

GREAT LAKES PILOTAGE ADVISORY COMMITTEE

**Summary Record
September 10, 2018
Saint Lawrence Seaway Pilots' Association
230 N. Point Street
Cape Vincent, NY 13618**

On the call of the Sponsor, a meeting of the Great Lakes Pilotage Advisory Committee was held on September 10, 2018, at Saint Lawrence Seaway Pilots' Association in Cape Vincent, NY. This record is a summary of the meeting and transcript taken during the session and summarizes the committee's deliberations, conclusions, and actions. Documents are available for public inspection and printing online at www.regulations.gov or <https://dco.uscg.afpims.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Marine-Transportation-Systems-CG-5PW/Office-of-Waterways-and-Ocean-Policy/Office-of-Waterways-and-Ocean-Policy-Great-Lakes-Pilotage-Div/>

The Great Lakes Pilotage Advisory Committee held a meeting on September 10, 2018 at Saint Lawrence Seaway Pilots' Association in Cape Vincent, NY at the request of the Sponsor. The Coast Guard convened this meeting to consult with the advisory committee on the following topics:

- labor disputes/6-hour rule,
- Lake Ontario/Saint Lawrence River traffic challenges,
- use of the 10-year rolling average of traffic,
- annual rulemakings and financial reports - uniform system of accounts and uniform auditing practices,
- billing disputes/process,
- weighting factors application to charges,
- target pilot compensation study,
- pilot association training for applicants and partners,
- temporary registrations,
- pilot association compensation practices,
- working capital fund,
- competitive pilotage,
- itemized source form,
- tug usage,
- recuperative rest for pilots, and
- Legislative changes.

The Committee forwarded 4 recommendations for Coast Guard consideration.

GLPAC COMMITTEE MEMBERS IN ATTENDANCE

Capt. Dan Gallagher, Lakes Pilots' Association

Capt. John Boyce, St. Lawrence Seaway Pilots' Assoc.

Capt. John Swartout, Western Great Lakes Pilots Association
Mr. John Baker, Jr, President Great Lakes District Council, ILA
Mr. Steve Fisher, Executive Director American Great Lakes Port Association
Mr. Mike Klein, Chartering/Merchandizing CHS

Monday, September 10, 2018

GREETING AND INTRODUCTION

The Designated Federal Official, Mr. Rajiv Khandpur, opened the meeting at 8:16 A.M. with welcoming remarks and offered introductions to the Committee and public attendees. Admiral Nadeau, Assistant Commandant for Prevention, provided some opening remarks and Mr. Khandpur administered the oath to Mr. Klein. This discussion begins on page 4 of the transcript.

APPROVAL OF MINUTES

The minutes of the September 25-26, 2017 meeting were approved without discussion. This can be found starting on page 21 of the transcript.

LABOR DISPUTES/6-HOUR RULE

The Coast Guard requested the Committee provide information regarding pilot service and compulsory pilotage expectations.

Committee recommendation: “For no recommendation.” This discussion begins on page 22 of the transcript.

LAKE ONTARIO/SAINT LAWRENCE RIVER TRAFFIC CHALLENGES & USE OF THE 10-YEAR ROLLING AVERAGE OF TRAFFIC

The Coast Guard requested feedback on the first-come, first serve requirements and the need to modify the 10-year rolling average for traffic standard.

Captain Sylvester Solanki of Petro-Canada Lubricants presented information for the Committee to consider prior to the Committee discussion.

Committee recommendation: None.

This discussion begins on page 58 of the transcript.

ANNUAL RULEMAKINGS AND FINANCIAL REPORTS - UNIFORM SYSTEM OF ACCOUNTS AND UNIFORM AUDITING PRACTICES

Mr. Haviland provided an update to the current annual rulemaking and the financial reports.

Committee recommendation: None.

This discussion begins on page 104 of the transcript.

BILLING DISPUTES PROCESS

Mr. Berg provided an overview of the billing dispute process and asked the Committee to provide feedback on a reasonable statute of limitations standard for disputing a bill. This can be found starting on page 151 of the transcript.

Committee Recommendation: “Recommend the Coast Guard to explore deadlines for industry to challenge invoices, for pilot association to respond and the Coast Guard to provide an advisory opinion.”

This discussion begins on page 151 of the transcript.

TARGET PILOT COMPENSATION STUDY

Mr. Brown provided an update on the Target Compensation Study.

Committee recommendation: None.

This discussion begins on page 173 of the transcript.

WEIGHTING FACTORS

The Coast Guard requested feedback on whether weighting factors should be applied to cancellation, delay, and detention charges. Mr. Todd Haviland provided further input and requested feedback on how or if the weighting factors should be applied to the base rate. This can be found starting on page 193 of the transcript.

Admiral Nadeau gave his departing remarks. (Starting on page 201 of the transcript).

Committee recommendation: None.

This discussion begins on page 193 of the transcript.

PILOT ASSOCIATION TRAINING FOR APPLICANTS AND PARTNERS AND TEMPORARY REGISTRATION

Mr. Berg presented the training guidelines for applicant pilots. The Coast Guard requested feedback on temporary registrations of applicant pilots.

Committee recommendation: “Recommend temporary registration have no expectation of renewal.”

Committee recommendation: “Recommend temporary registration be issued both to facilitate training and the movement of traffic. Temporary registration may be for all or part of the District.”

This discussion begins on page 208 of the transcript.

PILOT ASSOCIATION COMPENSATION PRACTICES

The Coast Guard asked the Committee to provide feedback on the appropriate level of transparency for individual pilot compensation.

Committee recommendation: None.

This discussion begins on page 270 of the transcript.

PILOTAGE ASSOCIATION PROJECTS

The Coast Guard asked the pilot association presidents to provide an update on current and future projects.

Committee recommendation: None.

This discussion begins on page 281 of the transcript.

WORKING CAPITAL FUND

The Coast Guard requested input on the appropriate framework working capital fund from the Committee.

Committee recommendation: None.

This discussion begins on page 297 of the transcript.

COMPETITIVE PILOTAGE

The Coast Guard asked the Committee to explain this concept.

Committee recommendation: None.

This discussions begins on page 321 of the transcript.

ITEMIZED SOURCE FORMS

The Coast Guard requested feedback from the Committee on separating dispatching and pilot boat charges on the source forms.

Committee recommendation: None.

This discussion begins on page 341 of the transcript.

TUG USAGE

Mr. Berg explained the difference between designated and undesignated waters of the Great Lakes on the decision to employ tugs.

Committee recommendation: None.

This discussion begins on page 342 of the transcript.

RECUPERATIVE REST FOR PILOTS

Mr. Haviland provided clarifying information for the recuperative rest standard to the Committee.

Committee recommendation: None.

This discussion begins on page 357 of the transcript.

LEGISLATIVE CHANGES

Mr. Berg explained the difference between the process to change a regulation and the process to change the law for the Committee.

Committee recommendation: none.

This discussion begins on page 360 of the transcript.

PUBLIC COMMENT PERIOD

Captain Donald Metzger commented on the history of the GLPAC. These comments begin on page 364 of the transcript.

CLOSING REMARKS

Mr. Khandpur delivered closing remarks. These remarks begin on page 366 of the transcript.

MEETING CLOSED AT 1633

This can be found on page 367 of the transcript.