 178:9
Anderson 17:1
anecdotal 74:1
animal 117:13
anniversary 266:21,22
announced 13:11 55:5
 75:18
annual 31:20 41:14
 46:3 147:13 265:16
 265:19
anomaly 231:8
answer 49:2 57:2 80:20
 80:22 81:2 87:13
 113:16 198:1,10
 204:8 216:10 217:9
 221:1 244:6,9 245:12
 257:7
answered 48:11 198:3
 244:11
answering 208:14
answers 56:22 114:10
anti- 71:3
anti-pilot 66:2 72:19
 74:5 75:7
anticipate 112:15
antiquated 137:16
anybody 83:5 91:21
 106:15 108:13 109:11
 113:20 125:19 172:16
 176:16 226:12 257:10
anymore 114:6 259:15
 259:19 263:19 268:7
anyplace 128:6
anytime 89:2 181:11,12
 233:3
anyway 208:19
APA 276:13
apartment 190:19
apologized 226:5
appear 157:2
appears 64:5
applaud 195:11,15

apple 89:17
applicant 102:13,17
 103:7,12,13,18 109:9
 109:16 110:16,20,21
 112:5 180:16 266:1,3
 266:19 267:17
applicants 111:11
 127:9 252:20,22
 254:5,9 255:7 266:5
 267:5
applications 258:4
 267:8
applies 102:22 106:7
 174:10
apply 211:9
appointed 8:12
appreciable 200:17
appreciate 40:7 68:14
 228:22
apprentice 102:10
 255:16
apprentices 102:14
Approaching 176:7
appropriate 12:15
 62:20 100:7 184:17
 203:13,19 239:12
appropriately 198:3
approval 3:5 18:6
approve 17:19,21 36:2
approximate 13:16
approximately 71:3
April 104:20 105:9
 195:4 266:21 267:3
arbitrarily 77:15
area 27:20,20 43:17
 64:7 86:15 97:22 98:1
 105:15,18 106:9
 134:22 145:13 147:15
 269:12 270:1 274:1
areas 51:11 105:13
 130:7,8 131:15 133:1
 157:11 164:9 189:19
argued 182:21
argument 162:8,8,10
 164:17 165:18
Ari 220:7
arm 113:22
ARPA 265:11 266:12
arrange 176:17
arrives 122:14
article 59:19 60:2,5,18
ashore 104:8
aside 215:1
asked 48:4,17 74:4
 101:3 175:5 195:9
 198:3,12 225:16
 226:7 239:9 244:3,6
 245:8,9 246:17 257:7

asking 26:1 48:4,14
 52:1 99:17 132:10
 170:11 174:3 194:18
 203:14,22,22 204:7
 208:15,16 226:21
 242:3 253:20 257:6
asks 10:15
asleep 109:11
aspects 253:6 259:10
 266:9
assert 70:11 72:8
asserting 78:10
assertion 77:22 78:5
asserts 73:13 76:21
assess 46:2 75:13
 76:15
assessing 42:1
assessment 42:22 64:3
 68:3 77:13,19
assigned 105:14
 154:19
assignment 105:14,16
 106:10 122:3,5
 185:11
assignments 22:9,11
 123:16 186:4
Assistant 2:6
associated 62:6 186:17
Associates 37:18 42:9
 42:11 44:9,16,20
 45:15 47:13 49:8
 51:10 52:7,9 57:12
 58:14 61:5,8,10 62:1
 63:22 64:5,10,14,18
 65:3,7,13,17,20 66:3
 66:4 67:1,9,17,18
 69:11,12 70:8,13 71:2
 71:7 79:3,9 81:13
 84:4 85:18 86:14 93:4
 95:15 99:10,18
Associates' 72:18
association 2:7 4:13,16
 14:21 15:1 30:7 32:3
 60:20 65:6,12 72:15
 102:8,16 178:15,17
 187:10 208:6 251:6
 251:15 252:9 265:13
associations 31:13
 32:1 41:11 51:2 68:9
 125:17 126:18 134:18
 141:18 142:11 158:22
 178:19 186:13 187:15
 208:1 209:3 215:13
 215:15 223:1
assume 9:7 91:10
 102:4 140:4 144:12
 168:20 170:1 209:15
 237:2,7

assumed 92:15 224:1,1
assumes 53:3,11 77:15
 170:4
assuming 116:1 127:3
 214:11 251:14
assumptions 52:21
 53:8,15 58:16 96:7
assure 67:19 74:8
assured 72:11 224:10
assuredly 65:21
assures 67:21
attached 210:9
attempt 71:21 75:10
attempting 59:6
attempts 75:12
attend 266:2
attendees 6:11 9:21
attention 89:20 116:22
 128:16 198:7
attest 224:3
attract 258:21
Aubry 166:22
Aubry-Morin 2:3 21:21
 37:21 38:4,7,8 163:16
 163:17 165:16
audience 33:11 50:15
 63:16 114:18 141:20
 142:3 167:18
audit 159:12 193:6,22
 194:4,8,10 195:3,7
 198:5 202:6 210:2
 256:16,18
audited 56:12,19 57:1
 57:10 194:13 200:19
auditing 199:11
auditor 192:22 194:2,14
auditors 188:15 189:5
 194:1,5 196:14
 197:16,19 199:4,18
 200:15 202:11 243:9
audits 3:15 14:16
 188:15 192:17,21,22
 196:1,7,8 199:10
 200:10 201:11 208:1
 208:6 209:2,4,16
August 132:3,4,6
 230:21
author's 71:17
authoritatively 74:21
authorities 241:5
authority 2:10 27:19
 32:19 94:7 161:14,17
 187:19 223:10
authority's 163:4
Authorization 12:21
authorized 3:14 14:12
 127:6,17 128:18
 177:22 223:2 267:21

267:22
automated 265:11
automatically 89:4
 181:2
availability 117:7,8
available 15:14 78:11
 78:12 103:20 104:19
 105:2 108:1,2 109:15
 109:18 110:6 111:3
 111:13 112:19 113:15
 113:16 115:14 117:10
 117:16 202:3,4 225:7
 225:20,20 226:22
average 3:13 60:16
 78:21 120:13 133:17
 134:10 145:2,10,15
 145:20 146:5,5,6,10
 146:13,19,20 149:19
 155:12 156:9 157:5
 159:5 160:3,12
 165:11 167:5,6,16
 169:5 173:4,6 174:9
 190:6
averages 169:3
averaging 121:9
avoid 38:19 95:8
 268:17
aware 20:10 87:5
 201:13 226:12
awful 201:17 268:16
aye 154:7
eyes 18:5 35:3 36:7
 37:7 97:10 154:8
 176:1

B

back 21:11 28:14 33:10
 42:9 50:10,12 91:4,11
 92:16 102:2 108:5
 113:21 114:4 136:2
 138:11 143:9 148:8
 149:15,20 153:22
 154:4 159:16,20
 166:7 173:3 177:2,10
 177:11,14,16,20
 182:22 183:15 189:15
 190:1,18 193:12
 197:17 212:13 216:11
 216:17 217:12 219:1
 227:2 232:10 239:13
 248:19 249:17 250:2
 250:17 252:13 254:21
 271:19 272:5,6,20
 273:19 278:19
backdoors 139:9
background 24:10
 178:7
backhaul 61:21

backs 248:19,20
backup 237:15 250:8
backwards 157:6
 183:14 260:3
bad 160:8 168:8 241:6
 254:18 258:9 270:13
badges 177:1
bag 191:4
Baker 1:19 6:13 7:17
 8:8,8 21:19 34:7
 35:13,14 36:18,18
balance 119:18
ball 156:4 230:12
ballpark 191:17
bank 112:21 215:17
 216:3 217:18,22
 218:13,22
Barata 16:20 224:10
 226:2
barely 128:3
barge 231:9,12 232:7
barges 124:12,12
 166:15
base 83:14 167:9 169:3
 173:6 174:11 179:22
 203:13
based 62:11 75:20 95:5
 110:18 113:15 115:9
 117:7 118:3 166:11
 187:17 221:8 263:10
baseline 42:15 57:8
basic 64:14 105:9
basically 9:17 36:14
 41:16 87:7,14 114:6
 133:2 145:7 166:2
 167:22 213:6 215:7
 231:9 248:10 263:21
 269:15 277:17,22
basis 31:15 53:9 76:1
 85:4 87:8 90:10 105:4
 105:7 107:22 116:16
 120:4,17 121:21
 122:9 123:1
bathrooms 271:17
Bay 22:10 129:7 131:16
 131:17
beam 38:21
Beautiful 5:10
becoming 77:3 120:12
 130:8 191:3,20
beginning 39:11 84:1
 105:4 152:14 247:11
 250:12,13
behalf 21:16 38:1 66:4
believe 37:12 47:17
 48:8,19 57:16 80:13
 85:13 98:14 117:19
 124:1 130:11 172:5

173:1 179:15 196:12
 208:9 224:21 262:22
 264:18,19 277:4
believes 223:15
Belle 272:2,5,9,9
beneficial 49:11 186:20
 230:3 274:20
benefit 68:21 102:21
 112:10 135:14 158:8
 158:10 262:9
benefit-cost 205:2
benefit/cost 41:5
benefits 102:19 108:5,8
 108:9,11,13,19,21
 109:1 112:6 236:15
Berg 2:5 116:7,8,10
 232:16,17,20 247:3
 248:4,11 250:4
 251:17 260:22 271:11
 273:8 276:1
best 21:6 135:19 142:2
 156:6 164:10 195:17
 221:9,11 258:10,10
best-case 163:9
better 14:7 85:6 101:16
 133:16 152:19 164:13
 164:15 230:5,6 233:8
 235:10,14 236:9
 237:19 262:17,19
 263:6
beyond 57:17 95:20
bias 71:7,17
biased 80:2 86:12
bid 231:13
bids 273:5
big 13:9 135:16 161:8
 162:14 164:5 171:5
 202:17 213:10 214:12
 215:2 233:9 236:15
 242:9 249:12 262:3
 277:20
bigger 123:4 143:19,21
 144:2 154:19 155:5,5
 155:9 162:6 262:18
 272:21
biggest 154:22 155:7
 180:21 235:15
bill 111:2 155:9 162:5
 171:4 183:5 191:10
 196:1,4
billed 162:9 171:21
billets 202:2
billing 172:10 234:6
 247:13
bills 108:11 112:20
 113:8 188:7,20
 194:17 195:22 269:22
binational 62:6

Birchfield 15:16
bit 81:7 106:20 112:3
 124:21 127:2 135:14
 139:15 178:7 236:5
 245:19 246:16 274:9
bite 89:17
black 52:15
blah 244:17,17,18
blame 265:1
blank 239:1 254:22
blatantly 167:1
blind 227:17
blindly 86:4 87:22
block 121:2 137:22
blue 236:17
board 29:18 94:22
 177:2 183:11 243:22
boat 107:19 115:3
 159:13 186:17 214:19
 217:20 244:4 264:13
 269:20 270:19,20
 271:4,21 272:3,16,21
 273:13,17,20 274:16
 275:1,10,13
BoatNerd 267:6
boats 137:7,10 241:20
 242:6 273:19
Bobal 2:4 137:4,4 248:8
 278:15
bona 71:11
bond 214:1
bonus 110:15 215:5
book 249:12
bookkeeping 107:12
books 107:16 194:12
 194:15 200:11
boost 127:2
border 277:14
borne 158:8,11
bottom 6:2 61:14
 260:18
bottoms 254:21
bought 191:2
Boulevard 10:6
box 52:15 265:4
boxes 239:1
Boyce's 145:3 172:7
Boyd 36:22
bread 61:12
break 14:12,18 21:7
 28:10 49:11 50:6,8
 102:6 176:7,18 232:9
 270:12,13
breaker 240:4
breakeven 158:15
breaking 206:5
brewing 143:11
bridge 101:11 128:9

132:6,21 133:13
 145:10 149:4,5,16
 158:1 229:19 253:5
 256:2 259:10,20
 265:8
bridge-hour 125:21
bridges 259:18,19
brief 255:10
briefly 13:21 230:18
bring 6:8 23:16 30:13
 30:19 39:1 106:3
 112:5 124:19 125:1
 137:10 146:16 191:7
 198:9 231:5 257:10
 257:11,17
bringing 30:21 128:15
 239:13,18 255:21
brings 89:20
BRMP 266:8
broad 27:21
broke 113:22
brought 116:21 147:20
 173:16 182:14 197:16
 198:7 203:16 228:16
 242:21 253:2 257:12
 259:4,6
Bs 158:4
bubbled 270:21
bucks 214:11
build 169:10 184:13
 235:13 273:12 274:6
 274:7
building 9:16 177:2
 269:12 270:7,19
buildup 275:11
built 23:9 24:17 32:18
 116:18 126:12 243:11
 271:5
bulk 76:17 122:19
bunch 266:14
Buoy 22:4,8,21 23:1
burden 31:10,20,22
 155:4 172:11
bureaucracy 223:9
 236:17
buried 186:12
Burnett 130:5 137:9
 138:2
busiest 132:5
business 5:15 69:11
 106:21 107:1 128:11
 128:14 129:10,17,19
 129:20,20 130:21
 132:9 137:10 140:18
 140:20 158:14 159:1
 170:8 171:11 192:4,5
 211:11 232:1 244:19
 245:5

busy 53:13 136:8
 202:20
butter 61:12
buy 113:9 214:19
buying 190:8 270:4
 274:12
Bylaws 102:17 109:10

C

C 3:1 4:9 69:10 95:15
C2 40:10
calculate 120:22 121:3
 156:12 166:11
calculated 156:21
 167:5 169:2 173:15
calculates 174:9
calculation 119:9
 133:20 146:17 147:8
 147:17 148:17 149:5
 149:17 150:10 156:10
 157:3 167:16 168:16
 170:22 172:3,11
calculations 147:19
 149:19,22 150:4
 168:14
calendar 16:15
call 11:11,15 13:22 29:7
 59:3 84:16 85:8 105:3
 113:16 120:7,8
 191:11 192:4,5 193:4
 210:11 225:11 236:19
 236:20 241:19 246:3
 246:22 258:5,12,14
 262:16
CALLAHAN 2:6
called 40:15 102:13
 154:17 228:21
calling 242:14
callout 185:19
calls 191:15 222:18
 271:19
cameras 259:20
Canada 19:21 32:20
 116:19 135:7,15
 138:3 161:6 162:12
 164:20 190:15 243:19
Canada's 19:22
Canadian 2:3 38:1,9,11
 45:5 53:4 68:1,4,9
 95:6 106:1 163:17
 230:6,7 243:12 244:3
Canadians 126:21
 127:1,4
Canal 78:15
cancel 185:5,13
canceled 262:1
cancellation 184:17
cancellations 178:11

186:5
candid 13:7
candidly 79:17
cant' 125:18
cap 22:3,12,19 173:17
 188:5
capability 31:13
capacities 83:20
capacity 45:12,13,13
 45:14 53:12,16
 139:16,20 184:9
 201:18
Cape 22:6 269:17
capital 3:16 14:17
 163:9 210:17,22
 211:5,13,20 212:2,5
 214:3 217:9 218:19
 218:19 219:17,20
Captain 8:16,17 11:18
 16:20,20 18:10
 102:11 111:22 114:21
 115:21 116:22 123:8
 125:3 136:20 151:3,5
 161:10 166:9 176:12
 219:6 223:13 224:3
 224:10 260:22 269:9
captains 261:19,20
 262:2 267:11
capture 119:19 120:1
 150:1 193:12 236:4
capturing 42:3
care 12:7 26:4 129:19
 130:1 139:4 140:10
 234:14 275:15
careers 149:8
careful 162:16 170:21
cargo 43:20 48:5 53:10
 59:1,11 60:3 69:22
 70:5 73:14 74:1 76:16
 76:18,19 77:17 79:2
 79:20 90:5,7 96:1
 117:8 129:12,12
 131:4 140:14,16
 162:10 164:8
cargoes 58:20 61:21
 76:17 77:10
carried 35:4 37:10
 220:4
carrier 164:6
carries 36:10 97:12
 154:12 171:1
carry 144:6 161:18
carrying 171:3
cars 189:15
case 41:9 43:21 62:22
 86:2 109:11 126:9,10
 165:4 166:12 167:9
 172:15 224:2,11

case-by-case 120:4
cases 109:19 131:7,13
cash 115:12,14
cashflow 115:9
Cast 276:18
cat 235:10
catch-all 265:12
catching 268:8
catchup 76:10
categories 154:21
 155:15,16
categorized 194:16
category 213:11
cause 146:22
caused 25:2 73:14
causing 157:22
caution 242:1
cautious 260:1
cell 5:17 188:5,7 191:2
 191:13,14,18 192:1
Center 1:13 9:2 176:14
centers 244:7,21
cents 214:2
certain 38:20 42:6
 86:10 121:21 150:3
 163:20,21 164:6,9
 169:21 170:5 189:19
certainly 27:15 92:9
 194:18 201:21 206:9
 206:12 207:9
certificate 253:5
cetera 10:3 53:6
CFR 25:9
CG-REG 95:13
CG-SPW 2:12
CG-WWM-2 95:14
Chad 21:20
chain 226:3
chains 226:16
Chair 17:12 33:7
challenges 66:12 67:2
 229:8
challenging 65:16 66:9
Chamber 56:8 60:5
chance 161:13 198:10
change 3:7 18:10 21:17
 21:22 22:4,5,15,20,22
 23:3 25:18 30:4,8
 34:17,18 35:8,9 41:14
 43:13 52:18 75:20
 114:4 118:10 143:9
 151:15 161:19 172:8
 182:3 186:1 221:13
 223:21 224:8 226:9
 227:22 249:10,10
 273:17
changed 173:2 178:8
 189:13 201:13 235:20

251:4
changes 30:10 41:8
 42:22 45:22 161:19
 179:1 222:6,7,8
 235:16 250:4 252:12
 252:13 273:14
changing 134:10 185:2
 188:2 262:10
charge 44:17 178:15,15
 180:2 181:8,13,19
 182:16 184:10,19
 186:13,15,16,17
charged 47:15 94:1
charges 3:14 14:13
 42:7,15 53:22 54:2
 55:15 69:14 177:22
 178:9,10,11,13
 182:20 183:1 184:17
charging 191:15
chart 265:10
charter 30:4,10 123:2
chartering 20:1
cheap 183:8
cheaper 187:15 190:9
 270:6
check 225:9 247:6
Chicago 22:8 129:8
Chief 2:9
chiming 226:12
chip 234:8
choice 183:18
choose 103:2
Chorus 8:21 18:5 35:3
 36:7 37:7 97:10 154:8
 176:1
chosen 101:16
circle 255:1
Circular 40:22
circulate 49:12
circulated 28:11
circulating 49:15,17,21
 50:5
circumstances 65:2
 131:10
cites 73:5
citizens 13:3
claim 70:4 71:14
claims 31:9 70:9 73:10
 74:10,12 75:6 80:4
clarification 29:4,11
 39:17
clarified 16:14
clarify 92:10 99:13
 168:18 204:15
class 154:21 155:5,7
 158:4,4,4,4 159:13
 164:6 165:6 167:2,2
 169:7 171:2 172:1

173:22 174:1,2,2
 231:14,16
classified 199:16
Clay 2:7 51:13 59:16
 91:15,16 276:13
clear 64:15 66:20 69:18
 70:10 79:6 137:19
 152:5 173:11 197:20
 207:2
cleared 137:20
clearing 270:22
clearly 46:16 58:6 80:2
 96:1 206:4 227:14
client 72:20 259:8
clients 18:21 19:14
climate 52:18 242:10
close 191:6 201:17
 232:5 238:14
close-by 131:19
closed 107:16 194:12
closely 64:11
closing 4:18 15:3
 181:19
Cloverland 273:10
clue 208:16
cluttering 244:15
clutters 244:18
coal 73:10 76:17 77:12
coalition 66:22 128:15
 130:6
coastal 42:20 45:8,10
 45:12 53:11,13 54:5
 61:17
Colborne 22:7 271:14
colleagues 167:10
collect 31:14 179:11
 180:9
collected 85:21
collecting 180:10
collection 31:2,10,17
 31:21 32:13 210:5
 225:6
column 265:12
combine 109:1 173:8
combined 265:15,19
come 5:6 7:12,13 8:17
 16:22 17:4 21:11
 24:15 28:14 91:4
 105:5 106:18 107:15
 111:12 115:13 117:2
 118:19 130:13 132:7
 132:8 133:10 136:10
 136:18,19 140:16
 145:16 173:9 179:7
 188:16 198:2 232:10
 233:14 234:12 248:19
 257:1,2 263:14 274:9
comes 52:16 113:10

120:14 165:1 168:21
 173:22 252:12 257:15
 276:3
comfort 80:5
comfortable 90:21
coming 7:6 27:5 29:3
 115:1 116:2 130:14
 147:6 224:7,8 226:3
 227:14 261:4 277:14
 278:16
Commandant 63:21
commend 244:20
comment 14:13 21:2
 37:22 84:21 120:10
 163:18 165:17 166:4
 220:19 221:3,4,22
 222:3,5 254:18
commented 70:12
comments 5:22 13:20
 15:2 16:7 31:6 41:12
 41:16 46:6 66:9 82:1
 82:19,19 87:18 91:6
 91:10 92:13 135:1
 136:14,15 138:8,20
 146:14 181:4 184:15
 197:21 200:8 217:2
 221:5,20 222:2 228:7
 247:17 254:20 276:3
 276:5
commerce 42:16 56:9
commission 161:7,8
 162:3 164:12,12
commissioned 40:11
 42:5 81:21
commissioning 61:8
committed 90:17
committee 1:3,12 2:14
 6:21 7:1,19 8:13
 12:11,12,14,20 13:5,6
 13:7,15 16:8,19 17:13
 17:15 18:17 20:7,13
 20:14 24:5 25:15,16
 25:18 26:7,9 27:13,22
 29:17 30:4,6,11,16,17
 33:22 34:1,5 36:16
 37:4,6 46:9 49:5,9
 62:20 63:1 89:15
 90:21 91:5,11 92:2,16
 93:2 94:1 96:17 101:6
 102:2 111:17 114:15
 115:18 117:22 134:13
 138:11 141:16 142:9
 146:11,15 148:2,8
 149:13 150:21 151:4
 152:10 154:6 160:22
 166:7 181:5 182:8
 192:9,11 199:7 201:5
 207:19 209:13 211:4

217:3 219:8 224:20
 228:6,8 229:1 237:14
 247:18 251:10,12
 278:12,18
Committee's 27:19
 146:7
committees 13:2 20:4
commodity 72:6
common 238:15
commonality 200:14
communication 3:17
 220:11
communications 14:17
companies 56:19 68:9
 191:13 258:6 260:15
 261:5,7
company 19:21 20:1,5
 66:21 67:7 103:5
 106:21 107:1 108:8,9
 209:15 211:10 258:13
 275:6
comparable 68:5 95:6
compare 42:18 54:19
 98:9
compared 135:15 229:6
comparing 171:2
Compass 59:15,21
compensated 109:6
compensation 3:10
 14:2,3 95:5 97:14
 98:5 99:15,19,21
 100:4,9 101:13,15,22
 102:7,9,16 107:2,11
 108:8,20 110:13
 112:11 114:2,7,12
 145:8 158:18,20
 203:9,18 205:11
 206:11,20 207:8,9
 211:3 212:3,11 213:3
 213:6,7,9 214:9 249:8
 249:14 262:4,7
competent 94:6
competitive 44:18
 164:15
competitiveness 62:14
complain 237:5
complaints 94:19 95:10
complement 95:7
 147:18 149:6,17
 151:21
complete 68:19 97:22
 102:5 216:9 248:12
 275:16
completed 4:14 14:22
 42:12 248:22 271:17
completely 52:6 80:3
 105:10 143:2 174:20
 269:16,22 270:6,16

- 271:14
complex 165:22
complicated 195:8
 213:1 216:9,16
compound 160:16
comprise 76:19
comptroller 197:22
compulsory 122:19
 123:1
computation 148:11
computer 264:17
concedes 55:19
conceivably 77:16
concentration 163:20
concept 45:16 146:18
 212:20 237:7
concern 51:12 58:1
 128:12 203:8 210:22
 234:1 239:9,10
concerned 63:21 66:6
 89:1 90:1 192:1
 267:12
concerning 31:2 51:3
 94:22
concerns 51:5 52:12,22
 56:5 66:19 86:3 88:8
 128:4 178:5 223:14
 240:4 249:21
conclude 26:14 55:14
 97:22
concludes 37:12 72:1
 77:1
concluding 80:5
conclusion 22:13 72:16
 79:6,14,19 96:9
conclusions 64:15 75:4
 79:22 82:12 86:19
 87:4 96:6,14
condition 38:13 39:1
conditions 42:16 44:2
 44:10 57:8 104:6,7
condoning 204:19
conduct 65:3 68:19
 83:15 95:16 207:14
 209:6,7,8
conducted 31:15 37:17
 67:20 86:18 192:22
 233:21
conducting 63:22
 194:4 203:10,11
 204:14 206:20
conference 29:7 120:7
confirmation 185:18
confirmed 71:1
conflict 15:10 70:13
 71:10 79:8,11
conflict-of- 68:16
confused 256:14
- confusing** 96:14 185:2
congested 25:6
Congress 66:16 236:19
connect 10:17
cons 201:15
consequence 61:22
consequences 205:8
consider 18:15 19:9
 25:9 41:17 64:2 90:20
 93:13 96:19 104:17
 110:3 167:9 179:1
 182:6 188:2 222:3
considerable 80:5
 213:16
considerably 60:4
 119:2
consideration 77:21
 118:2 132:11
considered 41:16 70:15
 90:7 159:16 216:4
considering 95:18
 163:21 257:21 258:1
 274:12
considers 215:22
consistency 196:16
consistent 71:16
 120:15
consistently 66:9
consisting 21:18
 102:21
constant 43:6,15 45:2
 53:7 54:3 88:14
 117:15
constrained 221:19,21
constraint 274:10
consumes 184:9
contact 80:22 85:15,16
 86:1 196:11
contacted 57:13 224:9
 224:18
contacting 225:21
contacts 57:12 67:18
contains 60:20
contentious 28:21
context 59:1
continue 32:5 49:7
 113:4 219:12,17,20
 260:20 265:1
continued 230:14
continues 16:17 55:12
 263:7
continuing 256:1
 263:20 264:9
continuous 252:21
contract 42:5,8 71:3
 95:15 100:5 124:6,15
 124:21 192:22 198:16
 198:17,21 201:15,18
 202:13 231:13 234:16
 248:1,1 271:6
contracted 3:9 14:2
 56:4 68:18 203:11
 233:6,13
contracting 65:6
 208:11 236:16 242:22
contractor 42:11 86:7
 100:3 101:16 271:19
 274:16
contractors 85:4
contracts 203:21
contrary 73:20 133:1
 147:22 164:18
contributions 262:12
control 31:1 132:7
 188:8
conversation 7:11
 85:18 213:19
conversations 223:15
cool 11:7
Cooperative 273:11
coordinate 9:6 185:6
 185:14 202:14,17
coordinated 202:19
copies 28:10 49:12
 50:4 249:1
copy 26:10,19 27:4
 33:11 50:15,22
 250:18 251:21
corner 9:14
cornerstone 162:15
corporation 60:1
 216:16
Corps 24:5 25:7,17,19
 26:1,3 28:1 33:15
 36:11 39:7
correct 7:10 34:14,16
 52:10 62:16 80:22
 89:13 95:2 116:3,4
 125:8 144:14 146:12
 150:6 155:19 158:3
 177:13 209:17 223:17
corrected 74:20 194:19
correctly 83:18 147:12
 162:19
corresponding 100:5
cost 42:2,17,19 45:19
 45:19 51:17 53:20
 54:4 57:19 62:16
 66:19 73:16 101:2,4
 108:11 171:12 187:3
 189:11 190:1 191:11
 191:18 197:10 201:18
 242:15,16,17 257:14
cost-benefit 205:2
cost-effective 259:6
 276:21
- cost/benefit** 40:15
costing 65:21
costs 42:13 53:4,16
 61:3 64:4,8 67:21
 73:6 76:22 77:19 81:9
 186:21 188:9 194:6
 197:2,3,4 212:7 256:9
 265:20
Council 8:9
count 218:5
counted 55:1,8
counterintuitive 119:7
counterproductive
 29:1
country 17:3 54:18
 262:21
couple 29:4,8 63:14
 105:5 112:15 113:20
 113:22 118:14 176:22
 190:10 194:3 220:7
 229:20 237:17 253:10
 257:18 259:9 261:17
 272:4,19
course 39:11 67:4
 75:15 85:12 86:16
 110:1 116:19 225:12
 256:22 271:20 276:16
 277:16
court 16:4 26:10
cover 106:2 126:12
 135:19 163:12 260:8
coverage 103:6
covered 103:3,17
 105:17 111:14
covers 103:9 109:8
Covington 265:15
CPA 195:9 209:16,20
 210:2,7,9 216:10
create 48:3 57:20
 123:14 124:14 146:3
created 133:2 178:4
creates 31:22
creating 126:1
credentialing 10:15
 176:15
credentials 11:20
credible 59:13
credit 61:7 211:9
 214:18
crew 137:21
criminal 15:10
crop 44:10 231:1
crosses 104:5
cruise 116:12 117:1,12
 118:8,9 122:20
 123:19 127:20 128:4
 128:20 129:3,12,14
 130:10,11,17 131:1,5

132:4,8 134:18 135:5
 135:7,9 136:4,11,21
 138:14 139:7,17,20
 139:22 140:12,13,15
 141:19 142:12 166:14
cruising 128:15 130:6,8
Cs 158:4
Cuba 137:11
cumbersome 243:1
current 71:4 72:21
 77:10 78:3 92:6 100:2
 100:6 118:20 145:7
 145:14,22 146:2
 154:16 155:13 193:10
 195:4 198:16 199:20
 211:17 212:9 216:2
 236:10 239:5 248:15
 265:2
currently 32:9 64:22
 65:15 67:16 70:21
 103:20 111:5 116:13
 127:7 130:19 143:5
 154:20 181:6 193:1
 234:18 248:13,16
 249:18 263:13
cursor 153:5
cursorly 83:6 91:21
curve 196:15
cushion 174:6
customer 245:1
customers 117:14
customizable 237:20
customized 32:22
Customs 137:16,17
 138:3
cut 136:2 226:8 256:10
 256:22 257:2
cuts 224:6 227:21
cutting 139:10
cycle 193:14 237:10
cycled 266:8
cycles 172:10
cyclic 120:21

D

D1 234:8
D2 251:4 271:5
D2's 248:17,20
D3's 248:17,18 251:21
D9 137:4 278:16,17
daily 104:12 107:4
Dan 7:22 21:14,18
 80:11 114:16 123:6
 138:13 166:8 171:18
 179:3 182:18 185:1
 188:4 195:14 208:21
 216:13 219:3 223:18
 245:16

dangerous 130:9
Danny 1:21 153:17
 214:19 247:19 252:4
 255:14 271:5
Danny's 33:11
data 31:2,14,21 32:8,13
 57:15,16,19 59:11
 60:12 78:11,17 81:14
 81:16 89:2,7 95:21
 100:5 120:1,9,13
 157:9 210:5,6 233:2
 233:10 235:3 236:5
 250:9
data- 119:20
database 52:2,6 84:6
date 71:21 225:6 226:9
 266:22
dated 248:15
Dateline 59:15
dates 266:21
day 11:17 14:14 32:11
 103:20,21 104:10,11
 104:12 106:2 107:5,6
 108:2 109:15,18
 110:6,8,8,11,12,12,14
 111:13 112:6,19
 113:18,18 114:4,11
 115:5,6 131:3 156:6
 157:19 162:11 197:19
 235:21,21 277:21
 278:22
days 16:15 104:1
 105:10,11 108:1,4
 112:18 113:15 115:11
 115:14 119:18 129:4
 195:6 248:5,6 259:7,9
 263:15
De-Tour 274:13,18
deadline 193:8 195:4
deadlines 192:18
deal 23:5 142:22 143:11
 240:4 259:17
deals 62:10 87:14
debate 68:13
decades 22:21
December 104:22
 105:1 196:4
decent 246:1
decide 132:11 140:17
decided 235:12 252:10
decides 122:11
decimal 156:12
decision 118:18 122:14
 222:10 223:6,12
 246:7
decisions 64:17 77:18
deck 271:18 275:1,3,11
declare 8:14

decline 148:21
decrease 55:5 73:21
 75:19 82:8
decreased 59:2
dedicated 218:14
 240:14
deductible 103:18
deduction 189:7
deemed 243:17
deep 38:14,16 267:9
deeply 63:21
deeply-flawed 58:15
defeats 164:5
defend 240:12 241:1
defense 43:14
defer 81:3
deficit 157:18 179:16
defined 262:11,15
definite 263:16
definitely 98:22 197:15
 202:22 205:17 207:11
 208:8,9 227:6 229:20
 271:9
degree 134:6 164:22
delay 124:14 136:2
 178:13 182:16
delayed 178:13 268:18
delays 24:3 25:4 58:10
 94:18,20 95:8 127:22
 138:19 139:4,4 140:2
 140:4,10,14 141:4,16
 142:8,19 143:5,21
 144:3 181:8,11,12,14
 181:20 183:3 184:12
 230:4 268:13,17
deliberations 13:19
deliver 105:15 129:18
 243:2
deliverables 100:11
delivered 204:3
delivery 271:8,20
delta 157:11
demand 60:12,14 78:18
 78:19 95:22 125:21
 131:3 184:11
denominator 57:20
 62:16 133:8 134:9
 145:10,16
Department 59:22
dependents 108:16
depending 157:11
 164:4 212:14
depends 45:10 62:15
 88:11
Deputy 10:22
described 51:18 66:17
 104:16
designated 2:2 12:9

22:20 225:18,19
designated/undesign...
 23:2
designed 140:2 158:14
 212:7 241:9
designers 242:12
desirable 261:9
desire 143:20 223:10
desired 139:16 153:2
desires 144:1
desk 251:22
detail 22:14 52:16
 192:3
detailed 85:4
details 213:18
determination 206:11
 247:22 248:2
determinations 200:5
 210:6
determine 48:4 73:12
 73:15 101:14 111:7
 187:3
determining 97:14
Detour 22:8,9
detrimental 121:12
Detroit 214:20
Detroit/Windsor 22:7
develop 55:20 233:17
 233:19
developed 44:16 51:17
 52:13
developer 235:13
development 60:1
 95:13 252:21
devil 213:18
DFO 5:3 6:5,9 7:5,10
 8:5,5,11 11:18,22
 12:3,5,8,8,13 14:5,8
 18:18 19:12 20:15,19
 33:21 34:4,10,17 87:6
 88:10,20 89:6,9 99:16
 100:1,21 116:4 144:8
 167:21 168:5 169:9
 173:10 176:9,12
 177:14 201:21 203:1
 204:15 206:6 207:4
 207:17 226:18,22
 261:2,8 267:14
 268:12 276:6
DHS 2:14 18:19 19:13
 21:1 277:19
Diamond 2:7 27:6,10
 51:13 59:18 91:14,16
 91:16 276:13
die 144:14
diesel 275:18
differ 145:17
difference 106:5 109:5

129:11 163:3 246:11
different 43:16,22
 48:21 82:17 85:12
 86:11,12,19 104:1
 105:13 106:20 109:6
 117:12,18 126:19
 129:22 134:4 135:15
 147:22 150:16 153:1
 174:5 194:3,7 202:1
 205:8,8,20 208:14
 213:11 215:20 229:21
 235:7,9 237:17
 238:19 240:16 259:22
 260:1
differential 105:12
 114:1,7
differentiating 171:6
differently 240:17
 241:17 243:14
difficult 120:14 236:6
 275:5
Digital 59:15
diminishing 147:7
dinner 176:7,7
direct 45:21 226:3
 243:9
directed 197:21
direction 150:21 237:22
 262:22 263:7 264:2
directly 9:19 25:22 28:1
 41:8 243:8
Director 2:6,8 10:22
 20:21,22 66:15 69:8
 237:8
disagreed 238:11
disallow 196:2
disallowing 30:6
disappointing 245:17
 245:20
disaster 247:12
disclosing 79:11
disclosure 66:18
discourage 244:12
discourage 136:12
discredit 75:1
discretion 110:16
discuss 15:7 21:3
 118:21 151:18 178:16
 210:21 275:22
discussed 22:13 30:5
 30:11 201:6
discussing 151:11
discussion 10:7,15
 17:9,17 23:19 26:7
 34:22 35:2,20 36:4
 37:1 46:19 62:22 75:3
 97:5,8 117:21 118:12
 145:4 150:2 151:4,10

154:4,6 155:11
 175:19,21 193:18
 209:12 213:16 220:1
 228:5 249:22 278:5
discussions 203:4
 235:1
disinterested 67:11
dispatch 3:11 14:11
 116:6 121:20 122:8
 126:21 238:15 244:21
 269:13
dispatched 24:22
dispatcher 245:15
dispatchers 107:18
 233:18 234:5
dispatching 24:21
 118:11 186:18 241:17
 242:6,10 244:7
display 265:10
disqualifies 70:14
distinction 107:13
distribution 104:13
 107:5,7 111:4,8
 113:14
distributions 113:6
 115:10
district 8:1,3,9 15:1,2,2
 22:22 23:4 33:1,2
 105:17,18 113:5
 117:2,3,4 119:1,13
 124:3 125:9 126:19
 127:7,22 128:5,6,8,18
 130:20 131:2,5,16
 145:12 147:15 157:15
 159:4,17 172:4 183:3
 190:14 193:2 197:17
 214:22 229:18 231:7
 231:8 234:12 237:21
 248:14 269:10,13
districts 198:18 233:2
 236:22 237:8 238:1
 255:11
diverging 45:9
diversion 73:14,17
 77:14,18 78:6 79:20
 90:6
diversions 78:1
diverted 45:8 53:10
 54:5,22 55:6 58:20
 71:19 74:2,3 77:5,12
divide 111:11 115:15
 170:14 173:5,8
divided 107:21
Division 95:14 96:18
divisor 147:17
divorce 132:21 133:13
 147:21 149:4
divorced 206:19

divorcing 149:16 150:9
dock 23:6,9 183:14,20
 214:22 218:13 272:21
 272:22,22 273:12
 274:6,7,12,14,20
dock-end 270:13
Docket 31:19
dockside 117:7
document 68:12
documentation 88:1
documented 62:17
documents 34:9 49:10
 62:13,21 63:3 91:2,7
doing 69:11 95:7 99:4,4
 99:19 103:16 133:21
 135:11 182:12 183:16
 191:19 197:8,13
 198:22 199:2,5,6
 208:12 209:15 219:12
 219:13 224:20 226:10
 226:21 229:5 239:14
 240:9,9 242:11 246:7
 250:7 254:1,2,9
 264:14 266:10 268:16
 275:3 278:13
dollar 44:3 204:12,12
 212:6 214:2
dollars 61:11 64:19
 65:18,22 68:11 70:17
 70:18 197:2,3,4
 258:16
domestic 44:1,11 110:4
door 9:18
double- 54:22
double-check 47:19
doubling 54:1 96:11
doubt 242:15
doubts 65:2
downs 170:4
downside 158:21
downstairs 6:8
downturn 121:17
downturns 170:6
downward 147:8
draft 26:2 36:2 84:18
 86:1 90:18,19 93:21
 100:13 193:2
dramatically 92:4,8
drawings 275:16
draws 84:11
dredge 274:3,4
dredging 218:13
 273:12 274:1,5,8
drills 137:21
drive 5:8,10 44:6 77:16
 120:16 131:18 133:7
driver 98:9
drives 120:2 121:6

driving 43:19 133:9
 189:15
drop 120:18 134:11
 245:13
drug 259:21
dry 76:17
dry-bulk 19:22
Ds 158:4
dubious 58:16
due 38:12 71:20 95:20
 96:3 115:13 181:8
Duluth/Superior 22:10
 106:10 131:17
dump 52:16
duped 241:3
uplicated 244:2
duration 107:10
duties 119:8,12 125:18
duty 105:22
dynamics 83:7

E

E 3:1 4:9
e.g 64:12
earlier 16:5 45:3 84:14
 85:5 205:1
early 86:8 197:20
 233:12 259:7 278:22
earmarked 256:1
earmarks 218:20
earning 211:8 217:11
earns 103:22
easier 29:11 202:17
easily 96:14 246:12
East 135:9
easy 29:7 162:1,6
 163:15 215:14,16
 241:10 244:13
eat 257:14
ECDIS 265:9,22 266:4,8
echo 123:7
economic 40:14 41:6
 42:4 43:8,9,13 44:2
 57:4,8 65:10,19 71:5
 83:21 87:8,11,16
 88:11 95:19
economies 45:6
economist 2:8 40:9
 88:15
economists 88:12
economy 44:22 61:4
 73:8
edge 127:21
edit 90:20 151:7
edition 59:21
edits 142:16
education 256:1 264:9
Edwin 10:5

effect 47:15,16 69:21
72:3 75:13 79:16
134:6 180:6 223:20
257:15 264:18
effective 94:8
effectively 53:20 54:4
effects 73:2
efficiencies 189:20
efficiency 66:19 121:22
230:8
efficient 54:15 94:8
122:9,12 187:16
efficiently 243:5
effort 64:21 70:20,22
71:16 73:12 78:9
79:12 255:17 276:12
277:10
efforts 17:8 73:3 75:8
171:8 229:5
eight 14:15 65:9 183:7
273:15
Eisentraut 10:22
either 75:11 115:13
144:9 145:18 166:17
167:7,15 168:12
172:12 174:4,16
215:21 250:4
elasticity 164:7
electric 273:11 275:2
electrical 271:16
272:11
electronic 31:11,13
236:3 250:9 265:10
electronics 266:10
element 218:9
elements 265:8 275:9
eliminate 141:15 142:8
142:19 143:4,20
159:20 167:1 174:4
270:5
eliminated 24:4 178:8
269:22
eliminating 22:3 150:6
159:3 160:20 166:17
email 225:10,12 226:3
226:16
emblem 69:16
emergency 253:7
emphasize 82:18 86:6
91:18
employee 102:20
240:11
employment 55:16
69:22 70:5
encourage 7:12 25:7
136:19 189:14 211:15
255:5,7
encouraged 252:17,20

encouraging 217:12,15
endeavor 193:10
ended 40:12 125:10,11
226:9
endorsement 110:2
endorsing 75:3
ends 133:2
energy 76:18
enforced 38:17 179:5
engaged 32:4 67:9
205:17 220:15
Engagement 20:22
Engineers 24:6 25:8,17
25:19 26:1,3 33:15
36:12 39:7
engines 272:10
enhance 275:9
enormous 31:22
ensure 12:14 16:13
59:9 90:20
ensuring 12:10
enter 29:2
enthused 217:21
entire 93:13 129:16
149:8 197:19 249:11
entirely 78:4 194:13
207:2 213:17
entities 41:9 122:22
entity 83:15
entry 16:13 32:8
environment 94:9
233:21
envisioned 139:16
157:13
envisioning 213:14
equal 112:17 155:2
equally 53:3
equate 156:22
equation 133:14 134:9
156:15
equipment 163:20
equitable 276:20
equity 164:3,6,15
equivalent 110:1
erroneous 221:11,12
error 222:11
errors 24:21
especially 32:1 157:8
194:16 199:17 227:11
230:13 260:2
essentially 42:15,21
43:17 44:15 45:18
82:14 121:9 134:1
157:18 158:13 173:7
174:7 194:6 207:13
212:8 220:14 271:4
establish 211:19
established 12:20 18:8

22:16 95:1,4
establishes 13:1
estimate 43:4 53:2
estimated 44:21 45:21
estimates 31:20 53:18
55:13 62:1 68:7
estimations 200:21
et 10:2 53:6
ETAs 191:8
ethnics 12:15
evacuate 9:15
evaluate 41:7
Evaluation 95:13
event 162:4 169:17
Eventually 241:21
everybody 5:5 15:7
25:11 26:11,11 55:3
90:21 103:9 104:20
112:9 115:8,15 189:4
224:5 225:21 229:14
252:18,20 259:7
265:17 276:11,22
278:21
everybody's 199:21
239:20
evidence 74:1,6 79:4
88:2 90:15
evident 163:22
evidently 228:18
246:20
evolution 121:4
exactly 82:2 85:3 142:1
200:4 227:20 264:21
examined 20:11
example 27:12 43:18
104:4,16 145:19
159:18 172:5 189:11
189:22 196:19 249:14
exceed 268:2
exception 124:5
exceptions 22:2
excerpt 60:10
excerpts 51:14
excess 188:7
excluding 106:22
excuse 209:8 239:6
244:5
execute 7:15
executive 2:9 25:7
29:17 40:18,19,20
66:15 82:13 258:12
existed 74:6
existing 45:12 47:18
48:5 70:6 91:20 202:7
exists 53:12 80:6 175:8
exit 9:17
expect 13:6 129:6
130:16,21 267:1

expected 107:1 268:5
expects 32:10
expend 193:11
expending 68:11
expense 107:11 108:9
125:2 158:18 179:18
193:11 213:8 237:9
256:17,18
expense-based 179:22
expenses 103:16
107:10,17,20,20
113:12 115:12 145:9
187:11,12 188:3
200:12 214:8 215:21
243:7
experience 196:8 267:9
267:11,11
experienced 196:11
261:16
experiencing 135:21
268:13
expert 80:13 89:22
264:13
expertise 16:18
experts 85:8 86:15
explain 173:11 220:22
222:6,7 228:19 229:3
explained 157:13 269:6
explanation 57:5 145:6
explore 41:22 148:11
148:16 149:15 237:1
exploring 149:18 150:3
export 44:11 61:15 73:9
exports 44:6
expression 244:5
extended 198:22
extending 247:22
extension 221:6
extent 67:14,17 71:9
79:11 82:9 86:11
219:1
external 3:17 14:18
220:11 223:17
extra 112:22 119:12
125:1 126:9,11 211:2
eyes 260:4

F

FACA 16:6,11
face 119:10 212:20
facilitate 27:14 214:16
facilities 9:11 15:11
94:10
facility 23:7 269:19
270:8,20 271:13
fact 24:20 53:10 76:10
88:3 128:16 165:12
170:7

- factor** 44:18 154:17,18
154:18 155:4,12
161:9 162:12,20,22
164:16 165:5,11
167:6,15,19 168:7,9
168:11,13 169:5,8
170:13 173:3,5,6,15
173:18 174:9,10,13
174:18,22 175:8
- factors** 14:12 43:6,19
44:1,6,14 54:2 77:16
77:20 79:1 132:17
144:19 145:1 154:15
154:21 155:19,22
156:7,18,21 157:4,6
157:20 159:3,15,21
160:3,13 165:10
166:10,18 167:1
168:15 171:22 172:2
173:2 174:4,16,20
- Factors/** 3:12
- fail** 79:13 80:3
- failed** 72:9
- fails** 71:17 79:18
- failure** 71:8 72:18
- fair** 141:6 223:3 226:13
226:17
- fall** 137:12 231:5 273:22
274:2 275:11
- falls** 109:11
- false** 31:5 60:21 62:11
73:11 74:12,19 78:7
85:21
- falsely** 72:15,22 74:10
- familiar** 16:21 210:7
- family** 103:1,6 108:10
108:18
- fans** 11:11
- far** 13:17 21:7 47:10
48:6 83:8 92:19
123:11,19 157:17
168:3 178:21 189:8
190:2 199:3 210:2
212:19 217:14,16
227:9 233:8 235:9
237:19 264:9 270:6
271:1
- far-flung** 131:15
- fatigue** 58:9 94:17 95:1
120:6 133:6 253:7
266:9
- fault** 178:14 181:17
242:19 243:3,4
- favor** 18:4 35:2 36:6
37:6 97:9 154:7 164:6
175:22 210:12 220:2
- favors** 167:1
- feasible** 193:19
- federal** 2:2 12:9,10
13:12 15:14 19:1,16
19:19 20:3,14 31:6,18
58:4,10 60:10 225:18
225:19
- federally-registered**
18:22 19:15 99:2
- Federation** 178:6
- Fednav** 19:20,22 178:6
210:21
- fee** 184:22
- feedback** 13:8 184:16
- feel** 10:13 177:6 182:14
186:19 235:14
- feels** 11:9
- fees** 53:5 64:21 65:1
66:7,14 68:2,4,5,8
70:21 71:20 186:11
- feet** 24:18 39:9
- felt** 82:20
- fewer** 125:12
- fides** 71:11
- field** 46:6 83:8
- fight** 123:4
- figure** 159:13
- figured** 29:7 245:22
- figures** 48:9 79:4
- file** 236:5 248:14,22
250:21 252:11 267:8
- filed** 66:9
- fill-in** 17:3
- filling** 15:16,18
- final** 55:5,18 58:5 59:2
60:9 69:9 90:9 125:10
125:12,16 127:7
172:18 193:16 222:10
222:11,14,21 223:6
227:16 250:18 267:20
276:2
- finalize** 222:8
- finalized** 222:22 223:6
- finally** 23:9 54:6 60:8
78:8 155:1,21 264:1
- financial** 72:7 96:3
192:15,18 193:9,15
201:2 202:12 211:10
- find** 10:11 131:13 173:4
198:4 205:14 238:5
- findings** 52:15 85:11
238:12
- fine** 6:10 47:11 139:5
140:11 143:9 186:6
244:16 245:14
- finely** 120:22
- finger** 180:20
- finish** 239:15 247:10,15
271:13,19
- finished** 37:15 109:11
195:6
- fire** 9:16
- firm** 70:10 71:12 79:7
79:16 199:12 201:12
203:11 209:16,20
- firm's** 79:12
- firmly** 90:17
- first** 5:16 33:10,11 34:9
34:12 35:6 36:15
50:16,19,21 53:1
54:10,19 61:1,14
63:20 86:8 87:13
105:5 109:19 110:7,9
112:4,5 114:10 122:6
122:14,15 123:12
126:9 129:4 134:20
142:15 196:15 201:16
211:7 212:6 222:4
224:8,18 231:14,16
232:22 234:8 248:7
248:10,21 266:22
274:3
- first-** 116:15 121:20
- first-come** 116:15
121:20 122:13 123:12
124:2
- first-served** 122:13
124:2
- firstly** 201:13
- fish** 274:1
- Fisher** 7:4 18:22 19:15
20:12 29:8,14 66:16
116:2 139:2 140:9
144:4 162:4 225:15
226:2 228:15,21
- Fisher's** 20:10 123:20
- fit** 127:4
- fits** 123:1
- five** 8:14 16:10 105:14
126:22 130:17 133:19
134:8 147:3,4 149:1
167:7 235:7 239:22
254:15,20 265:7
266:5,19 267:16
- five-** 160:11
- five-minute** 28:10
- five-year** 198:17 252:21
- fives** 255:1,1
- fix** 160:19
- fixed** 235:20
- flag** 43:20 55:22
- flat** 167:7 188:18
- Flexibility** 41:2
- float** 163:10
- floor** 50:20 146:18,19
146:21,21 147:3,5,6
148:11,17 149:2,18
149:20,22 150:3
- flow** 133:6
- flows** 243:7
- fluctuation** 165:14
- fluidity** 120:20
- flying** 225:12
- focus** 42:3
- focused** 43:8
- fog** 5:10
- foliage** 137:12
- folks** 87:16 88:11
176:16 205:1,4,15,16
223:7 253:4,13 255:8
276:18 277:2,14
- follow** 41:1,3
- following** 21:22 94:19
95:10
- follows** 22:5
- foot** 24:2
- footnote** 89:19 90:3
- force** 189:18 243:14
- forces** 264:16
- forcibly** 70:3
- forecast** 95:19 229:5
- forego** 187:16
- foregoing** 50:9 177:18
- foreign** 19:20 20:5,6,10
42:19 43:20 55:22
64:12 136:16
- foresee** 9:22 238:6
- foreseeable** 237:9
- forever** 244:11
- forget** 119:4 126:14
263:18
- form** 31:9 66:18 88:6
178:20 186:11 204:18
- formal** 14:13
- formalities** 12:17
- formed** 28:21
- former** 32:13
- forms** 236:3 250:7,14
- formulas** 162:15
- formulation** 93:4 96:20
- forth** 130:10 188:1
189:15 216:21
- forthrightly** 71:9
- fortunate** 260:14
- fortune** 191:14
- forum** 30:13
- forward** 17:8 29:12,14
45:17 48:10 75:20
161:18 173:4 180:3
212:17 221:9 230:14
232:19 257:12
- found** 76:7 80:15
180:19
- fountain** 9:14
- four** 105:22 137:7
154:21 155:15 172:9

178:12 185:10,12,20
 190:15 214:1,2 244:6
 254:15 261:14 265:7
four-hour 185:5,17
fourth 61:6
fraction 119:5
fractional 126:16
frame 193:20 195:1
 264:10
framework 238:22
frameworks 42:1
frankly 228:1
free 10:13 177:6 183:22
 221:5
frees 213:9
Friday 235:3
friendly 236:10 237:20
front 9:18 212:16
 214:21 270:12
frustrated 138:3 223:7
fuel 43:21
fuel-consuming 44:4
full 13:15 25:16 33:22
 34:5 39:14 43:12
 79:11 112:7 114:10
 264:3 267:18
full-sized 23:22
fully 16:3 20:11 30:10
 71:16 113:10 263:19
 266:1,16,20 267:1
 268:6,9
function 133:9 146:20
 155:3 199:12 200:1
 201:14 256:18
fund 3:16 14:17 103:10
 199:19 210:22 211:5
 211:20 212:2,5 214:3
 214:6,13 217:9
 218:19 219:17,20
fundamental 129:11
funded 33:1 75:8
 113:11 218:18 268:10
funders 72:19 74:5
funding 67:17 201:17
 201:22 202:4 204:10
 206:7 207:13,15
 218:12 230:13
funds 113:4 210:18
further 22:17 69:19
 75:2 76:2 77:8 84:13
 84:19 85:20,22 97:5
 124:4 143:19 145:12
 149:18 150:21 151:4
 158:2 166:12 175:19
 175:21 194:9 198:1
 198:15 199:10 209:12
 235:2 245:18 275:21
future 30:9 45:20 47:16

47:20 48:1 62:10 70:7
 93:4 96:20 143:9
 161:18 163:11 179:19
 212:9 216:4 239:7
 255:13 260:21 270:4

G

G-U-N-G-O-R 47:6
GAAP 210:2
gained 158:10
gains 45:7,9
Gallagher 1:21 7:3,7,22
 7:22 17:20 18:10,12
 19:8 21:12,14,14,19
 23:18 26:6,15,18,21
 29:5 33:19 34:2,6,13
 34:18 35:7 36:13
 37:11 39:5 46:18
 80:11,11 81:6 88:22
 89:8 98:2,4,13,18
 99:1 101:1 112:1,2
 123:6,6 138:13,13
 150:5,14,19 151:1,3
 153:20 154:2 159:4
 166:8,8 171:18,18
 172:18 179:3,3,20
 180:7,21 182:18,18
 185:1,1 188:4,4
 195:14,14 202:10
 207:21 208:4,20
 209:1,4,8 214:19
 216:13,13 219:3,3
 223:13,18,18 231:7
 245:16,16 247:7
 250:1 255:19 256:20
 261:1,6,11 271:12
galley 9:13
game 264:17
garage 57:22
garbage 57:21
gather 9:19
gathered 236:13
gCaptain 267:5
gearboxes 272:10
gee 197:5 225:2
general 3:18 14:19 16:7
 27:1 29:20 38:7 76:16
 119:20 194:2 199:22
generally 229:21
generate 133:22 150:12
 150:13 168:21 214:2
generated 156:20
 159:13 231:10 232:6
generates 133:4
generating 140:22
generation 132:22
 155:5 157:4
generator 275:18

GEORGE 2:12
Georgian 129:7 131:16
 131:17
getting 49:2 59:14
 179:9 180:11 195:8
 195:22 212:21 238:13
 245:8 257:20 258:4
 258:12,18 262:18
 263:6 267:13 272:19
 273:4 275:19
give 8:17 9:5 11:3,7,11
 11:15 24:9 26:16
 30:16 40:13 43:18
 62:20 104:3 123:21
 133:22 134:18 141:18
 142:11 145:6 171:4
 187:22 189:18 190:6
 190:18 192:20 198:10
 215:4 216:9 221:12
 229:11 246:5,14
 247:4,14,20 254:21
 255:10 257:6
give-and-take 166:16
given 41:4 66:1 101:11
 184:21 202:7 221:3
 222:1 254:19 276:9
gives 61:7 157:4 166:11
 188:17 190:3 238:15
giving 124:20 226:6
glance 201:16
glaring 222:12
glitch 246:20
global 44:11
GLPA 32:18 214:21
 235:8 240:5,7 241:16
GLPAC 2:2,7 19:10
 26:3,4 30:10 59:10
 100:15 142:9
GLPMS 31:4,22 32:7
goal 42:7
God 181:17 267:3
good-intended 194:20
Google 190:5
Gordau 226:2,6
gotten 199:21 276:15
Gov 31:19
government 13:1 20:8
governmental 56:4
grab 177:6
gradual 112:13
grain 44:6,14 45:3
 53:19 54:3 55:6 58:20
 61:15 73:9 74:2 76:20
 77:7,10 78:1,12 231:1
grains 161:21
greater 60:13 68:4
 78:19 145:19 173:18
greatly 32:16

greedy 214:14
Gros 22:3,12,19
grossly 32:14
ground 273:10
group 2:13 42:9 86:17
 120:3 123:20,20
 138:20 143:13 148:15
 184:6 189:8,10 197:7
 242:1 247:13
groups 14:21 230:1,10
 235:9 240:16 252:4
 253:10 264:10
growing 272:17
growth 136:22
guaranteed 262:15
guarantees 238:10
Guard's 54:13,14 58:2
 62:7 66:10 68:6
 142:22 238:3
guess 22:21 80:20
 83:11 134:1 174:14
 174:15 179:20 189:10
 207:2 225:11 230:16
 245:11 262:16
guidance 211:21
 212:19 215:7
guide 31:19 85:3
gun 227:3
Gungor 2:8 39:20 40:1
 40:2,7 46:15 47:2,5,6
 47:9,10,17 48:7,17
 51:20,22 52:5,10
 56:17,21 80:12 81:1,1
 81:6,12 83:17 85:2
 86:5 91:19 97:15,16
 97:19 98:14,15,20
 99:9,22 100:2
gutted 271:15

H

half 63:15 80:14 104:12
 136:8 161:12 177:12
 185:10 269:18
halfway 254:9
Halifax 135:8
Hamburg 130:20
 135:22 137:7,17
Hamilton 19:2,17
hand 7:16 17:9 115:12
 138:17,19 157:9
 213:3
handed 59:14
handicap 212:17
handicapped 134:5
handle 45:11,16 136:9
 166:15 184:7 200:2
handler 264:13
handlers 183:20

handling 253:7 260:11
handouts 49:13
hands 176:19,20
hang 236:20
happen 55:4 92:3,7
 131:22 181:11,12
 196:3
happened 78:10 92:6
 113:3 125:9 200:4
 225:13 227:21
happening 106:14
 158:7 195:13 227:18
happens 110:9 112:20
 244:12 245:13
happy 9:3 10:9 46:6
 93:17 141:1 244:8
 258:7 261:3,5
harbor 106:10,11
hard 89:19 165:1 171:6
 196:6 211:18 215:12
 233:10 251:21 276:20
harm 70:4,9,11 72:8,13
 74:13 75:6 79:5 80:1
 80:4,6 123:14,18,18
Hartung 21:20
hauls 206:16
Haviland 2:8 28:8
 169:13,15,16 170:10
 170:10,18 172:17,20
 172:20 173:14,21
 175:1,4,4 178:1,2,3
 179:14,14 180:4,4,12
 180:12 181:3,14
 182:4,11,11 184:16
 186:9,10 187:9 200:9
 200:9 210:16,19,19
 213:20,21 215:10
 216:12,18,20 217:5,5
 217:8 218:6 219:14
 219:18 220:6,9,9
 228:13,14,20,20
 238:8,8,21 239:3
 240:2 276:14
head 24:15 119:5
Headquarters 21:1
 277:11
heads-up 171:15
headway 245:21
health 102:22 103:10
 108:16
healthier 230:4
healths 103:8
healthy 108:17
hear 8:19 14:7,8,10
 19:4 39:22 40:1 46:15
 46:20 47:9 49:19
 51:22 85:2 116:8
 162:18 175:14 230:22

232:20 239:6
heard 16:3 41:15 81:7
 224:9
hearing 47:10 117:21
 143:15 144:18 146:7
 148:5,8,14,18 166:7
 175:21 192:13 219:9
 220:1 228:8,9 231:3
 276:4
heat 275:1,4,14
heated 11:13
heating 271:16 275:8
heavier 270:20
heavily 271:10
heavy 39:12
held 43:15 53:6 54:2
 88:13 133:5
Hello 192:16
help 6:16 13:9 27:13
 142:6 211:13 214:16
 233:17 253:15 255:3
 255:3,4 264:5 275:9
helped 278:1
helpful 186:14 219:11
 219:15
helping 277:15
helps 15:6
Heron 233:16 234:5
hesitate 9:5
hesitation 29:13
hey 87:18 253:20 254:1
Hi 20:20 137:4
hiccup 263:3
hiding 223:8,9
high 53:2 108:11 109:2
 133:7
high-deductible 103:8
higher 60:15 76:11
 78:21 154:20 158:1
highest 108:12
highest-compensated
 109:4
highlighted 54:19,20
highways 53:14
hinder 137:1
hire 109:12 126:22
 127:1 231:17 267:3
hired 109:13,20 179:8
 190:22 231:19 258:5
 266:6
hiring 127:9,14 267:12
historic 118:3 173:1
history 187:18 263:5
hit 150:16
hits 150:18
hold 113:1 183:6
 223:22 241:8
holding 43:6 45:2

holidays 136:2
Holland 129:8
home 190:14,18 216:7
 269:8
homes 189:20 190:1
hop 21:5
hope 11:4 27:18,22
 45:22 48:11 66:5
 68:15 85:17 101:15
 248:22 270:14 271:6
hopefully 107:20 270:3
 272:19 278:13
hoping 161:18 272:1
host 9:3
hosting 135:5
hot 11:6,9
hotel 190:2,7,17,20
 269:21,22
hotels 190:8,11 269:16
 270:3,5,7
hour 80:14 101:11
 123:13 131:18 133:9
 133:9 136:2 145:10
 176:7 177:9,12
 185:10 273:20
hourly 145:11,11
 147:17 149:17,19,22
 150:4,10 154:18
 155:2,7 178:15
 182:21 183:2,6
hours 25:3 31:21 32:9
 32:11,12 49:16
 128:10 129:13,15
 131:2,10,20 132:6,21
 133:13 147:14 149:4
 149:5,16 157:3 158:1
 178:12 183:4,7 185:8
 185:10,13,20,20,21
 229:19 243:7 268:19
 268:22 269:1
hours' 268:21
house 271:14
Houston 234:1
HSA 103:14
huge 121:12,12 230:8
 231:21 236:5 246:11
hugely 212:5
hump 278:2
hundreds 25:3 61:10
 64:19 65:18,21 70:17
 258:15
Huron 129:5 131:21
Huron/Sarnia 22:8,10
hurry 195:3
hurt 61:4 73:7
hypothesizes 71:22
hypothetical 53:1 72:2

I

i.e 83:15 115:2
ice 38:13,13,18,22
 39:13 181:9 270:22
 271:3 275:11,14
ice-breaking 53:5 68:2
ice-free 39:10
icebreaker 271:3
ICR 31:17
idea 83:6,10 89:20
 193:13 211:20 214:10
 216:15
identical 109:21
identically 102:18
identified 64:11
identify 16:3 90:4
idiot 240:12
ignored 77:18 95:21
 196:12
II 137:8 231:8
Ike 10:22
ILA 8:10 30:6
immature 275:22
immediate 74:8 216:2
immediately 70:3 122:4
 234:20
impact 37:19 40:16
 42:14,22 43:13 44:14
 44:18 55:15 57:4 59:8
 64:4,9,16 65:10 69:13
 82:22 83:21 84:4,11
 90:7 96:11 167:3
 170:13
impacted 41:9 52:14
 62:14
impacts 41:7,18,21
 42:4,6 43:5,9,16
 44:22 45:17,21 46:3
 82:2,7 83:16 84:2,3
 95:16,19
implausible 76:13 77:8
implausibly 53:2,3
 71:22
implement 184:4,6
import 44:2
important 16:19 18:16
 19:10 43:7 44:12 65:4
 68:14 80:17 87:1
 92:21 187:21 219:4
 245:2
importantly 19:18
 46:18
imports 43:21 62:2
imposed 68:8
impossible 119:19
 187:2 195:13
imprecise 156:11
impressed 276:8

imprimatur 79:10
improving 40:21
inadequate 94:15
inappropriate 20:4
 223:15
inbound 61:22
incentive 70:10 72:8
inception 32:2
inch 275:8
incident 260:12
incidents 260:9
include 41:21 45:18
 93:8,9
included 31:8 51:6
 64:15
includes 69:16
including 40:19 43:2
 64:22 66:18 67:22
 70:21 71:4
income 215:22 216:4
 218:14
incompatible 140:6
inconsistent 218:11
incorporated 19:21
incorrectly 52:1
increase 53:21 54:7
 55:3 58:21 62:7 75:13
 76:4,10 77:9 82:7
 90:6,8,11,12 112:13
 116:12 127:4 136:6
 161:20 231:21
Increase¹ 64:9
increased 45:17 66:7
 78:13 79:14 92:4,8
 94:17 119:2
increases 42:14 55:14
 55:17 58:8 61:2 62:13
 66:9 67:15 69:13 70:7
 71:20 72:1,2,12 73:6
 73:12,18,20 75:10,14
 75:15 76:2,14 77:2,5
 79:5
increasing 95:7 127:3
 130:22
incurred 119:12 187:11
 187:12
independence 84:6
 86:6
independent 81:20
 85:5
independently 159:12
indicate 125:22
indicated 126:5
indicates 60:12 78:18
Indication 19:4
individual 14:3 103:1,5
 243:21
individualized 65:9

individuals 74:16
indulgence 49:7
industries 44:4 117:18
 135:12
industry 41:9,18 42:4
 43:1 59:5 61:9,12
 81:15 85:6 94:11
 135:5,8,9 136:4,11,16
 136:21 139:18,22
 141:4,5 159:15
 171:10 181:2 224:13
 242:2 244:4 253:17
 256:11 258:22
industry's 162:2
inefficiency 243:16
inferred 44:9
influence 88:3,5 204:21
 238:17
inform 46:1 84:8 85:13
 87:1
information 6:19 31:11
 31:17 38:8 55:20
 56:10,12,13,18 57:21
 59:4 85:20 165:19
 199:5 200:19 221:8
 221:10,12 224:14
 227:5 240:6 265:10
informed 82:8
infrastructure 94:16
 211:16 212:9 214:7
 215:21 217:13 218:8
 218:17 271:10 275:20
initiative 110:19 135:4
inner 116:19 206:17
input 13:3 30:14,15
 43:14 68:21 144:5
 171:11 205:21 206:10
 206:12 219:14
insight 227:9
installation 275:17
instance 13:4
instituted 73:21 191:16
institution 211:10
insufficient 94:15 130:2
insurance 102:22
 103:17 108:16
insurances 102:22
intangibles 262:8
integration 241:15
intend 75:2
intends 69:20
intensive 119:21
intent 150:2 187:10
 194:21 211:5 214:6
intentions 272:1
intents 81:18
interaction 84:19
interest 10:8 15:10

68:14,17 70:14 71:10
 148:15
interested 11:19 12:1
 25:11 27:16 117:20
 118:12 146:7 176:16
 218:13,16 225:11
interesting 161:6
interests 20:6 61:9
 64:13 67:6 75:7 79:8
 95:11 96:5 140:16
 182:13
interject 87:6 209:22
internal 199:12 200:1
 201:14
international 9:2 43:19
 44:1
interplay 199:15
interpreted 43:12
interrupt 228:13
introduce 7:20
introduction 3:3 13:22
invest 212:9 263:1
invested 32:6
investigate 67:13 82:20
investigates 68:16
investigation 53:12
investing 214:17
investment 57:15 81:16
 163:8 211:15 218:22
investments 65:14
 215:2
invests 32:19
invitational 15:19
invoicing 234:6
involved 206:9
iron 76:16
Iroquois 22:4,6 263:12
IRS 215:19,22 216:5
island 129:7 259:17
issue 18:16 19:10 22:14
 27:11 28:2 79:9 88:17
 121:7 122:11 127:20
 138:12 144:3 166:1
 174:8 180:14 182:13
 187:9,16 188:1
 191:21 200:19 209:19
 210:20 220:10 223:14
 228:3,4,15 232:11
 238:6,9
issued 64:18 210:4
issues 13:4,10 17:1
 28:21 29:5 64:13 66:4
 66:17 68:17 87:15,15
 88:16 120:6 125:5
 178:16 197:17 198:6
 198:15 227:10 234:14
 236:2 238:4,7 239:4
issuing 178:19

item 3:2 4:11 30:18
 39:18 116:3 186:19
 213:11
itemized 178:19
itemizing 186:10
itineraries 55:21 117:17

J

January 193:17 194:12
 196:5,6 200:22
January/December-t...
 194:17
Jean 2:3 21:21 38:8
 163:16 166:22
Jim 21:20
jive 120:9
job 51:4 54:13,14 62:6
 79:20 81:10 82:12
 101:17 105:20 106:4
 121:16 122:2 171:8
 185:8 200:1 209:21
 260:17 269:4 276:17
 278:5
jobs 44:21 54:9,11,12
 62:8 71:19 99:4
 121:15 242:7
John 1:14,18,19,20,22
 6:13 8:2,4,6,8 17:12
 21:12,19,19,19 23:6
 24:9,11 26:15 28:13
 28:16 30:1,2,16 33:20
 34:19 35:7,14,17,22
 36:18,20,21,22 39:5
 46:10 50:14,15,19
 69:10 83:2 84:15
 89:15 91:12 92:17
 93:16 95:15 97:5 98:2
 99:12 101:3,6 111:16
 111:18,20 112:2
 132:14 134:13 140:8
 140:20 141:9,20
 142:13 148:19 150:5
 153:22 156:3 159:4
 160:1 166:20 168:17
 171:20 172:6,7,14
 175:10,17 196:12
 209:13 213:20 219:5
 229:16 230:18 231:7
 237:16 246:12 247:19
 255:15,15 258:11
 261:17 265:5 267:15
 278:19
John's 112:3 204:1
 238:1 246:2
joint 276:12
Jr 1:19 6:13 8:8,8 34:7
 35:13 36:18,18
Judy 252:4

July 31:17 63:20 100:17
230:21

jumped 227:3

June 3:5 17:17 18:7

40:12 60:14 78:20

93:3 100:11 233:15

jurisdiction 27:20

jurisdictions 101:15

justified 222:5

K

keep 43:10 52:18

120:15 127:9 128:2,3

130:21 131:1 152:3

162:12 222:22 239:8

252:14 253:15 256:13

263:20 264:3 267:13

268:15 270:19 272:15

keeps 128:1 134:10

kept 32:10 75:17 257:6

key 41:3 65:12 163:3

Khandpur 2:2 5:3 6:5,9

7:5,10 8:5,5,11 11:18

11:22 12:3,5,8 14:5,8

20:15,19 33:21 34:4

34:10,17 87:6 88:10

88:20 89:6,9 99:16

100:1,21 116:4 144:8

167:21 168:5 169:9

173:10 176:9,12

177:14 201:21 203:1

204:15 206:6 207:4

207:17 226:18 261:2

261:8 267:14 268:12

276:6

kicked 100:10

kicking 11:10 148:22

Kiefer 16:20 17:3

kill 141:5

KIRSTEN 2:10

kitchen 271:16

Klein 3:20 6:19 14:20

31:4 32:17 119:20

232:19,22 233:8

235:4,11 236:10

237:19,19 238:11,20

238:22 240:11 241:4

243:12 244:12

Klein's 242:19 243:3

knew 135:22 196:17,17

227:14 230:15

knowing 93:22 121:15

167:3 218:14

knowledge 57:17 83:14

203:14

known 31:4 86:15

knows 9:7 55:3 120:20

203:21,22 204:1,2

257:7

kudos 278:4

L

labeled 93:11

lack 56:3 96:5 196:8

laid 215:8

lake 104:5 115:4 191:5

261:4 264:4 268:22

269:19 270:2

Lakes/St 44:7,19

landlord 274:21

lane 206:8

lapse 159:11

large 54:3 71:22 108:10

171:3 203:6 242:16

largely 122:20 242:21

larger 161:16,21 162:7

largest 19:22

lasted 161:7

late 7:4 137:11 222:21

lately 231:3

latitude 207:1,3

Laughter 173:12

law 12:22 103:11

223:10

Lawrence 44:7,19 60:1

laws 19:21

lawsuit 66:11 71:5

72:22

lawyers 180:17,22

lay 261:22

laying 121:8

layman 204:5

laymen 89:21 90:2

lead 66:11 72:21 87:3

leadership 16:17

leading 64:20 70:20

237:12 243:21

learned 83:9 278:6,8

learning 196:15 235:11

lease 23:5,10 273:10

leased 274:15,16

leasing 274:20

leave 103:14 153:4

164:13 177:3

leaving 164:16

led 73:8 94:14

leeway 166:12 202:15

left 5:8 15:16 56:9 83:8

103:14 107:21 164:20

165:9 178:10 197:19

leg 131:12 270:15

legal 253:6 259:9 266:9

277:3

legitimate 67:6

Lemire 2:9 21:21 135:3

135:4 161:4,4 162:21

163:14 165:20 170:2

170:19,19 214:20

240:7,7 241:8 243:18

length 38:16 154:19

let's 5:4 17:14 21:5,9

34:10 35:6 37:16 50:6

63:10 91:2,3 102:7

134:20,21 190:2

192:13 196:5 215:4

232:9 242:14 251:14

252:14 256:2,6 269:9

letter 24:5 25:22 26:16

35:5,8 36:2,11,14,15

39:6,15 50:19 51:1,4

60:6 69:3,5,6 128:14

130:4

letters 26:2 33:14 50:14

63:14,17

level 43:19 75:17 79:2

90:4 103:11

levels 44:14 75:6 76:5

77:17 78:3

liability 107:9

license 109:14,18,21,22

109:22 197:2

licenses 231:14

life 120:9

light 90:15

likelihood 77:13

likes 265:13

limited 16:10 107:8

130:1 269:16

limiting 172:12

limits 24:17 119:18

line 39:21 56:17 166:21

183:20 186:18 190:4

206:5 213:11 243:16

243:17 260:18

lined 275:19

lines 184:19 251:18

link 226:3

liquid 76:17

list 10:3 224:22

litigation 222:16

little 8:18 11:1,6,9 14:7

25:13 29:10 81:7

106:20 112:3 127:2

139:15 145:20 171:5

178:7 187:22 192:1

229:11 236:5 245:19

246:16 271:22

live 189:19 190:16

206:16

living 190:7

LLC 69:11 95:15

loading 117:8

loan 211:9 219:2

lobbying 66:18 67:6

lobbyist 19:1,16 20:5

66:17

lobbyists 20:2

local 10:3

lock 22:4,6,6 23:17,19

23:21 24:1,1,8,13,17

27:12 35:9,10 36:17

39:8,9,14 113:3

206:16 273:17

locks 23:8 24:2,6,14

25:4 130:14 136:8

273:14,14,15

lodging 265:20

log 259:17

logical 23:3

logistical 52:2

logistics 51:17 73:16

277:18

long 7:10 75:7 123:14

123:17 131:7 177:12

192:6 233:9,10 240:5

263:5 273:9 274:15

longer 22:21 53:19 54:4

262:11 263:22

longstanding 95:3

121:7 181:21

look 11:20 23:12,14

25:8,20 26:2 27:21

63:2 78:9 82:1 84:2

92:3 98:7,8 99:8

108:20 109:3 115:11

132:3 133:16 156:20

157:11 163:7 166:17

173:1,3 182:22

188:13,16,18 197:4

199:17 200:4 201:22

216:10 252:5 260:2

260:17 261:15 270:4

looked 23:4,13 89:10

91:20 92:5,5,7 146:18

164:1 189:5,8 205:12

237:16 251:4 275:3

looking 6:12 17:8 27:18

43:3 47:15 48:8 88:12

119:22 130:10,14

160:3 196:18 197:9,9

199:14 203:21 204:2

204:4 208:8 210:8

217:19 218:12 225:7

260:4 261:15 263:11

266:14 267:18 272:21

273:4

looks 76:20 229:4

lose 121:16 129:1,2,14

129:15 161:10 171:15

185:11 232:3 261:21

losers 54:13,16

loses 120:22 129:13

losing 124:18
loss 54:8,11,12,17,18
 62:6 71:20 73:8 76:15
 79:20 121:22
losses 45:4,5,6 81:10
 82:12
lost 44:21 61:16 243:15
 245:3 272:4
lot 5:10 7:8 9:19 24:3
 25:2 57:11 105:6
 136:10 137:10 183:12
 186:11 200:3 202:17
 204:9,13 207:1 210:8
 213:17 218:5 219:4
 227:7 231:1,15 239:2
 240:13 241:13 249:17
 259:11 261:16 263:2
 267:9 268:16 272:12
 277:5,9 278:6
lots 50:3 140:21 222:17
 228:21 270:10
Louisiana 264:12
lovely 5:7
low 109:3 133:4,5 134:7
lower 56:1,14 76:11
lowest 90:6 121:15
 133:18 165:6,11
 167:15,19 168:7,10
 169:7
lowest-compensated
 109:3
lucky 258:3
ludicrous 90:8
lump 111:11
lunch 10:2 14:21 15:12
 176:18 177:19

M

Mac 25:5
MacArthur 23:17,19,21
 24:1,8,13 35:9,10
 36:17 39:8
machine 9:12
machinery 137:16
machines 137:22
Mackinac 129:7
magazine 59:21
magnitude 134:4
Maid 272:9
Main 21:1
maintain 32:8 118:6
 124:8 215:13
maintenance 234:11
major 65:13 252:12
 260:12
majority 41:6 122:18
 157:9 199:3 231:20
making 25:17 74:11

149:14 167:12 206:10
 222:8 243:17 245:21
 246:7 278:16
man-days 111:9,10,12
manage 38:13
management 2:14 31:3
 31:12 38:13,18 253:5
 259:11 265:8 266:9
managers 256:3
managing 203:20
mandate 94:5
Mandatory 3:7
manhours 32:4,6
manned 253:8 264:11
 264:20 265:15,21
 266:4
manpower 125:20
 126:2,9,18 127:3
 133:11 199:20 277:9
manual 31:15 32:13
map 263:9
March 100:13 105:8
 195:19 223:20 234:3
 248:10
margin 217:22 218:2
Marie 129:8 273:11
marine 2:6 19:1,16,19
 43:20
mariner 59:20 94:22
 267:6
maritime 1:13 9:2 10:16
 25:12 42:16 55:16
 56:8 60:5,18 94:10
 176:14
maritime-related 54:9
Mark 2:4 137:4 278:15
marker 206:14
market 164:14 263:1
Martin's 77:19
Martin,' 95:16
Martinsburg 1:13
Mary's 268:18 274:13
massive 127:22 183:4
Master 110:4
Master's 109:14,17,21
masters 2:13 235:7
mat 275:2,7
match 202:5
material 30:22 49:21
materials 49:15
Mates 2:13
math 145:8 155:6
 156:19 168:9 221:16
 221:18 222:12
matter 15:9 21:3 50:9
 56:15 67:18 68:15
 71:8 131:19 170:7
 177:18 232:12 240:8
 279:5
matters 65:4 94:3
maximum 103:10
 166:18
mean 6:9 25:3 27:6
 48:11,20 54:18 57:11
 57:13 81:16 82:4 83:6
 85:10,17 86:6,9,10
 87:21 98:16,21 99:6
 114:2 126:14 148:21
 151:20 152:4 156:13
 163:14,15 166:16
 167:19 170:1,7
 179:21 181:11 182:4
 187:2,5 188:4 189:17
 190:7 195:20 199:20
 206:4 208:8,12
 209:19 214:20 225:20
 227:15 236:11 238:5
 239:1,4,12 240:3
 244:8 247:14 256:4
 261:19 263:1 265:17
 268:15
meaning 45:1 121:1
means 65:19 67:7
 74:19 147:6 161:15
 199:15
meant 205:4 241:7
measured 41:7
media 139:9
medical 103:16 108:10
 113:19
medium 141:2
meet 23:2 68:18 117:15
 139:17 140:2,4
 265:16,18
meeting 5:18,20 9:4
 11:5 13:11 15:13,22
 16:12,16 17:16 21:5
 29:9 49:18 50:2 51:7
 80:17 100:15,16
 107:3 120:7 221:6
 224:17 225:17 229:1
 229:12 239:15 245:11
 245:17 259:6 265:16
 265:19 276:3 278:21
meetings 7:9 16:14
 106:19 224:5 225:5
 227:8 233:16 265:17
 278:9,10
melters 275:14
member 1:19,20,21,22
 6:18,20 20:6,12 49:10
 59:10 141:20 142:3
 148:3 160:22 167:18
members 1:16 6:22
 7:20 8:12 11:19 13:5
 13:8 16:8 18:17 19:11

22:18 23:11,14 46:9
 49:5 62:20 80:10
 89:15 92:2 111:17
 114:15 154:7 177:2
 177:11,16 225:16,17
 251:7 277:21 278:18
membership 2:12 7:15
 21:7
memorandum 126:20
 211:22
mention 56:7 89:3
 200:14 276:19
mentioned 8:11 16:5
 45:2 52:3 82:5 84:13
 89:18 117:19 163:3
 204:22 261:2 277:2
mentions 58:2
Merchant 240:18
mercy 117:10 274:21
merit 186:10 204:14
merits 222:4
messes 117:16
met 1:12 15:15
method 32:13 46:2
 75:20 100:7 126:1
methodologies 42:1
 100:4 101:14
methodology 41:15
 43:4 48:20 57:6 75:4
 96:6 108:7 126:6,15
 130:2 145:7,15
 154:16 155:13 168:20
 174:22 178:8 187:11
 187:18 211:17
methods 57:4 100:6
Michael 2:11 192:16
Michelle 15:16 224:21
 225:4,6 226:5,19
Michelle's 29:10 199:21
microphone 14:7 19:5
 27:9 38:5
microphones 16:2
mid-March 195:17
mid-summer 231:2
middle 191:5 195:19
 246:10
Midland 131:20
midyear 254:7,8
migrate 237:1
migrating 238:7
migration 3:20 14:20
 44:3 232:22 233:5
Mike 6:3,19 9:6,7 15:15
 15:16 234:8
mile 189:12 269:18
mileage 189:12
miles 233:10 273:15
Miller 10:5

million 70:18 76:8
77:11 94:14 214:11
214:12
Milwaukee 129:8
137:17
mind 43:10 131:1
minds 245:6
mindset 264:16
mine 28:5,17 112:3
172:5
minimum 123:10
147:13,18
minuscule 72:3 242:10
minute 27:7 104:14
108:6
minuted 136:14
minutes 3:5 16:10,12
16:13 17:16 18:4,6
50:8 62:21 84:1 220:7
mirror 36:14
misapplied 221:16,18
miserably 72:9 79:12
misinterpretation
96:15
mislead 73:1
misnomer 158:16
misrepresenting 73:1
missed 46:16
missing 245:2
Mist 130:18 137:8
mistake 222:12
misused 79:22
MITAGS 259:5,8
mitigate 58:9
mitigation 253:7
mix 158:3,5
mobilizing 185:7,16
modal 45:14
mode 136:22
model 43:4 44:16 51:17
51:18,20 52:2,9,17
73:16 81:14 84:5
85:10 118:2,5 119:3
120:10,11 125:7,11
129:10 137:11 138:22
139:19 140:4 156:17
158:14 159:1 253:8
264:11 265:15,21
266:5
modeling 57:7 86:22
models 52:18 86:10
118:16 119:21 264:20
modes 42:20
modifications 271:5
modified 32:20 139:19
modify 139:15 143:18
monetary 41:8 184:19
184:22

money 80:16 82:5
103:15 107:21,21
112:22 113:9,10,11
124:16 129:14 179:13
189:16 190:12 193:12
199:18 211:2 212:8
212:16 213:9,12
214:14,21 215:1,4,17
215:20 216:1,7
217:11 218:8,22
219:5 238:13 239:7
240:13 254:3 255:20
256:1,12
monies 212:2
monster 235:7
month 115:11 132:5
188:6 268:1 270:15
271:22
months 110:3 113:22
128:8 191:3 195:9
236:1 272:4 273:18
Montreal 19:2,17
135:11 224:5,6
Montreal-based 19:20
Montreal/Lake 78:14
Moody's 214:1
moratorium 274:1
Morin 170:2
morning 5:4,8 8:22
12:16 20:20 40:2,3
135:3 169:15 176:13
motion 17:19,21 33:18
33:19 34:5,7,8 35:4
35:12,13,15 36:1,10
36:19,20 37:10 38:2
91:12 93:7,9,14 97:1
97:6,9,12 134:16,21
141:8,11,14 142:14
143:12,16 144:9,13
148:10 149:12 150:21
151:7,10 152:5,14
153:9,10,18,22 154:1
154:7,11 167:13,14
169:11 174:15,15
175:11,14,22 176:5
208:22 209:12 210:14
219:17,19 220:4
279:1
motions 144:15
MOU 242:4,5 243:22
mounted 275:2
move 17:15 29:12,14
37:16 53:19 63:10
88:14 93:1 98:1 102:7
110:12 111:22 116:1
116:6 123:14 124:19
134:16 138:18 141:14
143:16 144:10,18

153:15 177:22 192:13
193:10,14 195:8
207:20 212:12,16
219:10 228:9 229:12
230:14 237:22 243:13
251:14 269:7 273:13
moved 17:20 269:17
279:2,3
movement 96:1 145:18
movements 70:5
moves 106:11 110:8
movies 188:10
moving 43:20 77:17
128:3 150:16 193:8
Moyers 2:11 6:4,7 9:7
14:4,6 15:15 39:20
40:5 46:13,22 47:3
144:20,21 146:12
147:11 154:14 176:22
192:15,16,16
MSI 101:11,17
multiple 52:18 212:15
multiplier 154:17
multiply 174:1

N

N 3:1,1 4:9,9
name 16:4 17:12 38:8
46:12,14 47:1,3,6
178:3 251:2
national 1:12 43:12
94:21 176:13 243:20
nature 164:15
Navigation 65:15
near-real-time 32:11
nearly 68:4 119:19
necessarily 45:5 81:17
85:3 123:4 142:20
156:13 202:5
necessary 134:17
141:17 142:10 179:17
necessity 187:17
need 6:10,15 7:14 9:5
10:10 12:17 16:10
26:18 33:19 50:4
93:12 105:5,18
113:17,17 123:13
125:20 128:21,22,22
131:19 140:17,20,21
149:1,6 150:2,10,11
150:12,12 155:17,19
155:21 159:17 166:10
181:10 184:12 186:1
188:12 194:5,9,19
203:18 204:8,17
212:5 218:8,20
221:20 228:17 229:8
235:3,17 237:3 243:4

246:4 247:22 248:2,5
255:2,3 256:13 264:6
264:7
needed 123:5 132:12
139:20 147:7 149:1
160:17 197:22 204:4
206:13 212:5 219:7
235:19 263:12 272:13
277:1
needs 10:12 127:14
129:22 130:1 132:20
133:12 139:17,19,21
140:5 143:22 147:8
147:20 149:4 153:12
159:19 248:4 262:20
277:12
negative 59:8 95:19
96:13 161:15
negatively 62:14
negotiating 71:2
238:16
net 45:5 54:11,18
neutral 64:3 65:3 67:21
70:15
never 9:22 32:2 38:17
58:2 92:5 150:17,18
180:13 189:13 198:7
227:15 230:13 244:22
272:10 274:17
new 16:19 23:5 121:13
130:10 134:11 147:6
147:9 153:6,9 156:17
173:7,21 217:20
235:14 237:18 246:19
250:8 251:1,5 253:9
255:6,8,21 259:14
260:2 270:8,19,19
271:15,20 272:3,17
272:21
newer 259:11
newly- 61:1
news 60:19 61:6 135:13
next-to-the-last 62:12
Nice 5:4
night 104:8 197:19
nimble 200:3
nine-step 204:19
nitpicking 212:21
NMC 177:4
nobody's 276:22
non- 122:22
non-competitive 61:22
non-compulsory
124:11,22
non-cost-competitive
77:3
non-governmental
13:2

noncompulsory 231:11
232:6
normal 106:3,22 131:9
normally 105:21
notable 96:5
note 58:1 68:3 75:4
76:12
noted 60:11 75:9 78:8
165:16
nothing's 251:4 272:22
notice 13:13,14 15:15
58:5,10 116:14
123:11 145:1 220:19
226:7
noticed 164:5
Noting 94:19
notion 144:11 152:2
174:12
November 12:20
246:11 267:1,2
271:21 274:3
NPRM 128:17 220:20
220:21 221:1,7 222:1
227:16 268:1
NRPM 252:17
number 10:4 51:4 92:2
92:19,20 94:15 108:1
111:9,12 120:16
124:1 125:8,21 126:3
126:5,16 127:6,8,10
127:17,17 128:18
130:2 133:4 134:5,7
139:10,21 146:22
147:2,4,21 148:22
149:7 150:11,15
153:1 154:20 155:13
155:16 157:3 158:4
168:10 170:14 173:21
175:6 182:14 198:6
198:19 203:8 217:22
223:4,5 226:11
227:10 235:12 255:16
270:9 272:13
numbers 79:20 104:1
118:16,22 119:3
121:10 123:8 124:4
127:4 128:2 132:22
133:5,8,18 138:17
146:2 150:7,9,10
194:13,19 199:15
200:21 210:8 229:19
254:15,16 259:3
264:6 266:16
numerator 145:9
numerous 60:20
116:22 196:10

O

O 3:1 4:9
o'clock 14:16 177:15
oath 7:2,15 8:13
objection 67:4
objective 42:7 122:13
observations 74:22
observer 253:5
obtained 31:4
obvious 71:8,17 79:8
83:5 120:12 227:8
obviously 6:20 13:18
15:6 48:2 108:18
155:8
occasions 24:21
occur 62:3 75:12 78:1,2
occurred 55:17 75:11
78:6
occurring 77:14
occurs 73:18
ocean 62:14 109:22
122:19
oceangoing 19:22
October 31:7 233:22
234:20 246:10 257:5
263:14 268:11,11
274:4
off-season 105:3
offer 16:6 73:22
office 2:5,11 10:21 42:5
80:13,14,21 81:4
82:17 83:3,4,12,15,19
83:20 86:3 87:9,13,14
88:8,18 89:11 95:12
98:16 99:18 106:9
107:19,19 196:22
198:13 201:11 202:15
203:20 204:14,16
205:20,21 206:4,20
207:7,16 208:1,5
209:20 211:21 226:4
240:21 245:22 246:8
246:21 250:2 253:11
259:5 261:12 269:18
269:20
officer 2:2,9,14 12:9
225:18,19
offices 19:2,17 69:9
82:17
official 16:13
officials 12:14
offline 21:6
old 24:16 87:19 134:11
233:8 237:19 241:22
246:18 263:18
older 244:17 259:12
OMB 31:1,5 40:22
omissions 197:15
on-hand 253:22

on-site 192:17,21,21
193:6,22 196:8
197:18 198:17,22
onboard 137:18,19
181:16
once 115:6 147:5 151:7
166:14 173:4 179:10
180:5 194:14 212:21
220:22 256:4 270:22
one-hour 122:1
one-off 232:7
one-on-ones 245:14
one-year 134:3 159:11
ones 48:10 124:18
139:6 248:15 249:18
ongoing 4:16 15:1
66:11 269:10
online 59:20 60:18
236:7 243:20
Ontario 19:3,3,18,18
22:11 78:14 131:20
open 21:8 26:22 46:9
91:2,3 215:17
opened 234:3
opening 3:4 38:14
181:18,19 234:2
operate 157:17 158:15
163:5
operating 6:22 42:17
128:5 158:14 193:11
214:8 215:21 268:4
operation 12:11 194:22
271:21
operational 235:18
operations 2:5 211:15
217:13
operators 55:22
opinion 143:8 196:9
200:20 210:4
opinions 13:7
opportunity 5:19 16:7
68:17 182:5 193:4
257:17 276:7
oppose 163:18
opposed 36:8 37:8
67:14 97:11 154:9,11
176:2 210:13 220:3
opposition 66:6
opted 95:12
option 176:8 234:15,16
248:9
order 13:22 16:2 25:7
28:9 29:18 40:19,20
47:12 48:14 73:1 85:3
111:7 118:10 123:17
125:5 126:3 134:3
236:2 268:16
ordered 86:9 116:14

orders 15:19 40:19
ore 76:16
organization 66:21
67:8,10 68:18
organizations 64:20,22
65:16 66:2 67:14
70:19,21 242:13
original 173:5
originate 204:10 206:3
originated 203:18
207:7
originating 22:11
203:12
Orleans 253:10 255:6,9
ought 68:10 152:2
outbound 161:21
outcome 153:2 156:16
outcomes 133:6
outlier 134:2
outlining 51:4
output 131:6
outside 25:13 26:9
44:15 177:6 199:11
201:11 260:15 271:18
overall 70:18
overgenerate 169:18
169:21
overgenerated 169:19
overgeneration 170:5
overhead 180:6
overland 268:16
overlapping 196:1
overly 197:20
oversee 94:7
overtime 104:11,15
114:2,3 183:21
overview 40:13

P

P 266:8
P-R-O-C-E-E-D-I-N-G-S
5:1
p.m 177:19,20 232:13
232:14 279:6
Pacific 240:20
package 102:21
page 3:2 4:11 31:18
51:9,16 52:20 53:17
53:18 54:20,21 55:1,1
55:7,12,19 57:3 60:10
61:15,19 69:17 89:18
pages 51:10 58:4
249:16
paid 58:13 61:9 64:19
70:16,18 103:19
104:11 105:1 106:15
107:3,18 109:18
111:3,4 112:18 113:8

115:13 199:18
pains 272:17
panel 86:8
panicked 127:16
paper 69:10,15 71:6,12
 71:13,18 73:5,11,22
 77:22 78:5,9 120:9
 212:1 236:3
Paperwork 31:8
par 262:20
paragraph 25:9 57:13
 61:1,6,14,20 62:5,12
parameters 98:6 99:5,7
parking 9:19 270:10
Parliament 245:9
part 38:20 51:17 64:6
 66:22 83:1 93:13
 100:9 138:20 156:8
 161:8 165:1 174:14
 193:22 196:7 202:16
 203:6 264:2 269:21
partial 119:9
PARTICIPANT 209:17
participate 5:22 164:13
 266:7
participation 16:18
particular 15:9 30:18
 210:21
particularly 76:21
parties 71:4 205:9
 208:13
partner 102:18,20
 103:6,19 105:13
 108:14,20 109:4,4
 111:5 112:17 114:10
partners 102:10,13
 103:11 107:22 109:8
 110:17 127:8 215:22
 216:5
partnership 20:22
 107:9 215:18 276:15
party 67:11,21 72:7
 205:14
pass 50:22 59:16
 248:19,20 250:2
 273:16
passed 9:9 58:11 91:7
 93:11 138:5
Passenger 2:4 137:5
passengers 129:2,2
 137:20
passes 210:14
passing 51:13
password 9:10
patterns 229:21
pause 67:13
Pavioris 2:12 277:3
pay 105:12 106:5,20

109:1 111:13 112:19
 112:20 113:7 114:3
 124:15 129:3 140:22
 183:20 185:14 190:2
 190:11,20 216:5
 253:18,20 259:1
paying 65:18 117:14
 183:10 186:15,16
 188:11 189:9,12
 197:10 211:1 216:6
 255:21 266:17
pays 113:1 173:22
 174:2,3
peaks 132:7
Pearl 130:18 137:8
penalize 189:3
penalty 184:21
pension 262:11
people 10:2 19:4 29:8
 56:14 83:10 85:7 99:3
 105:3 107:19 109:12
 114:3 118:19 121:13
 121:14 124:22 125:2
 125:6 147:19 148:14
 164:19 179:7,8
 184:13 189:15,19
 190:1,14 196:8
 198:12 202:18,19
 208:14,15 216:17
 222:18 223:16 224:19
 226:7,11 228:21
 231:17 239:22 240:14
 240:22 257:13,14,18
 258:3,8,16,18,21
 261:14,16 262:2,22
 270:7
percent 53:21,21 54:7
 55:2,4 57:9 58:19,20
 58:22 60:15 68:7
 73:13 75:13,15 76:3
 76:13,19 77:2,6,9
 78:3,13,14,21 90:8,10
 90:11,12 111:6,10
 112:6,12,13,14,16,17
 126:21 128:10 136:5
 136:9,17 157:10,10
 159:7,8,9,18,19
 160:15,17 161:12
 165:6 173:16 188:18
 214:1 229:18 230:20
 231:10
percentage 45:19 72:5
 77:10 167:8
perception 205:6 245:4
perfect 160:13 240:17
 240:18 246:9
perfectly 240:19
perform 41:5 104:19

performance 110:19
 254:7,13
performed 104:18
performs 235:14 236:9
period 14:14 38:16,17
 147:14,14 150:4
 153:6 185:5 221:4,22
periodically 23:15
perks 106:17
permanent 16:1
permanently 15:17
permissible 151:6
permission 225:1 247:4
permitted 20:3
permitting 270:11,15
persist 74:21
persistent 95:3
person 57:2 67:7
 108:15 113:10 118:19
 119:9 123:16 124:19
 185:17 188:9 190:3
 190:16 196:11 256:5
 277:3
personally 215:14
 246:5 247:9
perspective 38:2,10,11
 238:4
perspectives 86:12
persuade 7:12
pertaining 29:17 91:7
 97:13 251:11
pertinent 207:9
petroleum 76:17
 124:12
phase 115:2 234:11
phone 113:16 114:11
 120:7 188:5,20 191:4
 191:18 192:1 196:4
 224:10 236:19,20
phones 5:17 188:7
 191:2,13,14
phony 79:20
photo 236:4
physical 24:19
physically 195:13
pick 54:13 156:4
piece 88:2
pier 115:1
pilings 273:2
pilot's 184:1 234:1
pilot-to-pilot 98:21
piloted 55:14
piloting 177:22 262:19
 266:10
pilots' 2:7 42:2 85:14
pipeline 275:21
piracy 130:9
pitting 122:17 123:2

place 30:20 158:12
 164:16 182:1 190:9
 198:6 220:12 256:19
 263:8 265:18 269:14
 270:4,21 273:15
 277:18
placed 177:4
places 129:9 130:10
 147:22
plain 92:11
plaintiff 66:11 72:21
plaintiffs 71:4
plan 10:2 45:17 103:3,4
 103:9 132:2 188:14
 249:14 252:21 255:12
 272:18,18
planning 16:21 40:20
plans 4:13 14:22 249:7
 249:8,8 251:16,19
 252:6 257:11 267:12
plausible 70:7 79:21
 157:5 202:9
plausibly 79:15
play 113:5
player 65:12
please 5:17 7:15 9:5
 15:20 16:1 19:7 20:19
 38:5 46:14 47:4 89:15
 101:2 118:1 171:10
 203:1 221:6 232:19
 255:13
pleased 276:8
plenty 185:13
plumbing 271:15
 272:11
plus 111:9 190:15
 267:16 273:20
pocket 124:14 212:10
 213:10 214:15
Poe 25:5
point 3:7 8:12 18:10
 21:18 22:5,20,22 23:3
 35:9,10 39:14 51:11
 54:1 60:8,21 63:7
 110:22 136:12 140:20
 143:4 144:6,8 163:2
 164:21 226:21 236:14
 256:15 270:3,14
 275:22
point-anything 118:18
point-by-point 183:1
point-to-point 182:20
points 22:1,5,15 33:12
 34:17,18 114:4 144:6
 156:13 157:12 167:8
policy 103:18 212:1
 215:7
policymakers 72:10

- poll** 11:19
pool 135:16
poorly 89:22
pop 10:22
port 22:6,7,7,9 45:10
 94:9 95:11 104:7
 106:11 129:5 131:8
 131:10,12,21 191:9
 233:16 234:5 271:14
port-level 42:4
portion 37:16 111:4
 249:13
ports 41:19 42:21 43:2
 45:8,11,12,16 53:11
 53:13,20 54:5 56:8
 57:14 59:5 60:20
 61:17 62:2 65:6,10,12
 72:14 131:16 135:12
 138:4 139:3,6 164:1
 178:6
pose 18:18 19:12
posing 165:18
posit 76:9
posited 76:14
position 44:18 163:19
 182:17 199:21 201:17
positive 42:22 176:4
 261:13
possibilities 62:11
 201:9
possibility 110:15
possible 10:8 72:3 76:4
 105:10 207:22 208:5
 208:18,18 230:11
 247:2
possibly 105:8 139:18
 139:19 158:15,17
potential 37:18 42:14
 54:11 64:8 69:13 82:6
 90:7 95:16
potentially 72:4 129:16
 136:6 184:21
pound 171:13
power 184:11 275:18
practice 118:15 181:22
practices 3:10 14:2
 102:7,9,16
pre-season/post-
 104:17
precise 156:10
predetermined 79:14
predict 164:2 231:4
predictable 262:5,9
predicted 161:16 232:3
prefer 103:4
preferably 32:17
preferential 117:19
 123:21 138:15,17
preloaded 234:19
premature 257:13
premise 142:20 143:6
 143:19
premises 62:11 140:6
premium 105:2 106:16
prepare 239:19
prepared 16:12 69:10
 69:15 71:6 74:9 216:9
present 1:16 2:1 8:14
 13:9 37:20 39:19
 79:19 106:12 239:19
 267:17
presentation 100:15,16
 239:14
presentations 13:19
presented 63:5,7,13
 90:16 100:14 153:15
 180:14
presents 33:22
president 2:3,12 8:1,2,7
 8:9 38:9 106:8,8,16
 106:17 107:1 120:2
 130:5 223:21 251:1,5
 251:5
President's 119:8,16
 126:13
presidents 30:7 51:1
 69:2 80:8 102:8 119:1
 125:17 187:21 224:1
 228:11 229:2 244:21
 250:22 276:16
presiding 1:14
press 73:4 139:3
pressures 260:15,16
presumably 74:4 127:1
presume 169:20
presumed 115:13 175:7
presumes 142:18 143:3
 156:10
pretenses 31:5 85:21
pretty 11:7,8 15:4 125:5
 131:5 184:8 191:6
 213:22 214:5 225:11
 241:18 246:1
previous 42:8 48:9 64:6
 72:20 81:14 85:9
 86:17 145:3 146:1
 188:15 189:5 196:3
 196:14
previously 48:19 63:14
 70:12 76:6
prices 44:11,12
primarily 41:8 76:5
 107:22 178:4
primary 84:2 105:15
principal 58:7
printer 26:12
prior 96:9 153:18
 163:12 229:9 248:2
 263:10
prioritize 135:7 136:3
 136:13
priority 134:18 141:18
 142:11 143:8
private 65:14
Pro 238:5
proactive 257:16
probably 7:14 23:6
 24:16 43:15,22 80:14
 166:17 188:12 195:19
 201:17 211:22 229:13
 230:16 231:10,22
 232:5 236:20 239:20
 245:10 251:20 273:1
 273:7
problem 25:1 67:8
 122:10 132:2 143:10
 145:8 156:8 157:8
 160:10 172:13 180:8
 180:10,21 188:21
 194:1 198:11,14
 202:11 213:4 216:14
 226:8,10 246:17
 272:1
problems 95:3 137:15
 198:19 234:14 272:3
procedure 225:3,22
procedures 89:12
 220:17
proceed 5:14 8:15
proceeds 67:20
process 75:21 100:9
 194:7 195:12 204:20
 210:9 270:11 277:15
produce 47:13 48:16
 101:12 126:8,16
 191:22 235:5
produced 125:8 153:2
produces 130:2
producing 152:17,19
 258:2
product 235:5
production 44:10
productive 11:4
products 76:18
Professional 59:20
 60:18 267:6
profit 158:16,17,20
 211:8,12 217:12,16
 217:17,21 218:2,4
program 81:4 82:17
 83:19 87:12,14,14
 98:16 109:13,17
 237:1 254:1,11
 258:19 265:1,2
progress 13:17
project 67:13 157:16
 218:17 270:18 274:22
 275:5
projected 81:11
projecting 75:21
projects 4:16 15:1
 269:10 270:9 275:21
promise 129:18
promised 117:13
promote 94:11
promoting 25:11
proof 237:6
proper 20:12 124:1,9
 225:22 276:10
properly 32:2 230:9
property 217:19 270:12
propose 90:16
proposed 66:10 75:16
 128:17
proposing 91:12
 213:16
proposition 71:18
proprietary 52:6 89:2,4
 89:7 278:10
pros 201:15
prospect 184:20
prospective 47:13
 81:17 92:9 204:2
protect 94:9
provide 5:22 13:3,7
 16:7 49:9 71:14,17
 74:5 76:1 79:4 103:5
 145:17,20 182:5
 186:21 190:7,17
 199:6 211:21 219:15
 233:2 249:19
provided 49:16 56:10
 56:14,18 57:15 69:9
 236:11
provider 10:16
provides 31:12 70:8
providing 59:13 94:1
 126:17 137:1 178:10
 181:16 188:21 217:10
provisions 12:10
public 5:18,19,21 12:22
 13:12,20 14:13 15:2
 15:22 16:6,8,9 18:21
 19:14 21:5 25:20,21
 27:1 29:20 41:13
 49:12 65:14 68:13
 73:2 74:8 81:22 82:19
 84:21 91:4,6,10 92:13
 94:10 101:20 111:20
 114:20 115:20 134:21
 135:1 137:3 138:8
 148:5 161:3 166:5

182:9 186:8 192:9
 200:7 217:2 221:6
 228:6 231:6 247:17
 249:19 251:10 260:18
 269:5 276:3
publicly 58:7 74:20
publicly-documented
 66:8
publish 220:21
published 220:22
 222:20
pull 139:11,12 233:3
 236:8 246:4,12,15
 277:22
pulling 246:18 262:5
purchased 217:19
 269:12
purchasing 217:19
purely 165:18
purporting 95:18
purports 58:15 69:12
purpose 126:17 152:2,8
 152:15,22 218:15
purposes 15:9 75:22
 81:18 102:19 107:12
 107:13 147:16 153:1
 207:5 209:5 210:5
push 157:6
pushed 195:18 278:1
pushing 27:17
put 28:5 39:6 57:21
 87:10 92:20 103:15
 112:11 113:1 133:17
 139:3 156:14 163:19
 164:17 165:20 172:10
 180:20 182:1 188:1
 214:3 215:17 216:21
 219:4 221:5,7 233:21
 234:8 250:6,9,11,15
 258:15,15 260:16
 270:7 272:4,6
puts 155:4
putting 132:9 167:4
 244:14

Q

quality 55:10
quantified 65:13
quantify 42:17 120:1
quantity 120:16
quarter 5:9 177:11
Quebec 135:11
question 18:18 19:11
 47:9 48:12 49:2,5
 51:19 56:22 57:2,18
 71:11 84:12 86:8
 87:13 89:1 98:5,12,13
 98:15,19,22 99:17,20

143:21 148:20 169:13
 175:2 176:6 179:21
 196:19,20 198:11
 201:9 202:11 204:1
 209:14 211:4 215:10
 217:9 226:15 227:15
 228:4 235:6 240:3
 243:21 245:8,9,13
 267:15 269:5
questionable 52:21
 96:3
questioning 16:9 86:21
 198:8
questions 10:1,16,18
 11:2 15:20,20 18:2
 22:17 27:1 29:16,20
 33:12,14 35:22 37:5
 46:6,10,21 47:7 52:13
 63:2,8 80:18,21 97:8
 101:6,20 111:17,20
 114:15,18 115:18,20
 116:1 134:13 148:6
 178:5 182:7,10 186:7
 187:8 192:8,10 193:6
 197:20 198:13 199:8
 208:11,15 210:10
 220:22 221:2 237:13
 244:2,11 251:9,11
quick 2:12 28:6,22
 40:13 169:17 192:20
 229:14
quicker 28:18 249:17
 252:16
quickie 170:20
quickly 40:10 47:20
 178:17
quite 23:13 46:19
 121:21 124:21 171:19
 213:13 230:22 276:8
quo 118:6
quorum 8:15
quote 60:8
quote/unquote 85:8
quoting 170:2

R

radar 197:3 253:4
 265:11
radio 191:10
railroad 259:18
railways 53:13
raise 7:16 52:21 56:5
 223:14
raises 71:10
raising 66:18
Rajiv 2:2 8:5 14:4 88:8
 88:22 99:16 100:19
 176:6 201:10 202:10

224:9 225:9 257:7,7
 261:12 276:4
range 73:13
Rasicot 17:2
rate 29:1 53:2 55:2,5,13
 58:8 60:9 62:7,13
 70:6 71:20 72:11
 76:14 78:17 79:5 82:7
 103:20 104:12 105:2
 106:5,15 107:4
 118:20 120:10 124:9
 126:12 133:9 145:11
 145:11,18 146:4,17
 147:1,13,17 149:17
 149:19,22 150:4,10
 154:18 155:2,7
 156:10 157:7 159:20
 167:16 168:13 169:3
 173:6,9,22 174:11,18
 174:22 179:7,19,21
 179:22 180:5,5 183:3
 188:18 190:6 193:12
 210:5 214:1 218:9
 223:2,19,19 227:21
 238:14 256:7 257:1,4
 257:8,11,15 266:17
 268:8,10
rate-per- 133:8
ratemaker 2:11 90:2
ratemaking 42:2 66:13
 73:3 75:21 82:15 84:9
 84:11 100:9 107:13
 206:5 209:5
ratemakings 87:2
rates 37:19 41:14 43:1
 43:5,16 45:22 47:16
 47:16,18,21 48:2,3,5
 54:8 55:17 56:2,15
 58:3,5,6,18,21 59:1,7
 64:9,16 65:17 66:10
 67:3,15 68:1 69:21
 70:7,10 71:15 72:1,8
 73:21 74:4 75:7,11,17
 75:19 76:3,4,11 77:6
 77:9 78:2,7 79:15
 85:14 87:1 90:5,10
 91:20 92:3,6,8 93:5
 95:2,4,11,17,21 96:11
 96:21 134:7 152:3,8,9
 152:15,16,18 159:17
 181:22 182:21 186:12
 191:16 230:12 234:19
 237:11
ratesmaking 99:11
ratio 155:1
rational 118:17,21
 213:3
rationale 187:22

raw 57:16
reach 9:6 10:13 15:20
 27:22 79:13 110:22
 141:1 256:5
reached 84:15 96:9
 227:2 256:6,8
reactive 118:3 133:20
read 74:17 81:9 89:19
 91:21 93:12,15,17,19
 93:20 142:1
reading 92:11
ready 8:15 21:12 50:18
 193:3 219:9 234:2
 270:21 271:1
real 28:22 120:9 169:17
 217:21 229:14 264:20
reality 121:1 213:1
realize 158:6 225:2
 228:2 231:13 257:16
 259:13
realized 58:17,18
 164:10
realizing 152:9
realm 201:8
reapply 169:4
reappointed 6:13
reason 22:22 24:19
 58:7 76:9 103:12
 164:19 165:19 208:7
 218:15 221:15 252:15
 253:17 258:17,20
reasonable 95:5 179:17
 192:7 197:6,11
reasonably 68:12
reasoning 39:10
reasons 51:12
rebuilt 270:16 271:14
 272:10
recall 30:5 251:22
Recalling 94:12
receipt 187:13,17
 191:22 192:3
receipts 188:21
receive 41:12 88:1
 193:17
received 27:2 82:1,20
 88:1 144:12 178:5
receiving 193:2 276:11
recently-released
 78:17
reclassified 194:15
reclassify 195:21
recognize 39:10 125:19
 188:3 200:12 237:8
recognized 125:16
 179:18,19
recognizing 94:5 141:2
 141:14 142:7 152:16

152:20,22
recommend 24:4 25:15
 28:9 100:6 159:2
 184:5
recommendation 168:6
 182:6 203:2 207:22
 208:3,4 216:21 217:4
 219:12
recommendations 94:2
 94:21 117:22 118:13
 188:2 201:6 207:19
 219:9
recommended 178:22
recommending 24:6
 147:13 150:8
recommends 21:22
 36:16 96:17 141:16
 142:9 149:13,16,18
reconvene 177:13,16
 177:21 232:16
record 6:11 12:18 16:1
 16:13 26:10 50:10,11
 72:17 136:7 177:19
 177:20 232:13 243:19
 279:6
recorded 15:22 16:14
recording 250:9
recoup 124:16 163:5,11
 179:12 180:1 184:13
recouped 237:10
recruiting 229:4 255:17
recruitment 121:13
recruitment/retention
 121:8
red 202:17
redone 274:6
reduce 38:15,15 58:9
 64:21 65:1 66:13
 70:20 159:16 172:12
reduced 90:9 159:18
 169:3
reducing 166:18 213:6
reduction 31:8 128:18
 157:19 173:18
refer 109:9 252:11
referenced 22:15
references 57:3
referring 19:5 51:15
 89:6 181:15
refers 44:21 51:16
 60:19
reflect 44:20 147:8
Reform 3:8
reg 40:10,16 87:16
 89:11 99:18
regard 25:22
regarding 12:11 18:16
 19:10 35:8 60:6 65:9

90:3 102:9
regards 166:22
region 44:5 45:6,7
regional 43:12 44:22
 61:4 62:6 73:7
Register 13:12 15:15
 31:6,18 58:4,10 60:10
registered 20:2 66:16
 109:16 112:8 117:9
 231:15 252:22 263:19
 263:20 266:1,17,20
 267:2 268:6,9
regular 181:20
regulation 24:16 25:8
 25:10 116:20 179:15
 205:15
regulations 12:15
 31:19 40:21 42:3
 123:1 134:17 141:17
 142:10 220:18
regulatory 3:8 25:18
 28:20 40:16,20,21,22
 41:2,21 45:20 82:22
 87:9,11,15 88:4 194:7
 205:1,3,16 207:5
reimbursable 145:9
reimburse 187:11
reimbursed 212:7
 256:17
reimbursement 187:20
reinventing 271:9
reinvest 212:6 217:12
reinvestment 217:15
reiterate 207:4
reject 70:3
related 95:9 99:20
 120:7
relating 94:3
relationships 96:4
relative 44:12 77:19
relatively 72:3 168:3
release 60:19 61:7 73:5
 139:3 183:18 202:13
released 61:2
relevant 64:13 67:22
reliable 54:15
reliance 158:1
reliant 158:2
relief 131:9 263:12
relieve 268:20
reluctant 167:4
rely 74:17 84:8,10
remain 22:1 112:16
 146:21
remainder 157:16
remaining 53:16 77:20
remarkable 79:7
remarks 3:4 4:18 5:14

15:3 16:10 254:18,22
reminded 194:5
remotely 76:3 199:1
remove 134:1 151:13
 153:18 156:7 165:7
 167:16 168:14 174:12
 174:16,17,19,20,21
removed 165:6,10
removing 165:5
rendered 61:21
renew 197:2
renewal 31:16
rent 107:19 190:9,19
reorder 183:19
repairs 272:6
repaving 270:10
repaying 219:1
repeat 7:16 141:21
repeated 53:17 91:19
replace 17:1 22:3
 151:20 264:8
replaced 16:20
replacing 32:21
report 21:10 28:13
 33:20 34:13,15 37:12
 42:12 44:21 48:8 62:4
 62:9,10 64:17 69:10
 70:4,8 71:9,12 73:1
 74:9,17 75:2,5,9
 76:15 77:7 79:3,18
 81:8,10 84:18 86:21
 96:13 100:13 192:12
 192:15 216:11,17
 232:19 245:10
report's 72:16
reported 40:16
reportedly 84:14
reporter 16:4 26:11
reporting 235:18
reports 3:6 4:16 14:1
 14:19,22 63:22 69:20
 228:10 233:3 246:4
 246:12,16,18 269:4,9
 276:9
represent 79:21 182:12
representation 278:17
representations 74:18
representative 55:9,20
representatives 18:19
 19:13 20:9 59:6
 138:16
representing 72:15
 139:7
represents 131:4 136:5
 136:6 139:2
reprimanded 226:19
reps 98:16
reputation 74:14,15

129:17
request 31:5,17 116:14
 117:14 221:5 225:14
requesting 117:6
requests 116:13
require 39:13 116:20
 275:17
required 32:15 41:20
 254:6
requirement 32:15
 210:1
requirements 16:11
 41:4 123:2 200:18
requires 32:9,12 131:9
 220:19
requiring 117:1,9
research 180:18 196:21
resident 80:13
resolution 90:15,16,18
 90:19 93:2,21 148:16
resolutions 92:19
resolve 29:15 166:1
resolves 68:16
resolving 242:7
resource 253:5 256:3
 259:10 265:8
resources 202:7
respect 22:9,11
respecting 31:10
respective 228:11
respond 46:20
response 10:20 17:18
 18:3 26:8 29:19,22
 33:13,16 35:1,21 36:5
 36:9 37:2,9 63:9
 80:19 81:22 82:19
 91:9 92:14 97:7
 101:19 102:1,3
 111:19,21 114:17,19
 115:19,22 120:19
 130:4 138:10 143:14
 144:17 148:4,7 154:5
 154:10 161:2 166:6
 175:20 176:3 198:14
 227:1
responsibilities 126:13
 247:6
responsibility 260:4
responsible 12:9
responsive 145:21
 235:16
rest 11:17 49:3,17 50:1
 72:11 104:9 106:22
 107:3,6 119:18 122:2
 122:2,5 131:11
 135:18 204:22 229:6
 231:4 232:10 262:21
 268:21 269:1,14

restaurants 10:4
restriction 25:2 38:10
 38:12,21
restrictions 27:11 44:2
restroom 9:12
result 45:7 52:16 54:8
 72:18 74:3 77:2 78:6
 88:15 156:17 157:19
 169:1
resulted 94:17 207:8
resulting 45:9 70:6 76:7
 79:12
results 43:11,22 205:6
resumed 232:13
resumes 267:8,10
retain 120:15
retained 65:17 66:2,22
retaining 67:16
retired 124:6
retirement 257:3
 263:17
retirements 127:11
retiring 214:13
retrieve 236:6
retrofit 275:4
retrospective 47:14,18
 81:18 92:10 204:1
return 163:8
returned 248:17,18,20
revenue 107:9,17
 124:19 132:17,22
 133:5,16,19 140:22
 147:7 148:11,17
 149:5 150:9,12 155:4
 156:17 157:4 159:8
 160:7,9,17 169:18,19
 169:21 173:16 187:4
 231:11,21,22 232:2,4
revenues 75:21 133:11
 133:22 136:5,18
 147:9 158:6 161:17
 232:4
review 3:7 25:10 28:20
 40:20,22 41:14 60:3
 62:21 100:3 243:20
 250:3,16 252:14,15
reviewed 248:16 252:8
reviewing 40:11 249:11
 249:12,13,15,15,16
reviews 254:7,7,8,14
revision 25:10
revisit 188:13
revitalizing 135:11
ridging 22:9
ridiculous 126:4
rip 242:3 244:1
risk 59:1 90:5 94:17
 140:19 158:7,9,11,21

162:14 259:13,15
 260:6
risks 58:9 74:13 94:22
 95:8
river 105:17,19,22
 106:4 115:6 268:18
 268:20 269:13,19
 274:14
rivers 145:13
road 124:4 185:9
roadways 270:10
Robert 2:9 21:21 135:3
 161:4 170:19 171:19
 214:20 240:7
robust 15:4
role 12:13 106:18
roles 247:6
roll 104:19,21 124:8,18
 180:3 263:15
rolled 179:16
rolling 3:12 120:13
 133:17 134:9 145:2
 145:15 146:13 156:9
rolls 105:6
room 18:20 19:13 26:11
 239:22
rose 58:18
roster 9:21
rotation 263:15 265:6
round 119:11 126:3,6,7
 126:15
rounded 118:17 119:6
 119:15 123:9
rounding 118:21 119:7
 119:14 125:6,13
 126:2,14,16
rounding-down 123:8
rounding-up 123:7
routine 12:17 39:8 87:8
routing 64:16 96:12
royal 161:7,8 162:3
 164:12
rubber 275:7
rule 55:6,18 58:5 59:2
 78:17 87:10 90:9
 125:10,12 127:7
 156:20 157:14 169:2
 172:19 193:16 221:3
 222:9,10,11,14,21,21
 223:5 224:7,13
 227:12,13,16,16,22
 227:22 267:20 268:5
rulemaking 41:6 46:4
 88:5 205:12 207:6
 220:15,16 221:19,21
 222:15
rulemakings 46:4 277:6
rules 3:22 122:2 125:16

248:12,13,14 249:4,6
 249:14 251:18 252:3
rumors 231:1
run 126:18 136:1 188:7
 215:14 259:17 269:15
running 120:5 230:20
 239:8 277:17
runs 273:20
rust 273:2

S

S 3:1 4:9
Saab 233:6 234:13
safe 54:14 94:8 113:5
 260:7 277:1
safety 2:4 94:22 137:5
 275:10 276:10
Sainte 273:11
salaries 107:18
salary 112:20
salt 275:13
saltwater 24:14
satisfied 12:16 15:7
satisfy 32:15 129:10
Sault 24:14 129:7
 273:11 274:19 275:1
save 15:5 132:18
saved 191:13 265:20
savings 103:9,10
saw 237:3
saying 41:17 88:13
 136:8 139:3 164:1
 167:22 168:19 171:20
 171:21 173:7,14
 180:13 188:11 189:6
 207:11 213:14 224:6
 225:6,15 246:2
 254:18 256:3,4
says 54:10 55:2 61:5,15
 61:18 126:20 140:10
 148:22 195:9 212:1
 218:22 220:17
scale 105:12 106:21
scaled 264:20
scales 109:6
SCCW 253:6
scenario 76:13 79:21
 133:2
scenarios 48:3 118:1
scenes 206:17 277:5
schedule 29:6 117:7,13
 129:1,16 130:21
 132:1
scheduled 104:2,9
 107:3 116:7
schedules 117:15
 202:20 262:10
school 264:11

scope 23:20 25:13
 27:19 256:16
Scott 220:12
screaming 127:19
screen 153:16
screens 244:18
sea 238:5 267:9
Seafarers 253:6
seamless 245:1
SeaPro 32:22
season 3:18 14:20
 78:22 104:3,18 105:4
 105:9 107:10 113:13
 118:9 119:19 132:5
 157:19 160:4 181:7
 181:19,21 187:4
 228:11 229:6,9 234:2
 234:3 246:15 250:13
 250:13 266:17 270:22
 271:2
seaway 2:3 24:14 38:1
 38:9,11 44:7,19 53:5
 59:15,21 60:1,3 61:3
 68:2 73:7 78:14 136:7
 163:17,21 165:21
seaway-sized 24:2
seaways 230:5,6
second 34:19 35:16,17
 36:11,14 53:9 57:12
 61:19,20 69:5,6 97:3
 97:4 110:13 112:14
 126:10 143:13,15
 144:12 150:22 151:1
 151:2 154:1,2 175:14
 175:15 209:10,12
 219:21,22 234:15
 248:18
secondary 41:18,21
 43:5 46:2 82:2 84:3,3
seconded 17:22 18:1
 34:21 35:19 151:7,10
 153:18 154:3
seconds 36:21,22
 175:18
secretary 197:22
section 78:15,15 88:13
sector 43:9 45:6,7
 65:14 138:9
sectors 43:14,14
secure 277:1
secured 23:9
securing 23:5
security 53:6
seeing 138:4,6 217:3
 231:22 244:16 259:22
 264:1
seek 75:8
seeking 56:1 67:5

- seeks** 66:13 73:15
seen 57:16 59:10 149:8
 150:17 156:17 222:4
 223:22 229:20 232:2
 251:19 258:18 261:11
 276:13
segment 5:21 122:17
 122:21 128:13 140:3
 143:22
segregate 213:10
segue 145:3
selected 64:6
self-insure 103:16
send 80:16 138:15
 202:16 226:14 227:1
 250:17 253:14,14
 265:14 266:14
sending 25:22 226:13
seniority 121:16
sense 147:10 152:21
 155:10 164:19 167:6
 194:2 225:21
sensitive 76:21 164:4,8
sent 105:19 224:22
 225:5,10,13 226:19
 253:3
sentence 61:20 153:6
separate 202:4 211:19
 239:4 242:13 252:15
separated 145:12 149:7
 249:9 256:13
September 1:6 13:13
 50:22 60:2 69:3 73:4
 230:22 233:16
sequentially 13:17
series 50:14
serious 51:5 65:2 95:3
seriously 270:13
serve 20:3 30:7 128:13
 128:20 130:3 235:7
served 54:4 116:16
 121:21 123:12 128:21
service 60:13,14 94:8
 110:4 124:20 133:11
 181:16 272:5,7,14
services 56:5 78:18,20
 117:1 186:12,22
 244:1
serving 140:15
session 21:4,8 50:13
 177:12 178:4 234:4
set 44:1 72:17 76:11
 78:5 99:6 162:16
 215:1,13 248:18
setting 6:5 100:8 123:3
setup 135:15
seven 265:14,21
several-percentage...
- 160:5
shame 189:10 198:9
shape 88:5 204:18
 270:14
share 99:7
shared 51:20 186:11
 240:6
sharing 171:12 241:13
 241:20 242:6,6,7
Sharon 215:11,12
shed 38:1,19 271:18
sheet 6:6,7 192:3
sheets 6:1 193:1
ship 24:22 64:16 104:5
 104:6 115:5,6 122:6
 122:20 123:15 127:20
 129:12,13,14 131:2,4
 131:4,5,7,10,11
 139:17 140:16 154:22
 155:15 167:2,2 168:1
 168:21 171:1,2,4,13
 171:14 173:22 174:1
 174:2,2 178:13
 185:21 191:9,10,16
 191:16 253:7 261:22
 264:20 268:21
ship-owning 20:1
shipboard 262:11
shipments 72:5 77:7
 78:13 79:2
shipowners 94:20
 95:10
shipped 61:16 73:9
shipper 184:20
shippers 41:10
shippers' 182:13
shipping 3:18 14:20
 20:6 27:16 42:13 43:1
 53:4 55:15 56:19
 58:10 59:5,8,10 60:5
 60:16 62:15 64:5,12
 65:8 67:22 68:2,5,8
 69:14 76:22 77:19
 78:22 94:9,11,18,20
 95:8,17,22 96:4,12
 178:6 228:11 258:6
 258:13 260:15 261:5
 261:6
shipping's 229:6
ships 23:22 24:7,14,18
 24:19 25:4 35:11
 36:17 105:5 116:12
 117:1,12 118:8,9
 123:11,12,18,19
 124:20 128:4,21
 129:12 130:3,12,17
 132:4,8 134:19,19
 138:14,18 139:7,21
- 140:12,13,14,15
 141:19 142:12 161:16
 161:21 162:6 166:14
 168:1 171:21 183:6
 243:13 244:17 245:3
 259:17 268:17
shore 191:6,10,16
short 49:11 122:1 131:8
 159:2 263:6
short-changed 276:22
short-handed 199:22
short-term 121:4
shortage 132:3 261:20
shortages 262:15
shorten 195:20 200:16
shortened 195:1
shorter 130:20
shortfall 76:8 133:3
 158:19 163:5
shorting 212:11
shortly 28:20 233:20
shout 9:6 11:3,7
show 10:9 17:5 59:7
 71:19 92:11 108:22
 157:7 158:5,6 176:19
 176:20 211:7,10
 214:17 217:11 258:22
showing 60:3 73:5 90:7
 217:16
shown 7:9 110:19
 218:2
shows 61:2 78:1,6,12
 83:9 96:1 158:2,3
 217:16
shut 238:12 256:9
sick 113:17
side 64:11 68:13 98:10
 132:18 133:16 146:17
 158:18 171:11 202:2
 212:16 213:9 230:7
 234:9 242:21,22
 244:3 254:12 262:7
 262:11,19 264:10
sides 27:15 133:14
sidetracked 16:22
sign 250:18,19 251:7
sign-in 6:1,7
sign-up 6:6
signed 6:3 69:1 80:7
 248:22 252:7 271:6
 273:10
significant 51:12 53:19
 64:14 65:7 70:13
 71:11 75:19
significantly 66:13 96:2
signs 251:1
Silas 2:14 20:16,17,20
 20:21 27:2 49:14,20
- 50:1,4 142:15
similar 73:17,19 76:9
 85:10,11 86:17 95:7
 101:10 204:19
simple 121:21 157:2,2
 184:9 212:20 213:13
 213:22 214:5 215:8
 235:20
simpler 112:3 235:15
simplest 114:22
simplified 32:17
simplify 151:20
simply 73:11 78:7
 82:16 121:13 158:11
simulator 253:8 264:17
simulators 256:2
single 43:9 72:5 74:1
 77:4 108:15 146:1
 157:18
single-sector 43:11
 45:1
siphoning 261:10
sir 48:10 52:3 81:1 82:4
 83:17 85:2 89:8 97:17
 97:19 98:16,18
 210:16
sit 20:6,12 183:21
 216:21 224:19
sitting 129:4,9 183:7,9
 183:17 184:3 213:12
situation 38:19 121:18
 254:19 274:18
situations 187:14
six 6:22 8:12 127:11
 131:20 161:7 185:7
 185:20 198:5
six-year 162:11
sixties 127:12
Sixty 248:6
size 168:14
skewed 52:14
skills 265:11
skin 235:10
skip 153:2
slack 199:19 213:7
slide 214:14
slightly 32:19,20
slots 264:7
slow 118:9 138:1 142:4
 230:22
Slower 142:5
small 9:13 72:5 77:10
 122:21 130:13 158:16
 171:5 217:17 249:13
smaller 171:13,14
smooth 152:3
smoothing 146:20
 147:1 152:8,9,15,15

- snacks** 177:5,6
Snell 22:6
soap 265:3
soda 9:12
software 31:12 235:13
 236:7
sold 241:4
solid 76:16
solution 156:7 162:1
 202:3 237:5
Solutions 32:22
solvent 112:21 211:12
somebody 6:15 80:17
 124:7 143:8 159:12
 199:13 203:9,20
 224:15,16 226:8,13
 257:11 258:9 264:14
Somebody's 224:14,16
someplace 213:9
 226:16
somewhat 132:16
Soo 24:6 25:4
soon 112:16 127:11
 225:12 245:10 257:11
 263:8 274:11
sooner 193:15 200:12
 273:5
sorry 14:9 46:16 67:10
 85:15 99:22 148:13
 174:21 222:14 225:2
 228:13 267:21
sort 29:2 265:12
sound 109:10
sounded 167:13 231:2
sounds 101:10
source 60:4 70:16 80:2
 159:13 178:20 186:11
 236:3 250:7,13
sources 59:13 100:5
southeast 116:18 117:6
space 9:13
spawn 274:2
speak 5:19 16:2 20:17
 74:11 180:17 220:6
speaker's 46:12
speaking 139:8,8 162:4
special 113:1
Specialist 2:4 137:5
specific 13:3 65:10
 218:21
specifically 84:17
 206:3 242:22
speculate 198:20
 227:19
speculation 227:17
speculative 48:3
speed 202:21
speeding 208:9
- spell** 46:13,22 47:3
spelled 102:17
spelling 46:11
spend 128:5 129:4
 189:8 212:1 213:8
 215:20 240:13
spent 23:4 82:5 128:7
 214:6
spikes 150:6
spills 132:16
spits 145:11
spot 224:14
spouse 103:3
spray 275:12
spread 162:7,9
spreading 171:7
spreadsheet 233:9
spreadsheets 243:8
spring 71:2 245:18
 247:12 265:14 266:20
 267:4,12 271:22
 274:5,7 275:11
Sr 21:19
St 59:22 268:18 274:13
stability 133:18 134:7
 145:21 258:18
stabilization 147:1
stable 152:3
staff 10:13 143:20
 199:13 230:9 277:16
staffed 141:15 142:8
 143:4
staffing 3:11 14:11
 116:6 118:2,5,16
 119:3 120:11 125:7
 138:21 139:18 142:18
 142:21 151:21 229:4
staggered 127:13
stairs 9:17
stairwells 137:22
stakeholders 3:17
 14:18 56:9,11 57:14
 84:14 220:11 223:17
 225:11
stalemate 212:18
stand 7:15 179:4 279:3
standard 89:11 174:5
standards 95:13 210:3
standing 115:3
standpoint 89:10 162:3
stands 120:11
start 14:15 19:6 49:13
 102:10 104:9 105:6,9
 109:14 110:5 112:7
 115:1 119:22 121:8
 122:16 123:2 145:4
 153:6 162:2 174:14
 185:16 192:2 220:19
- 234:20 241:21 242:4
 246:6 248:1 255:15
 262:5 270:22 274:10
started 5:4 104:21
 114:9 190:22 224:18
 233:14 234:7 245:19
 252:19 254:8 256:21
 265:6
starting 7:20 105:8
 125:6 127:11 191:12
 234:17 264:4 268:11
 273:2
starts 110:11 133:9
 270:22
state 174:12
state-registered 99:3
stated 78:16 137:9
statement 16:9 54:20
 54:21 62:3,8 99:14
 100:19 101:3,10
 137:15 138:5 165:19
 213:4
statements 60:21 64:15
 74:20 192:10,19
 193:9,15 201:3
 202:12
states 1:1 35:6 58:7
 69:15 99:5 135:15
 190:15 251:1
station 191:9 269:20
statistically-significant
 134:2
status 118:6
statute 15:10
statutory 193:20
stay 37:3 120:3 131:9
 134:8 143:8 166:10
 190:10 230:11 264:2
stayed 263:21
staying 264:5
Ste 129:7
Steamship 261:21
steel 45:3 54:3,22 55:7
 61:22 62:2 76:20 77:1
 77:3,4 161:20
step 121:13 170:12,17
 170:18 172:15,17,19
 173:1 174:7,8,8,9,10
 174:13,13,17,17,20
 174:21,21 232:18
Stephen 130:5 137:9
 138:2
steps 74:8 172:22
 173:8 261:13
Steve 18:22 19:15
 66:16 139:2 140:9
 225:15 228:15,21
stevedores 53:6
- stick** 193:19
stock 113:9 263:1
stone 76:16 226:8
stop 11:3
stopped 72:20
stops 179:11 222:1
storm 104:5 170:3
straight 72:17 198:2
 207:15
stream 207:14,15
 218:14
streaming 188:10
streams 71:13 204:11
street 204:5 205:7
strength 267:19
stretch 269:8
strides 276:9
strike 149:15,21
strings 277:22
strip 10:5
strive 13:18
strongly 22:14 236:21
 236:21
structure 240:21
 242:20
structured 217:10
struggle 268:15
stuck 128:19 195:22
studied 90:13
studies 3:9 14:2 37:17
 61:12 65:9,20 72:21
 87:8,9 201:20 203:5
 203:10 206:13 277:8
studs 271:15
study's 52:14 87:4
studying 66:4
stuff 15:12 243:10
 244:14 251:2 255:6
 277:6
stumbling 121:2
sub-freezing 275:12
subcommittee 3:7,8
 18:11 21:10,17,18
 23:21 25:13 26:16
 28:14,20 29:6,21 30:3
 30:8,15,22 33:6,10,17
 33:21 34:14,16 37:3
 37:12,16 224:17
Subcommittee's 33:20
subcommittees 3:6
 14:1 18:9 28:4
subject 91:8 101:6
 102:4 135:2 143:17
 144:16,19 161:1
 192:14,17 228:7
 247:19 248:11 251:15
subjectivity 122:11
submission 31:9

submit 25:20
submitted 51:2 91:3
submitting 192:18
 193:9
subsidiary 19:19
substance 163:19
substantial 140:14
substantially 76:4
substantively 165:21
sudden 191:20
suddenly 160:16
sufficient 75:1 126:18
 133:4,22 150:1 175:9
sufficiently 133:7 222:5
suggest 25:17 69:20
 75:3 85:20 90:14
 122:7 133:15 151:20
 199:10
suggested 79:22 181:2
 193:17 250:5
suggesting 76:2
suggestion 67:8 70:3
suggestions 25:21
 235:1
suggests 77:8 79:9
suing 65:1 70:22
 123:20 138:21
summary 82:13
summer 59:20 137:12
Superior 106:9 191:5
supplemental 156:19
 157:14 169:2 224:13
 227:12,13,15,22
supplies 233:1
supply 33:4 123:22
support 70:9 71:14,18
 72:18 74:10 79:13,18
 80:3 83:19 136:17
 140:18
supporting 94:16
 138:16
supports 70:4 73:10
 77:12 80:1
suppose 81:3 98:21
 126:14 168:8 203:10
 238:6
supposed 21:10 48:15
 85:16 104:8 107:6
 144:4 211:7,14 254:4
Supposedly 125:10
surcharge 179:9,11,12
 179:16,18 180:16
 186:19 218:18,21
 253:19 254:3 255:20
 257:1
surcharged 256:17
surcharges 53:5
 178:11,21 179:2,4,6

180:8 234:19 252:19
surface 45:14 157:1
surface-mount 275:7
surgery 113:21
surges 135:20
surplus 256:8
surrounding 43:2
survey 57:14
surveyed 81:15
survive 170:7
susceptible 96:14
sustained 38:16
swallow 162:6
Swartout's 97:5 172:6
swing 159:9 160:5,6
 161:15 163:4,10
sworn-in 6:14,21 7:17
 8:13
system 31:3,4,12 32:5
 32:7,8,10,16,18,22
 33:2 38:21 44:7,15,19
 54:15 59:11 61:3,16
 65:15 66:20 73:7,9
 74:14 76:8 83:7,13
 94:13 116:17 118:10
 124:1 136:17 140:1
 158:9 160:14 183:12
 186:5 189:13,16
 212:7,12 213:8 219:5
 230:3,9 231:9,12
 232:22 233:2,7,9,14
 233:19 234:2,8,10
 235:1,2,12,14 236:4,8
 236:10 237:16,22
 238:5,11,15,20,22
 239:5,21 240:5,13
 241:22 242:12,14
 243:12,13 246:3,19
 246:19 247:4 250:9
 250:14 260:3,10
 265:10 272:21 275:2
systems 2:6 214:17
 234:21 277:1

T

T 3:1,1 4:9,9
table 21:4 39:2 164:18
 165:20 177:5
tables 15:14 81:5
tabling 166:2
tackle 13:9
tact 49:8
taken 8:13 27:21 44:8
 77:21 113:18 132:11
 158:19 180:9 181:1
 261:13
takes 56:15 120:17
 131:6,8 145:8 172:13

194:10
talented 258:21
talk 10:12 14:16 21:6
 22:18 23:6 29:8 30:14
 90:19 102:12 104:14
 109:8 110:7 143:10
 155:18 163:2 178:17
 180:22 216:17 220:14
 220:16,20 222:2
 223:11 228:21 229:14
 239:21 255:19 257:9
talked 15:11 22:19
 23:19 101:12 156:9
 195:16 200:15 224:9
 224:21 250:7 252:4
talking 99:2,9,11 107:8
 164:11 167:10 170:22
 171:1 218:17 224:15
 224:16 227:5 228:2,3
 232:21 249:7 261:3
 265:7
tangential 205:22
tape 202:18
target 95:5 101:21
 150:18
targeted 100:16 159:6
targets 100:8 150:16
tariffs 162:16 171:14
task 99:13 100:19 101:3
 101:9,17 200:2
tasked 83:12 100:3
tax 211:1 216:17
taxes 214:4 216:6,7
taxicab 98:8
taxpayer 68:11
taxpayers' 80:15
tech 234:13 240:21
Technologies 233:6
technology 214:7
teetering 127:21
telephone 191:10
tell 48:21 58:15 170:16
 190:16 221:11,18
 223:3
tell-all 237:12
telling 222:22 227:11
tells 264:19
temperatures 275:12
temporary 109:15
 263:20
temps 11:8
ten 186:4 195:6 268:21
ten-minute 232:9
ten-room 269:21
tendency 146:3
term 194:3 203:13,19
 256:16
terminal 45:13

terminals 19:1,2,16,17
 19:19
terms 9:11 75:5 194:3
 204:18 205:6,7
 206:10
terrorism 130:9
test 259:21
Texas 275:6
thank 7:18 11:18 12:5,6
 17:7,11 18:12 21:2,8
 28:3 33:9 37:13 39:3
 39:4,16 40:7 46:8
 47:11 80:9 92:12
 97:12 100:22 111:15
 114:13 115:16 132:13
 134:12 135:5 137:2
 138:7 139:13 144:21
 154:12,14 156:2
 159:22 160:21 171:17
 186:9 216:12,18
 220:5,8 231:6 232:8
 247:16 260:22 267:14
 269:2,3 271:11 273:8
 276:1,7 277:13
 278:14
thankfully 214:20
thanks 5:6 11:16 14:9
 30:3 213:20 277:14
 278:15,18
theoretical 90:12
theorizes 54:6
thereabouts 195:4
They'd 198:13
thick 275:8
things 11:13 27:14
 29:11 50:5 120:8
 122:12 132:18 133:3
 135:19 146:17 163:13
 163:21 177:1 185:2,3
 194:15,22 197:9
 198:7,19 199:4 200:5
 201:19,20 202:5,21
 208:9 210:3 212:2
 215:20 221:13 223:11
 226:13 235:16,19
 241:14 242:22 243:5
 243:14 249:7 250:5
 250:10,15,21 251:7
 253:2,14,21 259:12
 260:11 262:8,18
 263:5,11 265:12
 272:12 275:19
thinks 215:19,19
third 110:10 135:17
 155:18 181:9 208:13
third-party 201:14
 205:15
Thorold 19:3,18

thought 23:11,14,21
182:22 220:12 223:20
224:20
thoughts 138:12 146:8
182:17 249:21
thousands 25:3 61:10
64:19 65:18,21 70:17
258:16
threatened 274:17
threatening 277:22
three 22:21 31:12 34:9
51:1 59:13 69:1 80:7
105:22 118:22 120:19
123:3 128:8 129:4
130:18 133:19 134:8
149:20 178:16 192:21
193:13 195:20 198:21
208:14 212:13 224:1
224:12 230:10 235:8
238:1 240:16 244:20
250:6 257:14 261:13
266:3,19 268:19,22
276:16
three- 167:5
three-days 244:17
three-year 155:12
159:5 160:11 193:10
237:10
throughputs 45:11
throw 214:14
Thunder 22:10
tie 203:4 230:6
tieback 243:9
tied 187:12
ties 20:5,10
tighten 195:12
Tim 277:2
time-sensitive 122:21
times 13:16 68:4
104:12 107:4 122:1
155:7,8 157:3 182:14
183:5 194:5 222:17
237:17 245:1
TIMOTHY 2:12
tired 264:4
title 69:17
titled 42:12
today 6:20 13:9,15
16:22 17:4,9 20:9
92:20 106:14 107:6
135:21 216:10 220:13
221:20 232:21 239:15
273:4
Todd 2:8 6:16 28:7
169:15 170:10 172:20
173:11 175:4 178:1,1
178:3 179:3,14 180:4
180:12 182:11 186:9

200:9 210:15,19
213:20 216:14 217:5
220:9 228:14,18,20
238:8 257:6 276:14
told 7:5,13 84:16,17
85:1,22 88:11 116:2
130:6,16 187:15
196:10 224:4 225:8
257:8 258:8,13
261:21
tolerance 140:2,3
259:15,21
tolerate 140:11,11,12
tolls 53:5
tomorrow 14:15 17:5
120:18 220:13 239:14
ton 58:22 74:1 77:4
tonnage 44:14 45:8
110:5 162:7 171:7
tons 54:22 55:6,7,8
61:15 62:1 73:8 77:11
171:1,3
tool 117:3 219:4 238:17
top 61:19 75:14 119:4
197:14 203:3 258:8
275:3
topic 5:21 49:8 63:13
121:19 145:4,14
146:6 154:15 155:11
161:6 163:15 193:18
topics 117:21 118:15
144:22
total 45:5,19 62:5,16
108:19 111:9,12
127:8 128:9 162:5
268:2
totally 260:1
touch 259:20
tough 193:21 244:5,9
tour 10:8 120:3 176:8
176:17 263:15 264:3
tours 10:8
Traci 2:14 278:1
track 243:5 253:4,11,16
254:5,10 255:4 258:7
263:5 268:2 278:7
Tracy 20:15,21
trade 42:19 44:2 164:8
177:1
trade-rated 90:10
trader 164:3
traders 164:7
trades 25:12 77:17
trading 116:18 249:8
traditional 130:8
traffic 3:13 7:4 45:9
71:16,19 72:4,13
78:10 79:5,16 106:2

118:3,4 120:20,21
121:17 122:19 128:1
128:3 133:6,7,10,21
135:12,20 136:7,9,19
141:4,19 142:12
145:2,16 147:6
148:22 158:2,3
160:14 161:11 175:9
181:8,11,14 218:10
229:17,21 230:20
train 180:16 252:18
264:5
trainees 256:7,22
training 4:13,14 10:16
14:22,22 32:4,7
109:13,16 110:10,22
115:2,4,5 177:12
179:6,8 180:1 196:19
196:20 214:7 230:2
233:21 234:4 251:15
251:19 252:5,19
253:16 254:6,11
255:11,20 256:2,12
258:1,16 259:4,8
260:20,20 263:10,14
264:7,12,15,16 265:9
265:19,22 266:6,12
276:11
trajectory 127:9
trans-lake 106:3
transcript 51:6
transit 24:1 35:10 36:17
transparency 52:12
56:3 96:5 186:21
transparent 30:11
transport 185:20
transportation 2:6
42:20 59:22 94:21
189:11 190:18 265:20
transporting 190:1,13
travel 32:5,7 178:12
243:6 265:17 268:16
traveled 17:2
treat 108:9
treated 102:18
treatment 117:20
123:21 134:18 138:15
138:18 141:19 142:12
treats 108:7
trend 147:8 161:19,19
263:3
trending 60:15 78:20
262:21
trends 145:22 262:18
262:22 263:2
tried 7:11 72:9 195:2
trip 155:9 257:20
278:16

triple 131:3
trips 184:3 254:6
true 85:19 142:20 143:6
truly 67:20
trust 68:19
try 29:1 41:7 120:22
121:3 132:2 163:15
171:10 188:8 195:8
200:11 202:8,18
205:14 243:1 268:17
278:13
trying 29:6 79:19 82:6,9
120:1 137:10 141:5
150:16 162:15 168:6
171:9 225:21 229:11
230:11 235:7 238:17
243:14,16 266:14
277:17
TUESDAY 1:5
tug 53:5 124:11 166:14
231:9,11 232:6 260:8
tune 139:19 152:7
turn 5:16 11:14 60:17
94:16 249:17 259:18
278:19
turnaround 271:8
turned 203:7 211:12
248:3
turning 52:18 61:19
127:20 239:8
turnover 193:10
twice 55:8 268:20
two 18:9 26:2 28:21
30:6 52:20 107:4
123:12,16 125:11
127:10 128:7,8,9
130:17 133:1,3
144:22 147:21 150:16
153:1 157:12 185:20
191:12 195:9,20
202:4 215:19 223:5
224:12 235:21 236:22
237:7 239:3 242:13
256:7,22 257:12,14
264:7,8 266:4,5 267:2
267:3,10,18 268:9,19
268:22
two-and-a- 104:11
two-day 9:4 226:7
two-fold 211:5
two-hour 185:19
two-minute 213:18
two-year 193:14 271:7
type 170:21 171:11
205:22 211:22 224:7
233:7
types 212:2
typical 43:8 191:18

typically 82:16,21 84:2

U

U.S. 13:1 20:14 31:13
32:21 37:19 40:9 42:6
42:14 44:3,10,17 45:5
51:1,21 53:13,22 54:2
56:1,4 58:18 59:22
61:2 64:1,16 68:1,6
69:13 73:6,18 74:11
90:4 93:5 94:2,6,13
95:1,6,8,11,20 96:17
96:20 98:10,10 100:8
105:22 116:19 137:16
138:3,4 167:14
174:15,19 186:12
230:5 231:15 235:8
242:2
unable 17:4
unaddressed 74:13
unallocated 76:18
unanimous 176:4
210:14
unanimously 21:22
220:4
unanswered 56:10
unaudited 201:2
unbiased 64:3 65:4
68:3 70:15 79:16
86:13
uncertain 156:15
uncertainty 156:16
unchanged 53:17
uncommon 194:14
under-deck 275:3
underestimates 32:14
underfunded 76:6
94:14
underlying 96:6
undermines 75:5
understaffed 141:3
understand 13:8 18:21
19:14 39:13 51:8
58:13 66:5 82:4,6,9
86:11 88:15 90:1
91:22 98:22 116:11
143:22 152:4 164:22
165:22 167:21 168:6
170:11 171:7,20
180:13 182:2 199:17
201:15 204:10 205:5
206:2,22 214:4 221:7
240:15 241:9
understanding 38:20
81:12 83:13 86:16
96:2 100:14 122:10
147:12
understood 83:18

199:13,14 238:18
undertake 134:16
141:17 142:10 275:5
underway 131:2
undisclosed 73:16
unending 119:17
unforeseen 229:7
unfortunate 222:20
unfortunately 56:21
144:4
UNIDENTIFIED 141:20
142:3 167:18
unions 231:18
unit 232:7
United 1:1 35:5 99:5
251:1
units 118:19
unlimited 109:14,17,21
110:5
unloading 117:8
unpredictable 170:9
unprofessional 196:9
unqualified 200:20
210:4
unquestionably 119:1
unrealistic 55:13 96:7
unreliable 52:17
unsupported 78:4
unwarranted 74:13
unworkable 121:18
up-to-date 249:18
upcoming 263:16
update 3:18,20 14:19
14:20 42:8 48:18 71:5
192:20 193:7 229:11
233:5 250:11
updated 32:10 60:6
87:19 252:8
updates 14:19 228:10
upgrade 233:7
upgrades 272:11,11
ups 170:4
upset 258:14
upside 163:10
upward 58:3
urge 236:21
urgent 274:14
urging 93:2
usable 242:19
usage 260:8
USCG 1:12 2:4,8,9,10
2:12
USCG-2016-0801 31:19
use 3:12 16:1 24:18,20
25:5,5 27:8 33:2 39:8
45:20 55:12 59:6
73:16 82:14 85:12
88:19 89:21,21 90:2

93:3 119:7 122:22
124:7,12,21 133:18
145:2,19 146:1,4
147:13 149:7,18
150:3 154:16 155:12
159:5 167:15 168:13
169:5,7 174:5,13,18
174:22 186:17 190:11
191:4,6,9 200:18
204:18,20 206:13
212:19 213:5 215:1
216:2 235:15 238:16
239:5 241:5 250:12
250:13 256:16 259:18
260:7 269:16 270:5
274:7 275:13
useless 59:3
user 236:9 237:20
users 229:8 241:15
242:16
uses 145:15 147:18
154:16
usual 244:19
usually 9:8 110:18
113:1 135:17 196:5
265:18
utilize 123:16 124:10
125:1 190:12
utilizing 238:19,21

V

v 25:9
vacations 262:1
vagueness 83:6
Valid 244:2
validate 100:6
validity 52:22 96:3
165:17
value 16:18 44:3 60:3
162:10 178:19 204:9
210:9 212:20
Vancouver 135:10
233:17 245:17 246:9
variability 163:13 169:6
170:8 175:9 218:3,5
variables 45:2 156:11
156:14
variance 199:3
variation 165:2 169:22
variations 103:21
various 40:18 61:11
83:20 277:7
vastly 32:12 108:17,17
venue 5:7
verified 62:18
verifying 194:6
version 84:18 86:1
versus 44:11 98:8

103:22 108:20 120:9
122:21 146:18 201:11
204:4
vessel 2:4 45:13 55:22
110:5 117:14 137:5
154:19 155:5,6,8,10
168:14
vessel's 116:15
vessels 39:9 42:18
43:20 116:20 117:2,5
117:9 154:20
Vice 2:3,12 38:9
Victory 130:19 137:8,8
view 75:1 89:12 236:14
viewed 68:12 247:12
Vince 250:1 255:19
265:7
Vincent 2:5 22:6 269:17
Virginia 1:13 5:7 9:1
virtue 106:8
visibility 238:16
vision 84:22
visit 26:12 198:18
visits 138:4
vocal 144:5
volatile 146:3 164:2
Volume 31:6
volumes 69:22
voluntary 116:12 117:6
117:10 118:8
volunteer 105:4,7
vote 176:4 210:11
voyage 55:21 57:19
62:16
voyages 61:21

W

wages 108:8
wait 7:3 25:5 113:1
129:13,15 185:22
220:21 222:15 237:10
274:5
waiting 137:21 230:7
248:19,21
walk 12:1 106:18
121:14 262:12
walked 8:16 237:17
wall 270:12,13
wanted 41:22 92:10
137:6 159:15 173:3
196:10,17 210:21
214:19 223:14 228:16
234:1 235:21
wanting 195:11,15
wants 91:5 123:21
143:9 176:11 204:5
217:4 251:6 253:17
256:11 264:2

warm 11:8 265:18
warning 53:9
wasn't 179:18 192:4,4
 199:11 224:11 226:8
 258:7
waste 239:20
watched 196:22
watching 188:10
water 9:13
waters 23:2 177:5
way 25:14 38:18 48:6
 70:15 80:1 82:8 88:5
 98:21 114:4 120:2
 122:8,12 123:15
 124:15 126:4 128:20
 128:21 133:16,20
 145:22 153:4 157:13
 159:10 160:11,19
 168:22 170:6 172:13
 179:4,10,15 183:13
 186:6,20 187:6 188:3
 188:7 190:4 191:8
 199:16 200:10,16,20
 201:1 202:22 203:7
 208:10 217:10 219:6
 221:9 227:17,18
 230:3 249:9,17 251:3
 255:4 256:4 258:17
 260:4,10 262:6
 275:14
ways 79:18 85:6 86:11
 145:17 235:2,10
 242:20
weather 44:10 170:3
 181:8,11,20 254:19
web-based 233:7,14
wedding 113:17
Wednesday 234:9
week 9:4 112:9 129:3
 135:21 195:6 197:16
 197:18,19 198:4
 234:7,9
weeks 195:20 198:5
 224:12 248:17 257:15
 257:18 272:19
weigh 222:4
weighting 3:12 14:11
 132:17 144:19 145:1
 154:13,15,17,18,21
 155:3,12,19,22 156:7
 156:18,21 157:3,6,20
 159:3,5,15,21 160:3
 160:12 161:9 162:12
 162:19,22 164:16
 165:5,10,11,12
 166:10 167:1,6,15,19
 168:10,13,15 169:4,7
 170:13 171:22 172:2

173:2,3,5,6,15,18
 174:4,9,10,16,20
welcome 3:3 5:12 8:18
 9:1 11:3,16 13:22
well-known 66:8
well-marked 9:11
Welland 78:15
Weller 22:7
went 29:5 50:9,10 55:17
 78:2 177:18,19 180:6
 183:4 191:2 198:12
 225:4 231:19 232:13
 233:18,18 237:2
 245:18 253:9,10,13
 255:7 257:12 259:7
 260:19 264:10 265:22
 266:4,4 279:6
weren't 180:15
West 1:13 5:7 9:1
Westcott 272:2
Western 8:7 24:11 32:3
 32:6 102:15 190:22
whatsoever 77:13
 243:3,4
wheelhouse 142:22
whichever 82:8 144:1
 215:7
wide 10:4 24:2 39:9
widely 86:15
wider 24:19,22
width 24:13,18
wifi 9:8,10
wild 9:1
wildly 55:13
William 21:20
willing 214:21 267:3
win 161:10
win/win 27:15
wind 76:18
window 263:4
winners 54:13
winter 38:14,16 106:22
 107:2 270:21
Wisconsin 106:9
wish 143:15 162:16
 192:11
wonder 61:8
wondered 209:18
wonderful 9:1 276:17
word 90:17 122:17
 153:12 205:7 230:19
 267:13
word-in 122:8
wording 96:13
words 47:14 52:15 55:1
 77:4 108:10 149:20
 216:6 227:22 231:3
 250:8 254:17

work 10:10,11 12:14
 40:18 55:10 56:8 64:7
 83:7 85:5 95:7 103:20
 104:1,2,2,18,18,19
 105:3,11,16 106:5
 108:3 111:1,3 115:7
 120:4,14 126:22
 147:22 149:2,9
 150:17 156:19 157:12
 157:21 159:1 165:8,9
 195:7 197:7,8,8 199:3
 240:14,22,22 248:12
 271:18 273:22 277:5
work- 120:6
workable 165:13
 213:17 215:9
worked 32:2 111:10
 165:21 234:12,13
 244:22
working 3:16,22 14:16
 14:21 71:6 104:10,21
 111:3 112:12 126:2
 163:8 179:8 186:5
 193:1 210:17,22
 211:5,19 212:1,5
 214:3 217:9 218:18
 218:19 219:6,17,20
 220:20 230:1,12
 233:15 236:13 237:18
 241:18 244:21 246:8
 247:13 248:13,14
 249:3,6,13 250:15
 251:18 252:3 254:11
 257:19,22 258:2
 263:21 264:3,3
 274:22 276:15,20
 277:7
workings 206:17
workload 118:22
 119:16
works 52:12 83:10,13
 105:1 145:7 182:3
 230:4,6 237:18
 240:13,17,18,19
 242:8 243:10 244:8
 245:15
world 10:10 130:7,12
 241:4 246:13
worth 59:3 108:21
 213:1 239:18
worthiness 214:18
worthy 239:13
wouldn't 206:3 223:3
 238:12 257:6 261:14
wrap 245:6
write 24:5 25:19
writing 21:16
written 24:16 36:2

89:22 116:19 179:15
 254:20
wrong 52:19 53:8
 162:13
wrote 128:14 141:22
 142:1

X

X 197:2,3,4 213:12

Y

yachts 166:15
yaddy 152:10,10
year's 146:1
year-end 104:13 107:4
 107:7 111:4,8 113:6,7
 113:14 200:21
yearly 120:17
years 38:18 61:11
 65:22 76:6 112:9
 114:8,9 116:13
 118:15 119:2 120:17
 121:3,5 127:14,15
 128:1 130:17 133:19
 134:8 146:22 147:3,5
 150:18 155:14 160:4
 161:7,11 169:21
 170:1,5 191:1,12,20
 193:13 198:21 211:11
 212:13,15 216:4
 218:1 229:3,20
 235:12 258:22 259:16
 260:13,13,13 261:14
 263:11,18 273:1,16
 277:7
years' 48:9
yellow 236:18
yeses 8:21
yesterday 5:11 7:5,11
 11:8 258:6 261:21
Yockey 21:20
younger 259:14

Z

Z 234:8

zero 58:19

0

0.32 189:13
0.545 189:12

1

1's 248:14
1-to-1 155:1
1,000 188:22
1,350-a-day 157:18
1,500 189:2
1.0 155:10 167:22 168:9

1.0s 166:13 168:1,2,4
1.15 166:11,19 167:9,20
 168:1,10,13,21 169:7
 170:15,22 171:22
 172:1 174:1,13,18,22
 175:5
1.3 154:22 172:1 174:2
1.4 78:15
1.45 154:22 155:8
 170:22 172:2 174:3
1.5 155:1
1/10th 126:8
1/2018 57:15
1:00 177:11,14,17
1:15 177:13
1:23 177:20
10 55:4 65:20 90:10
 111:5,10 115:14
 131:10 149:1 160:17
 161:12 188:17,22
10- 60:15 120:12 146:12
10-year 3:12 78:21
 133:17 145:2,15,20
 146:5,9 147:14
10,000 55:8
10,000-and-some 55:7
10,401 54:21
100 54:6 55:2 57:9
 112:6,17 136:9 188:6
 188:8,12 189:1
 240:20
102 3:10
105-383 12:22
10th 63:20 115:10
11 173:19 265:21
11:47 177:19
116 3:11
12-hour 116:14 123:11
12:45 177:16
12866 40:19
13 57:3 231:10 256:21
 266:18 268:5
1300 137:20
13563 40:21
13777 25:7
13th 12:20
14 131:2 156:12 231:10
 257:19
1400 137:21
144 3:13
15 24:14 31:18 50:8
 68:4 165:6 173:9,17
 249:16 257:19 266:16
 267:16 268:7
15,400 31:18
15.1 126:6
15.9 126:7
150,000 256:5

1500 186:4
15th 104:22 105:1
16 32:11 55:19 92:6
 229:18
16,000 108:19
1625-0086 31:2
16th 104:20 105:9
 266:21
17 3:4,5 115:15 119:14
 119:15 128:19 230:13
 263:13,13,14 267:21
17-point-something
 119:4
17.3 119:5,14
177 3:14
18 3:7 38:17 60:2 110:3
 119:15 268:1
18- 131:17
18.9 126:21
180 105:10
18th 50:22 69:3
19 31:21
190857986 31:7
192 3:15
1944 24:17
1960s 181:22
1998 12:20,21

2

2 8:1 15:2 117:3 174:1
 194:1
2,000 128:9
2:34 232:13
2:46 232:14
20 48:7 60:15 76:8
 78:21 94:14 127:8
 150:18 161:11 188:17
 189:3 191:19 230:20
 233:10 249:16
20-minute 273:19
200 105:11 189:2
 249:16
200,000 163:9 179:22
2000s 233:12
2004 42:10 48:18 64:9
 64:15,18 85:10,13
 87:17 94:12
2005 76:8
2006 31:7 32:2
2009 160:4
2010 81:14
2011 65:5
2012 160:4
2013 57:15
2014 76:9 94:12 96:10
 173:3,4 179:21
 180:15 248:15 252:17
2015 60:13 65:11 76:5

78:19 125:16
2016 3:5 17:17 18:7
 32:3 59:9,12 60:4,13
 62:7 66:12 73:12 74:2
 75:14 76:3,4 77:6
 78:7,10,13,19 79:4
 95:22 125:6,12,15
 178:8 192:17,21
 193:7 223:19 233:6
 233:13,15 268:5,7
2017 1:6 3:18 14:19
 31:18,18 32:6 40:12
 49:8 50:22 53:2,22
 54:2,8 55:3,14,17,18
 58:5,19 59:2,9,12,20
 60:2,3,9,14 73:4,21
 74:3 75:14,16 76:10
 76:11 78:17,20,22
 90:9 92:4 93:3 95:20
 95:22 96:8,19 118:5
 118:20 125:9 127:6
 128:17 156:19 222:21
 223:19 234:2,3,18
 267:20 268:1,7

2018 100:13,17
207,440 25:9
20th 115:10 234:4
21 77:11 191:1 267:7
210 3:16
22 127:7,16 267:7,19,21
220 3:17
228 3:18
232 3:20
24 3:5 17:17 18:7
 128:19
248 3:22
24th 31:17
25 191:11
25-26,000 171:3
25,000 108:22
250 112:19
251 4:14
26 1:6
269 4:16
26th 105:8
276 4:18
279 4:20
28 3:8 93:3 159:8 172:7
29 58:20 61:21
2nd 31:7 234:20 263:14
 268:11

3

3 15:2 22:22 23:4 51:16
 52:20 57:5 113:5
 117:4 127:7 128:18
 157:10,10 160:15
 174:2

3-year 146:5
3.8 78:13
3:44 279:6
30 112:9 114:8 173:16
300 32:6 240:19
300,000 256:7,8,10
304,000 59:3
304,750 58:14 80:15
30th 115:10
313 172:6
32 159:6,18,19 172:5
33 22:4,8,21 23:1 25:9
35 273:1
350 103:21 104:12
 109:15 110:8 115:5
37 3:9

4

4 53:18 54:20 55:1,7
 92:22 93:2,11 97:9
 155:7 159:9 160:15
 164:6 174:2
4,000 132:6
4,320 32:12
4,400 62:8
40 73:13 75:13,15 76:2
 76:13 77:8 78:3 114:9
40,000 108:12,21
400 109:18 110:8,12
41467 58:4 60:10
41468 58:4
42 77:2,6
450 115:6
454 57:14
46.43 58:22
48 49:16

5

5 3:3 53:17 55:12
 128:10 157:10
5-year 146:5
5,000 171:1
5.4 78:14
5:15 5:8
50 89:18 241:4
500 110:6,10,12,14
500,000 71:3 256:9
51 54:21 55:1
53 90:12
53.57 58:19 90:8
53.75 53:21
55 77:2,6 130:11,11
56 51:10
585,890 61:15 73:8
586,000 55:6 62:1 77:11

6

6,000 129:3

60 248:5
600 32:9
628 57:13
6th 73:4 195:5 268:11

7

7 128:10 170:18
7:00 5:9
70 90:11 241:11 263:18
700 107:5
71 31:6
72 263:18
73 263:18
75 24:18 38:15 39:11
 112:11
75- 38:12
78 39:9
78-beam 38:14
78-foot 38:12
78-foot-wide 24:7 35:11
 36:16
7th 195:4,5

8

8 170:18 172:17 173:1,8
 174:7,8,13,17,21
8/step 174:8
8:00 1:14 137:18
8:07 5:2
80 32:4
80-foot 38:11
800 189:1
800,000 232:1
84- 24:1
85 68:7 112:13
8th 13:13

9

9 172:15,19 173:8 174:8
 174:9,13,17,20,21
9/10ths 126:6
9:00 50:10 137:19
9:10 50:11
90 16:15 73:13 75:13,15
 76:2,13 77:9 78:3
 136:17
90.92 53:21
93 76:19
95 112:13,16

C E R T I F I C A T E

This is to certify that the foregoing transcript


In the matter of: Great Lakes Pilotage Adv. Committee

Before: US Coast Guard

Date: 09-26-17

Place: Martinsburg, WV

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701