

UNITED STATES COAST GUARD
GREAT LAKES PILOTAGE ADVISORY COMMITTEE

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MEETING

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THURSDAY, SEPTEMBER 7, 2023

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The Advisory Committee met at Lake Superior State University in Sault Ste. Marie, Michigan at 8:30 a.m.
Captain Danny Gallagher presiding.

PRESENT:

Captain Danny Gallagher, Chair, GLPAC; President Lake Pilots Association

Captain John Boyce, Vice Chair, GLPAC: St. Lawrence Seaway Pilots Association

Captain Christopher Edyvean, President, Western Great Lakes Pilots Association

Mr. John Baker, Jr., President, Great Lakes District Council, International Longshoremen's Association

Captain Paul LaMarre, Director Port Monroe, Michigan

Mr. John Crowley, Executive Director United States Great Lakes Shipping Association

Mr. Kevin Kiefer, United States Coast Guard, Designated Federal Officer.

Mr. Todd Haviland, United States Coast Guard, Director of Great Lakes Pilotage

1 Mr. Francis Levesque, United States Coast Guard, Alternate
Designated Federal Officer.

2

3 Ms. Melanee Libby, United States Coast Guard, Group Federal
Officer

4

5 Mr. Vince Berg, United States Coast Guard, Compliance
Officer, Great Lakes Pilotage Division

6 Mr. Spencer Phillip, United States Coast Guard, Legal
Counsel

7

8 Captain Kenneth Boda, United States Coast Guard

9 Mr. Nathaniel Turner, CohnReznick

10 Ms. Julie Mitchell, CohnReznick

11 Mr. Todd Muehlenbeck, United States Coast Guard

12 Mr. Jorge Viso, President American Pilots Association

13 Mr. Clay Diamond, Executive Director/General Counsel,
American Pilots Association

14

15 Captain Patrick Broderick, Saint Lawrence Seaway Pilot
Association

16 Mr. Mark Rohn, Port of Monroe

17 Mr. Jon Olney

18 Mr. Don Willecke

19 Mr. Steve Fisher, American Great Lakes Ports Association

20 Mr. Robert Turner, Chamber of Marine Commerce

21 Mr. Bill Yawkey, International Longshoremen's Association

22 Mr. Eric Peace, Lake Carriers Association

23 Mr. Nathan Weltz, Lake Pilots Association

24 Mr. Tony Brandano, Lake Pilots Association

25 Mr. Robert Moore, Lake Pilots Association

1 Mr. Scott Skyrzypczak, Lake Pilots Association
2 Mr. Dean Haen, Port of Green Bay
3 Mr. Bryan Swintek, United States Coast Guard
4 Mr. David Evans, United States Coast Guard
5 Ms. Rebecca Simpson, United States Coast Guard
6 Mr. Dan Manning, Pilot, Western Great Lakes Pilot
Association
7
8 Mr. Ted Johnson, Business Manager, Western Great Lakes Pilot
Association
9 Mr. Brad Szczotka, Western Great Lakes Pilot Association
10 Mr. Charles Schopp, Western Great Lakes Pilot Association
11 Ms. Natalie Laroursiere, Assistant Business Manager, Western
Great Lakes Pilot Association
12
13 Mr. Christian Ouellet, Chief Operating Officer, Great Lakes
Pilotage Association (Canada)
14
15 Mr. Seann O'Donooghue, Great Lakes Pilotage Association
(Canada)
16
17 Mr. Chad Allen, ShipFed (Canada)
18 Mr. Raphael Gagnon, FedNav (Canada)
19 Ms. Jennifer Payne Kaelin, Word for Word, GLPAC official
reporter
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PROCEEDINGS

1
2 DFO KEVIN KIEFER: I have quite a bit of a statement to
3 read as we start off today, so I'll go ahead and begin a
4 couple minutes early since everybody seems to be ready to
5 go.

6 My name is Kevin Kiefer and I'm the Designated Federal
7 Official or DFO for the Great Lakes Pilotage Advisory
8 Committee. I welcome all of you to the public meeting of
9 the Great Lakes Pilotage Advisory Committee and express my
10 appreciation for the hard work of our committee members in
11 preparing for this meeting as well as for their past and
12 ongoing work.

13 As the DFO, I am responsible for ensuring all
14 provisions of the Federal Advisory Committee Act, or FACA,
15 are met, regarding the operations of the Committee. Also,
16 in my role as the DFO for the Committee, I work with agency
17 officials to ensure all appropriate ethics regulations are
18 satisfied.

19 Before we begin this morning, there are a few
20 formalities I need to address. For the record, the Great
21 Lakes Pilotage Advisory Committee was established on
22 November 13th, 1998, in the Coast Guard Authorization Act of
23 1998, and the public law as stated here.

24 GLPAC's charter was last renewed for two years
25 beginning on May 10th, 2023, under the authority of

1 46 United States Code, Section 9307, as amended by section
2 621 (a) of the Coast Guard Authorization Act of 2010.

3 The Committee acts in an advisory capacity to make
4 recommendations to the Secretary of the Department of
5 Homeland Security and the Coast Guard on matters relating to
6 Great Lakes pilotage, including review of proposed
7 Great Lakes pilotage regulations and policies.

8 The United States Government establishes advisory
9 committees so non-governmental citizens can provide advice
10 and recommendations on specific issues. In this instance,
11 the Coast Guard, not the committee members, owns the
12 Great Lakes Pilotage Advisory Committee. We expect this
13 committee to provide us with its candid opinions and
14 feedback, and the members must understand that you
15 represent -- you are present today to help us tackle some
16 big issues.

17 This meeting was announced to the public in the
18 Federal Register on Monday, July 17th, 2023. And that
19 Federal Register volume is listed with the page notices.

20 The Committee has a full agenda today. Please
21 understand times on the agenda are approximate and we may
22 not be able to keep to the exact times noted, but we'll
23 progress sequentially through the agenda as it is written.
24 That being said, we will strive to ensure adequate time is
25 provided for presentations, the Committee's thorough

1 deliberations, and public comments.

2 As stated in the agenda at this meeting, we will be
3 reviewing the following issues:

4 First, Expense and Revenue Reports for the Rulemaking.

5 Second, Great Lakes Pilotage Advisory Committee Meeting
6 Practices and Procedures.

7 Third, 2024 Annual Rulemaking Update and Staffing
8 Model.

9 Fourth, the Ratemaking Methodology.

10 Fifth, the 2013 Memorandum of Understanding between the
11 United States Coast Guard and Canadian Great Lakes Pilotage
12 Authority and Great Lakes Pilotage and American Pilots
13 Association Best Practices.

14 Sixth, Winter Navigation.

15 Seventh, Double Pilotage and Daytime Only Navigation.

16 Eighth, Projects and Current Staffing.

17 Nine, Pilots providing ETA or change points, estimated
18 time of arrival or change points.

19 And then finally, last tenth, will be Public Comments.

20 Can you folks hear? Sorry.

21 (Affirmative response.)

22 DFO KEVIN KIEFER: Okay. Thanks. I want to make sure.

23 General information about the GLPAC, that's the Great
24 Lakes Pilotage Advisory Committee, also known as the GLPAC,
25 as a short, nice acronym, is available on the Office of

1 Waterways and Ocean Policy website under the Great Lakes
2 Pilotage Division. That is CG-WWM-2.

3 I wish to remind you to record -- I wish to remind you
4 to record your attendance this morning on the sign-in sheets
5 provided. Also, please note that we have separate sign-in
6 sheets for the Coast Guard personnel and for the general
7 public.

8 The meeting agenda is also available on the tables and
9 as well as any additional information that may be placed
10 there from time to time as it becomes available.

11 The public meeting is being recorded for a permanent
12 record. In addition, official minutes will be prepared and
13 will appear on the CG-WWM-2's website, that's the Great
14 Lakes Pilotage Division's website, within 90 days of this
15 meeting.

16 In order to be fully heard and understood, each time
17 you speak, you must speak loudly and clearly. It is
18 important that you identify yourself and state your
19 affiliation before you begin your comments, including all
20 the GLPAC members, please.

21 This is extremely important for an accurate account of
22 the proceedings. Captain Gallagher and I will remind you of
23 this detail if necessary. If you fail to identify yourself
24 during a comment, we will request that information before
25 you can continue.

1 We're trying to take good care of you and give you
2 everything you need to do this important work. Please let
3 Frank, who's the ADFO, Mr. Frank Levesque, over here, or
4 myself know if you need anything. And I will turn it over
5 now to Frank. He has a couple of comments.

6 ADFO FRANCIS LEVESQUE: Thank you, sir.

7 The only comments I have is that -- that hasn't already
8 been said, if you need to connect to the WiFi, LSSU is the
9 website and there's no password. You can connect to and
10 stay connected to wherever you need to be connected to. And
11 that's all I have in addition to what you said, sir.

12 Oh, oh, I'm sorry. We have a great reporter here today
13 to reiterate what the -- what Kevin said is that speak
14 clearly, articulately, and don't stop -- don't talk over
15 other people because that's a real hard thing to try to
16 record and we'll have a great meeting.

17 That's it, sir.

18 DFO KEVIN KIEFER: Great. Thanks, Frank.

19 And I've just got a few more things to go over.

20 The Coast Guard leadership continues to value your
21 participation and expertise in this important maritime
22 advisory committee meeting, so appreciate you being here.

23 Your diligent work on all the tasks you accept helps
24 the Coast Guard determine if we are on the right course,
25 both nationally and internationally. The Coast Guard

1 leadership and I want to thank you -- thank everyone for
2 generously giving your time and efforts to ensure that the
3 environment in which our mariners work remains as safe and
4 as secure as possible.

5 Once again, welcome to the GLPAC and I look forward to
6 a very productive day. Thank you. This concludes my
7 opening remarks. I now call this meeting to order.

8 I now ask the Committee members to introduce
9 themselves, and we will determine if we have a quorum. For
10 the record, please introduce yourself, stating your name,
11 the company you work for, and the GLPAC charter position
12 that you're currently filling. When speaking, please hold
13 the microphone close to your mouth to ensure we can hear you
14 and that comments are accurately captured for the court
15 reporter.

16 Also, remember to turn your mic on and off if you don't
17 mind. Obviously, the light tells you that it's working.

18 And I'll start with Captain Dan Gallagher. Thanks.

19 CHAIR DAN GALLAGHER: Yes. Good morning.

20 Dan Gallagher, Chairman of the GLPAC meeting and
21 President of Lakes Pilots' Association.

22 VICE-CHAIR JOHN BOYCE: John Boyce, Vice-Chairman,
23 President of District 1, St. Lawrence Seaway Pilots
24 Association.

25 MEMBER JOHN BAKER: John Baker, Jr. I'm with the ILA.

1 I serve as a labor representative.

2 MEMBER JOHN CROWLEY: John Crowley, Executive Director
3 of the U.S. Great Lakes Shipping Association, and I
4 represent the vessel operators.

5 MEMBER CHRIS EDYVEAN: I'm Chris Edyvean, President of
6 Western Great Lakes Pilots Association, District 3.

7 MEMBER PAUL LAMARRE: Paul LaMarre, Port Director, Port
8 of Monroe, and President of the American Great Lakes Ports
9 Association, representing the ports.

10 DFO KEVIN KIEFER: Great. Thank you very much.

11 And we do have a quorum today.

12 So now we'll now go around the room to allow the
13 audience to introduce themselves. Please, again, speak
14 loudly, provide your name and your organization, your
15 company that you represent. And Frank has a microphone for
16 that. Thank you.

17 ADFO FRANCIS LEVESQUE: Good morning. My name is
18 Frank Levesque. I'm with the United States Coast Guard,
19 Great Lakes Pilotage Division, and I also serve as the
20 Alternate Designated Federal Officer here.

21 DFO KEVIN KIEFER: You just want to pass that --

22 ADFO FRANCIS LEVESQUE: Yes.

23 DFO KEVIN KIEFER: -- so people don't have to -- Sorry.
24 Thanks.

25 ADFO FRANCIS LEVESQUE: Go ahead, sir.

1 MR. BILL YAWKEY: I don't normally need a microphone,
2 but Bill Yawkey with the Longshoremen, Vice-President.

3 DFO KEVIN KIEFER: Thanks, Bill.

4 MR. SPENCER PHILLIPS: I'm Spencer Phillips. I'm with
5 the Coast Guard Office of Regulations and Administrative
6 Law. I'm the Project Counsel for the Ratemaking.

7 MR. NATHANIEL TURNER: Nathaniel Turner with
8 CohnReznick. I represent the United States Coast Guard
9 performing the ratemaking reviews.

10 MS. JULIE MITCHELL: Julie Mitchell, CohnReznick. I'm
11 also assisting with performing the ratemaking reviews.

12 MR. KENNETH BODA: I'm Ken Boda. I'm the Deputy
13 Director of Marine Transportation Systems at Coast Guard
14 headquarters.

15 MR. TODD MUEHLENBECK: Todd Mielenbeck, also with
16 Marine Transportation Systems, U.S -- at U.S. Coast Guard
17 headquarters.

18 MR. CLAY DIAMOND: Clay Diamond with the American
19 Pilots Association. We represent the nation's harbor and
20 river pilots throughout the country.

21 MR. JORGE VISO: Jorge Viso, President of the American
22 Pilots Association.

23 MR. SCOTT SKYRZYPCZAK: Scott Skrzypczak, Lakes Pilots
24 Association.

25 MR. STEVE FISHER: I'm Steve Fisher. I'm with the

1 American Great Lakes Ports Association.

2 MR. DEAN HAEN: Good morning. Dean Haen, Port Director
3 at the Port of Green Bay.

4 MR. MARK ROHN: Mark Rohn, Deputy Director, Port of
5 Monroe.

6 MR. PATRICK BRODERICK: Patrick Broderick, District 1,
7 St. Lawrence Seaway Pilots Association.

8 MR. CHAD ALLEN: Good morning, Chad Allen, Shipping
9 Federation of Canada.

10 MR. RAPHAEL GAGNON: Good morning, Raphael Gagnon. I'm
11 with FedNav, and I'm also sitting as Chairman of the
12 Shipping Federation of Canada's Subcompany for Pilotage.

13 MS. NATALIE LAROUSIERE: Natalie Laroursiere. I'm
14 Assistant Business Manager with Western Great Lakes Pilots.

15 MR. PAT JOHNSON: Pat Johnson. I'm with Western Great
16 Lakes Pilots Association. I'm the Business Manager there.

17 MR. BRAD SZCZOTKA: Brad Szczotka, pilot, Western Great
18 Lakes Pilots Association.

19 MR. DAN MANNING: Dan Manning, Western Great Lakes
20 Pilots Association.

21 MR. VINCE BERG: Vince Berg with the Great Lakes Pilots
22 Association, operations compliance.

23 MR. ROBERT TURNER: Thanks. Good morning.
24 Robert Turner, Vice-President of Operations of the Chamber
25 of Marine Commerce in Ottawa, Canada.

1 MR. CHRISTIAN OUELLET: Good morning. Christian
2 Ouellet, Chief Operating Officer for the Great Lakes
3 Pilotage Association.

4 MR. SEANN O'DONOOGHUE: Hi. Sean O'Donooghue, GLPA,
5 District 3 pilot.

6 MR. CHARLES SCHOPP: Good morning. Charles Schopp,
7 Second Vice-President of Western Great Lakes Pilots
8 Association.

9 MS. MELANEE LIBBY: Good morning, Melanee Libby, U.S.
10 Coast Guard, Office of the Assistant Commandant Prevention
11 and Policy.

12 MR. TODD HAVILAND: Good morning, Todd Haviland,
13 Director of Great Lakes Pilotage, U.S. Coast Guard.

14 MR. NATHAN WELTZ: Hi. Good morning, Nathan Wertz,
15 Vice-President GLPA, District 2, District 3.

16 MR. TONY BRANDANO: Tony Brandano, Vice-President of
17 Lakes Pilots Association.

18 MR. ROBERT MOORE: Good morning, Rob Moore, Lakes
19 Pilots Association.

20 MR. ERIC PEACE: Eric Peace, Vice-President of Lake
21 Carriers Association.

22 MR. JOE MCGINNIS: Joe McGinnis, Western Great Lakes
23 Pilots.

24 MR. BRYAN SWINTEK: Good morning. Bryan Swintek, I'm
25 the deputy here at Sector Sault Ste. Marie with the

1 Coast Guard.

2 MR. DAVID EVANS: Hi. Good morning. I'm David Evans,
3 and I'm the Prevention Department head here at Sector.

4 LT. REBECCA SIMPSON: Good morning. Lieutenant Rebecca
5 Simpson. I'm the Waterways Management Division Chief here
6 in Sector Sault St. Marie.

7 MR. JON ONLEY: John Olney, formerly President of
8 Western Great Lakes Pilots Association.

9 MR. DON WILLECKE: Don Willecke, another formerly
10 President of Western Great Lakes Pilots Association.

11 ADFO FRANCIS LEVESQUE: Okay. This microphone is going
12 to be up here for any of you-all that want to stand up and
13 speak. You're going to have to walk and get onto this
14 microphone to speak clearly, so we can all hear you.
15 Thank you.

16 DFO KEVIN KIEFER: Okay. Great. Back to Kevin Kiefer
17 here, the DFO, U.S. Coast Guard.

18 Thank you for those introductions. And with that, I
19 will turn over the meeting to the Chair, Captain Dan
20 Gallagher, to start our discussion.

21 Dan.

22 CHAIR DAN GALLAGHER: Thank you, Kevin.

23 I want to thank -- welcome everyone to Sault Ste. Marie
24 and offer my thanks to Chris Edyvean and the Western Great
25 Lakes Pilots for hosting this and the State -- Superior

1 State University for hosting this.

2 We have a very full agenda today, so I will ask
3 everyone to assist us in staying on schedule.

4 We welcome public participation and thank you for
5 attending the Great Lakes Pilot Advisory Committee meeting
6 today. We combine some of the topics from the
7 Federal Register announcement, so we have 10 agenda items,
8 initially. Great Lake Pilot Advisory Members will discuss
9 agenda topic. After the members have discussed the topics,
10 I will open the floor to the public for questions and/or
11 statements. I will then ask the Committee to continue the
12 discussion and/or consider a recommendation.

13 We have a break scheduled and a lunch.

14 After we have discussed all the agenda topics, we'll
15 open the floor to public comment. We will then end the
16 meeting when discussions have finished.

17 So let's begin with accepting the minutes from the
18 last GLPAC meeting.

19 Do we have a motion to waive the reading of the
20 minutes?

21 VICE-CHAIR JOHN BOYCE: I'll move to waive the reading
22 of the motion.

23 MEMBER JOHN BAKER: Seconded.

24 CHAIR DAN GALLAGHER: Motion by John, seconded by
25 John Baker. All in favor?

1 (Affirmative response.)

2 CHAIR DAN GALLAGHER: Okay. Motion carried.

3 Okay. The first topic is Expense and Revenue Reports
4 for Rulemaking. The Coast Guard is required to validate
5 each pilot association's expenses and revenues for
6 ratemaking purposes. The Coast Guard has contracted with
7 DCAA, RMAS, and CohnReznick to perform this work since 2008.
8 CohnReznick is the only company that has successfully and
9 efficiently performed this work during my time as President
10 of Lakes Pilots Association. We are currently working with
11 CohnReznick to generate the financial reports for the last
12 shipping season.

13 Mr. Frank Banda was supposed to be here today, but he
14 came down with COVID.

15 So, Nathan, I'll leave it up to you, please.

16 MR. NATHANIEL TURNER: Hi, everyone. Again,
17 Nathaniel Turner with CohnReznick. We're contracted by the
18 Coast Guard to perform the financial reviews over the
19 expenses and revenues reported by each of the three
20 districts that govern the Great Lakes Pilot Association --
21 govern the Great Lakes.

22 Last GLPAC, I discussed essentially review process and
23 is showing that we perform a review of expenses to ensure
24 that they are not inclusive of anything that we deem
25 ineligible and ensuring that only allowable expenses are

1 submitted for ratemaking purposes.

2 And additionally when we review, we performed a review
3 to ensure that they're reported accurately and we can
4 reconcile that with the audited financial statements and the
5 invoice listings of each district.

6 More so, this GLPAC, I would like to cover a few items
7 that will just ensure -- just -- just note that we perform
8 our reviews, ensuring that we provide confidence in those
9 reports that we provide for ratemaking purposes, confidence
10 in the ratemaking process for all of the users of those
11 reports.

12 Also, ensure that the results are there to help drive
13 the presidents of each association in making vital decisions
14 that they need to make.

15 Additionally, we want to ensure that, you know, just
16 with the legacy, history and the knowledge that we have in
17 performing these reviews, you know, there are different
18 risks that can -- that could arise from a firm that's not
19 qualified to perform these reviews, and I can go into those
20 shortly.

21 More so with the confidence, we ensure that the
22 confidence is there and there's transparency in the rates
23 that everyone is comfortable with the amounts and the items
24 that are being included in those rates.

25 We also ensure that we have an understanding of the

1 rates and it's a firm where we aren't looking to just find
2 something wrong. You know, we have adjustments where they
3 can be an upward adjustor. And there also -- of course, we
4 have downward adjustments if something is included in the
5 rate that should not be included. So we're definitely
6 aiming to provide a fair and -- and transparent review as we
7 conduct these audits or -- well, financial reviews.

8 Additionally, the Coast Guard provides with assurance
9 that these reviews can be conducted timely. We understand
10 that there's a requirement to have these rates performed
11 annually, and that there's a -- a cutoff where these rates
12 need to be reported so that these rates can be published for
13 usage for the stakeholders.

14 Additionally, we understand that there are over a
15 billion dollars of commerce that go through the Great Lakes
16 and, additionally, hundreds of thousands of individuals that
17 rely upon these services and these items being put on the
18 shelves. So we definitely want to make sure that our
19 process prevents any unneeded interruptions in the
20 day-to-day activities, and our familiarity with performing
21 these rates allows for that.

22 Additionally, as I stated previously, the results of
23 our reports help drive the decisions that the captains are
24 able to make at their respective associations, providing
25 necessary improvements, providing additional pilot boats,

1 vehicles, everything that they need to perform their
2 day-to-day services successfully.

3 Additionally, it helps them ensure that they have the
4 recruiting efforts. Because if their rates are fair,
5 they're able to -- they're incentivized to have those
6 recruiting efforts and maintain the level of pilots and the
7 needed pilots that they have to keep the service and the
8 transportation operating effectively.

9 And the risk of having a firm that's unqualified, shall
10 I say, to perform these reviews or lacks that legacy
11 knowledge will increase the amount of interruption that
12 occurs in their day-to-day activities. There will be a
13 learning curve required. Definitely a lot of nuances
14 between -- differences between audited financial statements
15 and then expenses that are allowable for ratemaking
16 purposes.

17 Additionally, our experience has enabled us to work
18 with the Coast Guard to update the procedures to be -- to be
19 in accordance and timely with new systems that are being
20 implemented.

21 SeaPro, for example, we were able to modify and work
22 with the Coast Guard to update our procedures to ensure that
23 the testing that we perform can be modified and create an
24 efficiency that also limits the amount of interruptions of
25 day-to-day activities.

1 And I just wanted to say thank you, guys, for allowing
2 us to continue to provide our services to you guys.

3 Any questions?

4 (No response.)

5 MR. NATHANIEL TURNER: Thank you.

6 MEMBER JOHN CROWLEY: I --

7 MR. NATHANIEL TURNER: Oh, yes.

8 CHAIR DAN GALLAGHER: Mr. Crowley.

9 MEMBER JOHN CROWLEY: I'm John Crowley, U.S. Great
10 Lakes Shipping Association. I was wondering through your
11 work, are -- have you become aware of any cost-reduction
12 efforts that are part of the expense portfolios?

13 MR. NATHANIEL TURNER: Cost-reduction efforts, I would
14 say just in finding efficiencies in the processes that they
15 do perform. No cost-reduction efforts as far as any, you
16 know, lessening or using a different fuel provider or
17 anything of that sort.

18 But as far as creating efficiencies in their processes
19 and performing their pilotage activities, we do see efforts
20 where they're constantly looking for any technology,
21 innovations or providing services.

22 One example could be providing tablets for their pilots
23 on their ships, as opposed to using paper for source forms.
24 So we now have a tablet system where it's electronic-based,
25 so that reduces the carbon footprint and also reduces the

1 amount of, you know, paper waste, which is good. It's good.

2 MEMBER JOHN CROWLEY: Okay. Thank you.

3 CHAIR DAN GALLAGHER: Are there any other questions
4 from the Advisory Committee members?

5 (No response.)

6 MR. NATHANIEL TURNER: Thank you.

7 CHAIR DAN GALLAGHER: Any questions from the public?
8 Mr. Haviland.

9 MR. TODD HAVILAND: Good morning, Todd Haviland,
10 U.S. Coast Guard. I would ask the pilot presidents if there
11 is a significant disruption in the -- in those reports, how
12 would that impact your decisions to invest in things that
13 brought efficiencies and increased reliability to the
14 system?

15 VICE-CHAIR JOHN BOYCE: This is John Boyce. It's very
16 important. We end up investing our own money in boats, in
17 vehicles to transport people, and it doesn't take a -- a
18 whole lot of sign that something may not be included in the
19 rate or included in a timely fashion that -- that the
20 investment will stop very quickly. Partly because there's a
21 one-year window for it to go in. If it doesn't go in that
22 one rate process and the time frame jumps to the next rate
23 process, whatever was missed is gone. There's nearly zero
24 chance of -- of recouping it back. So it's very important
25 that everything is included.

1 You have a competent firm that actually understands,
2 you know, the differences between ratemaking and, you know,
3 GAAP reporting.

4 We saw a brief period that somebody apparently decided
5 that it should go to a small firm, and it wasn't
6 CohnReznick, and it was two and a half years of a mess.
7 There probably isn't a better way to describe it other than
8 just -- just a mess. They clearly didn't have an idea.
9 Everything was argumentative. And it went back to
10 CohnReznick again.

11 And they understand. It's really the differences
12 between the GAAP accounting and -- and ratemaking
13 requirements. A lot of it is subtle, but it's very
14 important in some cases.

15 Such as things, depreciation schedules, you know, it's
16 a 31-year depreciation schedule if you buy a property or
17 building. But you can't get a 31-year loan on a commercial
18 property. You get a 10-year loan, so you have to make those
19 time frames match up, things like that.

20 CHAIR DAN GALLAGHER: Dan Gallagher. I know we had --
21 the one time we had the auditors, we went through everything
22 and we had -- we had substantial expenses that year. And at
23 the end of the day, they were so screwed up, they were -- it
24 was all thrown out and they had to go start all over again.

25 It's very costly for us. You talk about efficiencies.

1 Some of these auditors that we had, it's just -- working
2 with our accountants, it's unbelievable the amount of time
3 you have to hold their hand.

4 These guys do a professional job. They're detailed.
5 They -- when they send things out, it's -- it's -- you know,
6 we get it back in a timely fashion, and it's -- they're not
7 wasting a lot of our time.

8 The other ones, we had to re-educate every time, so...

9 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
10 Lakes Pilots. I just echo what Captain Gallagher and
11 Captain Boyce said about the importance of the process and
12 the great work that CohnReznick has done and they've done a
13 great job. And Nate has done a great job.

14 MEMBER JOHN CROWLEY: Chair. John Crowley, U.S. Great
15 Lakes Shipping Association. I -- there appears to me
16 there's an underlying agenda item here that I am not aware
17 of. I just -- is there a -- is there something else going
18 on in terms of review that we're being asked to -- to take a
19 look at and provide information on?

20 I -- I had assumed going into this discussion, this was
21 a report on the expenses and -- and that was the focus. But
22 the -- the discussion that's ensued and -- and some of
23 the -- the remarks from the team, indicate that there's
24 something else afoot, something else that's being examined
25 and I'd just like clarity on that.

1 CHAIR DAN GALLAGHER: I --

2 MEMBER JOHN CROWLEY: Anybody?

3 CHAIR DAN GALLAGHER: Dan Gallagher. Not that I'm
4 aware of.

5 MEMBER JOHN CROWLEY: Okay.

6 CHAIR DAN GALLAGHER: Mr. Haviland.

7 MR. TODD HAVILAND: Good morning, Todd Haviland,
8 U.S. Coast Guard. I just wanted the Committee to inform the
9 Coast Guard just how vital these reports are to, you know,
10 all the progress we've made since 2016. I don't think it's
11 any mistake that once the Pilot Associations felt confident
12 that their investments would be recouped through the rate,
13 assuming that, you know, traffic would come. That now we've
14 got the investments that we'll talk about later with some of
15 these projects.

16 But if you see what, like, the District 2 pilots do in
17 Port Colborne, you know, that was a significant investment,
18 but it saves the shippers 15 to \$20,000 a month in hotel
19 bills and transportation to and from the vessel. And it,
20 you know, probably has enabled us to provide service over
21 there with a few less pilots.

22 You know, the investments that the District 1 pilots
23 made in Massena and Cape Vincent where we've had meetings.
24 You know, in between every assignment, pilots used to leave
25 Cape Vincent or Massena and travel all the way to Watertown,

1 check into a hotel, check out and then come back. All those
2 expenses are eliminated.

3 But I think more importantly, to the people who rely
4 upon piloting service, the turnaround time for the pilot is
5 a lot quicker. So it -- to the outside world, that doesn't,
6 you know, live and breathe Great Lakes pilotage, I think
7 it's important for them to know the value of timely,
8 accurate financial reports and how some of the hiccups of
9 the past have prevented some of those investments.

10 VICE-CHAIR JOHN BOYCE: John Boyce. To your point,
11 John, I -- I firmly believe it is so disruptive to have
12 somebody come in that doesn't know the differences, that I
13 will spend as much time as needed to reinforce kind of what
14 Todd and Nate have said. You need somebody there that knows
15 what they're doing, not just has a CPA background or has
16 the -- the proper credentials, but doesn't actually
17 understand what's going on. It's -- it's horrible. So I
18 think that's the point I was trying to make at least.

19 CHAIR DAN GALLAGHER: Okay.

20 MEMBER PAUL LAMARRE: Paul LaMarre. Is there -- is
21 CohnReznick in jeopardy of not doing the financial review
22 going forward?

23 CHAIR DAN GALLAGHER: Not that I'm aware of, no.

24 VICE-CHAIR JOHN BOYCE: I would just say I'm never
25 going to assume that. I know they had the whole

1 small-entity idea once and that went really poorly and we
2 can avoid any great ideas.

3 MR. TODD HAVILAND: Good morning. Todd Haviland.

4 The goal of the Coast Guard is to get a five-year
5 contract out. We haven't been able to release one in the
6 last couple years. But we have also received pressure from
7 time to time because the policy of the U.S. Government is to
8 have these contracts go to small businesses.

9 MEMBER PAUL LAMARRE: So is their contract up for
10 renewal? This is Paul LaMarre. I don't want to make that
11 mistake.

12 MR. TODD HAVILAND: They're on a one-year contract,
13 so...

14 MEMBER PAUL LAMARRE: One-year contract.

15 MR. TODD HAVILAND: We don't have a contract in place
16 for the next engagement or the next five years.

17 MEMBER PAUL LAMARRE: And Coast Guard approves that?

18 MR. TODD HAVILAND: Yes, we work that through
19 contracting. There's a -- we go through the federal bidding
20 process.

21 MEMBER PAUL LAMARRE: Do you feel that we're facing
22 challenges for having them on board again?

23 MR. TODD HAVILAND: We could.

24 DFO KEVIN KIEFER: So -- Kevin Kiefer, DFO, U.S. Coast
25 Guard. Yeah, every year we have to -- we have to compete

1 the contract. It's a one-year contract right now. Like
2 Todd said, we're trying to get a five-year contract. Every
3 year we re-compete it. So technically there could be
4 someone else.

5 And we -- this office does not control that. That goes
6 over to our acquisition office, and they do all the
7 contracting. So every year, it's -- it's up for -- somebody
8 could come in and say, "I -- I do this job better," so...

9 MEMBER PAUL LAMARRE: So would it be reasonable to
10 put -- Paul LaMarre. Would it be reasonable to put forward
11 a recommendation to the Coast Guard that we maintain
12 continuity within that reporting process?

13 Because I think that you're significantly going to harm
14 that legacy knowledge, that he mentioned, if -- if you don't
15 go in that direction. Why -- why would we reinvent the
16 wheel again and again?

17 MR. TODD HAVILAND: Good morning. Todd Haviland.
18 Whatever --

19 MEMBER PAUL LAMARRE: I like that you say "good
20 morning" every time, by the way. That's really nice.

21 MR. TODD HAVILAND: Yes.

22 (Laughter.)

23 MR. TODD HAVILAND: Whatever the Committee wants to
24 recommend, we appreciate that recommendation. So if you
25 feel that it's important, you know, we would welcome that.

1 MEMBER PAUL LAMARRE: Well, I think a recommendation to
2 the Coast Guard. Sorry, Mr. Chair.

3 VICE-CHAIR JOHN BOYCE: Yeah, Paul. Dan Gallagher.
4 Yes, I -- I agree. I think a recommendation would be good.

5 MEMBER PAUL LAMARRE: Well, then I would like to put
6 forth a recommendation to the Coast Guard that they maintain
7 continuity with the firm that is conducting financial review
8 and reporting for the Associations. Because dealing with
9 auditors myself in the port business, et cetera, this is
10 something that you can't learn overnight. And if it starts
11 to go awry, just like you talked about, it can become a
12 serious issue that takes years to recover from.

13 CHAIR DAN GALLAGHER: Okay. Do you want to make a
14 recommendation?

15 MEMBER PAUL LAMARRE: That is my recommendation.

16 MEMBER JOHN CROWLEY: I'd like -- John Crowley,
17 U.S. Great Lakes Shipping Association. I'd like to have a
18 quick discussion on this. I'd feel more comfortable if what
19 the recommendation, if this is where we go, be reflective of
20 the experience of the current, you know, presidents of
21 the -- of the pilots' districts with CohnReznick, rather
22 than try to give the Coast Guard -- which I don't think will
23 be that -- as helpful in making decisions, a recommendation
24 that continuity in the abstract be maintained.

25 I -- I think the factual experience that has been

1 accounted for is a better representation of a
2 recommendation. That's -- that would be my offer before we
3 get to the point of making a recommendation. Thank you.

4 MEMBER PAUL LAMARRE: My -- my suggestion was for
5 continuity versus the endorsement of a particular firm only
6 because of Government process.

7 CHAIR DAN GALLAGHER: Absolutely.

8 MEMBER PAUL LAMARRE: Paul LaMarre. Get ready for
9 more.

10 MEMBER JOHN BAKER: Good morning.

11 MEMBER PAUL LAMARRE: Good morning, John.

12 MEMBER JOHN BAKER: John Baker. I'll second the
13 motion.

14 CHAIR DAN GALLAGHER: Okay. We've got a motion.
15 Seconded by Mr. Baker. All in favor?

16 (Affirmative response.)

17 CHAIR DAN GALLAGHER: Opposed?

18 MEMBER JOHN CROWLEY: I'll abstain.

19 CHAIR DAN GALLAGHER: Okay. Motion carried.

20 You going to have that, Frank, that motion?

21 ADFO FRANCIS LEVESQUE: Yes, sir.

22 CHAIR DAN GALLAGHER: Okay. All right.

23 The second topic is a Great Lakes Pilot Advisory
24 Committee Meeting Practices and Procedures.

25 We will deal with this topic in two parts. First,

1 Mr. Haviland has informed me that other Coast Guard Advisory
2 Committees are using a computer program, Microphone --
3 Microsoft Teams, instead of in-person court reporter to
4 transcribe the meetings.

5 Mr. Haviland, would you like to address the Committee,
6 please?

7 MR. TODD HAVILAND: Yes. For you, Paul, good morning,
8 Todd Haviland, U.S. Coast Guard.

9 I talked about this a lot with Steve Fisher, because he
10 was one of the architects of developing the Great Lakes
11 Pilot Advisory Committee legislation. Over the years, other
12 committees have had virtual meetings, other -- we tried it
13 once. It didn't work out too well.

14 Throughout COVID, we've met in person. We've avoided
15 allowing people to participate virtually because of the
16 value that you get of sitting down. And really, Great Lakes
17 Pilotage is so complicated and it really is vital to so many
18 different stakeholders that -- you know, Mike Emerson said a
19 few years ago, "If you're not willing to come to the meeting
20 and speak, the issue must not be that important to you to
21 raise."

22 The question that I have is -- and I'm going to ask
23 Steve kind of to talk, too -- is, you know, we have a
24 court reporter. We -- I like the idea of an independent
25 third party that comes in. She's going to transcribe the

1 meeting. She's going to give us, you know, word-by-word
2 what everyone said, and we're going to take those meeting
3 minutes and -- and the -- the words everyone says and we're
4 going to put them on the Federal Register for everyone to
5 review.

6 Some of my concern is, is that if the Coast Guard is
7 imposing Teams that, you know, instead of -- you know, even
8 now with a third-party transcriber, sometimes we get, "Well,
9 I didn't really mean what I said."

10 And I -- I want to avoid the Coast Guard being in the
11 position of, "Hey, you manipulated these words and that's
12 not really what I said."

13 And instead of, you know, us being able to move things
14 forward, I'm just a little afraid that the conversation, you
15 know, at every meeting is going to turn into, "Hey, at the
16 last meeting, this is what I actually said." And we're
17 always going to be looking backwards instead of looking
18 forward.

19 And I -- if you don't mind, I'd like to ask
20 Steve Fisher to say a few words.

21 MR. STEVE FISHER: Thank you, Todd.

22 Good morning. Steve Fisher, American Great --
23 Steve Fisher, American Great Lakes Ports Association.

24 Todd and I discussed this several weeks ago. The
25 formality of this meeting does provide a benefit. Both the

1 fact that it's live and does not have a virtual component,
2 exactly as Mike Emerson said, it -- it causes us all to show
3 up, take time away from our day, set other things aside and
4 focus on this issue and give it the attention it deserves.

5 As you can see from the turnout here today, which is
6 robust, people are willing to do that. So that -- that's
7 not an issue, and people are willing to dedicate the time to
8 this issue.

9 And so either going virtual, I think, would detract
10 from the Committee and its umph, its substance. And then
11 having a court reporter also adds a formality to the
12 proceedings. I think everybody behaves a little bit
13 differently knowing every single word is being taken down
14 for the record.

15 And we've all looked through these records after the
16 fact. As you all know, Great Lakes Pilotage historically
17 has been litigious. Our lawyers have looked through the
18 record word for word in the past, also. And I can cite
19 numerous court cases where conversations in these meetings
20 are cited in the documents, the court documents.

21 So the point is we all know that what we say matters
22 and we all know that the deliberations that go on in this
23 Committee matter and impact. And I think having a court
24 reporter is part of creating -- maintaining the formality
25 and substance of these meetings and the importance of these

1 meetings. Otherwise, in my view, they deteriorate into a
2 much more casual discussion that may or may not be
3 important.

4 MEMBER PAUL LAMARRE: Dan.

5 CHAIR DAN GALLAGHER: Thank you, Steve. Paul.

6 MEMBER PAUL LAMARRE: Good morning. Paul LaMarre.

7 Can I make a recommendation that this meeting is always
8 in person? Can we just recommend that and get done with
9 this?

10 I think there's serious value to having an in-person
11 meeting. The interaction amongst the people in the
12 industry, the pilots in this room, I think that the value
13 would be significantly depleted if it was through Teams,
14 Zoom, or otherwise.

15 It would be great to just tell Todd, "Dude, we
16 recommend there's an in-person meeting," as there always has
17 been.

18 CHAIR DAN GALLAGHER: Yes, I think that's doable. Yes.
19 Mr. Crowley.

20 MEMBER JOHN CROWLEY: Yeah, John Crowley.

21 MEMBER PAUL LAMARRE: My buddy.

22 MEMBER JOHN CROWLEY: Good morning, Paul.

23 MEMBER PAUL LAMARRE: Good morning.

24 MEMBER JOHN CROWLEY: I -- I mean, I've seen FACAs and
25 I guess I disagree a little bit that this is so much more

1 complicated and needs to be formal so much more than other
2 committee meetings that didn't seem to detract from
3 attendance that is valued in person. But it allows
4 important insights from people who are not able to -- jobs
5 don't -- that don't allow them travel, that -- that may be
6 not be permissible or supportable by the entity that they
7 represent or that is on a personal hook.

8 And so number one, I -- I -- I -- while I want to
9 encourage, and I think that the value of us sitting around
10 the table here in person is preeminent, I -- I would hate to
11 close off the -- the virtual ability for people to -- to
12 join us and offer views from -- from the public that
13 otherwise would not get here.

14 Number two, I presume that we're able to find a
15 recording through -- through Teams. And I've found
16 recordings to be about as accurate as transcription services
17 do. Both need review. Both take time because of that
18 review time, not so much because of the capability. And --
19 and, I mean, I -- no, this is not a commentary about the
20 transcribers that have been employed here.

21 But I -- I don't guess I see the -- the reason to limit
22 to a -- to a different system of accounting for our -- our
23 very important duties. Thank you.

24 CHAIR DAN GALLAGHER: Dan Gallagher. I -- I totally
25 disagree with you, John. I believe the in-person meetings

1 are important. Like Mr. Emerson said, "If it's important to
2 you, you'll be here." You'll send a representative here.
3 Everybody has got busy schedules, we understand that.

4 And as far as the court reporters, it's all right in
5 the word. I mean, there's nobody making stuff up. She's an
6 independent individual. I think it would be terrible to
7 lose that opportunity and go to Teams.

8 I just -- I know we had some meetings, a virtual
9 meeting just last week and it was terrible. The reception,
10 people were dropping off. It's -- we have them all the time
11 where, you know, you can't -- it's just -- it's just not the
12 same. It's just not the same. And these are important
13 meetings, so I -- I think it should be in person.

14 MEMBER PAUL LAMARRE: So in my opinion -- Paul LaMarre.
15 Good morning.

16 (Laughter.)

17 MEMBER PAUL LAMARRE: The most important stakeholders
18 for commenting at a meeting like this are presently on a
19 ship or on a dock or out working in the industry. And each
20 faction of that industry, our industry, has set aside the
21 time with specific personnel, who are sitting in this room,
22 which means that they're not on a ship, they're not at their
23 port, they're not on the dock, because they find it valuable
24 enough to be here.

25 So I'm -- I'm against the Teams aspect of this.

1 Everybody is well-represented. We're all professionals,
2 mariners. I understand personal circumstances. I have a
3 chronically-ill spouse. I'm here, because it's what we're
4 obligated to do.

5 So I think we should make a recommendation that it's --
6 and we're just going to go at it all day today, I'm
7 convinced.

8 (Laughter.)

9 MEMBER PAUL LAMARRE: So I would recommend that -- that
10 we aren't for the -- the Teams or virtual meeting aspect of
11 having our meeting.

12 CHAIR DAN GALLAGHER: John.

13 MEMBER JOHN BAKER: Danny, is that -- is that a motion?
14 Did you make a motion?

15 MEMBER PAUL LAMARRE: Absolutely.

16 MEMBER JOHN BAKER: All right. I second the motion.

17 DFO KEVIN KIEFER: John. Sorry.

18 MEMBER JOHN BAKER: Oh, John Baker. I'm sorry.

19 CHAIR DAN GALLAGHER: Okay. We've got a motion by
20 Paul LaMarre, second by John Baker. All in favor?

21 (Affirmative response.)

22 MEMBER JOHN CROWLEY: I'm in favor, but...

23 CHAIR DAN GALLAGHER: Opposed?

24 (Indicating.)

25 CHAIR DAN GALLAGHER: Opposed by Mr. Crowley. Motion

1 passed. Okay. We'll move on.

2 Do we have any more comments from the public?

3 Mr. Haviland.

4 MR. TODD HAVILAND: Good morning. This is

5 Todd Haviland.

6 Mr. Levesque just asked me what the recommendation was.

7 ADFO FRANCIS LEVESQUE: Is there a recommendation

8 coming out of this?

9 VICE-CHAIR JOHN BOYCE: John Boyce. Paul.

10 CHAIR DAN GALLAGHER: Go ahead, Paul.

11 They wanted to -- Frank wanted to know --

12 MR. TODD HAVILAND: Are you going to type the

13 recommendation on the big screen behind you?

14 VICE-CHAIR JOHN BOYCE: It was to have in-person

15 meetings and the court reporter.

16 MEMBER PAUL LAMARRE: I would recommend to the

17 Coast Guard, from the GLPAC, that attendance -- that one,

18 the meeting will be conducted in person.

19 Two, that outside attendees, public attends in person.

20 That's it. That's -- that's pretty much it, however

21 eloquent. And add "good morning" to it and we're good to

22 go.

23 (Laughter.)

24 VICE-CHAIR JOHN BOYCE: John Boyce. With the court

25 reporter.

1 MEMBER PAUL LAMARRE: Yeah. That we're -- that we're
2 not in favor of any virtual form of the meeting, member,
3 public, or otherwise due to the challenges facing mariners,
4 stevedores, ports, and valuable members of our industry.

5 ADFO FRANCIS LEVESQUE: And we have it on the
6 transcribe, also, so that's great. But I just want to make
7 sure we capture the big words for our recommendation.

8 MEMBER PAUL LAMARRE: Thank you, sir. And I'll be
9 looking for a "good morning" count at the end of the day.

10 ADFO FRANCIS LEVESQUE: Good morning.

11 CHAIR DAN GALLAGHER: Are there any more comments from
12 the public?

13 (No response.)

14 CHAIR DAN GALLAGHER: Okay. That being said, we'll
15 move on to the next topic.

16 Moving on to Mr. Crowley. Second, our fellow Committee
17 Member, Mr. Crowley, has suggested ways to improve our
18 Committee's effectiveness. I recognize Mr. Crowley to lead
19 this discussion.

20 MEMBER JOHN CROWLEY: John Crowley. Thank you,
21 Captain.

22 So I guess my background -- and I'll try to be quick
23 and succinct here, is to provide clear objective, which is
24 one of the Coast Guard's operating truisms, a clear
25 objective to whatever we're about. And so that's kind of a

1 what, when, and how series here that begins with, "What will
2 the agenda be?"

3 And I think that to get to the end of my
4 recommendation, that we try as well as we can, with an
5 agenda item, at the end of each meeting to forecast and put
6 items on the successive agenda meeting so that all can begin
7 preparing for them. That -- that can then also include a
8 discussion of where we hold the meeting, providing maximum
9 visibility and opportunity, not only for ourselves to attend
10 the successive meetings, but the public and as we go from
11 place to place.

12 I think one of the things that can add our value,
13 particularly for those like myself that are -- are not kind
14 of more permanent members of the Committee, is to have a
15 running list of where meetings have been held and what
16 recommendations have been made and passed. And so you've
17 got -- you know, we don't reinvent the wheel. We have that
18 and we can look at that and -- and in preparation, so...

19 But in preparing, once we have an agenda list and where
20 we are going, and -- and a date that is commensurate and --
21 particularly noting that one of the objectives here is to
22 provide information, advice, and recommendations regarding
23 the regulatory process, that it be timed in a fashion that
24 can, as -- as I think this session was done, that comments
25 can be provided and discussion can be relevant to a

1 unfolding regulatory package and -- and not out of sequence
2 with that.

3 But in order to best be -- provide clear objective
4 outcomes -- and let's take, for example, the last couple of
5 agenda items, I -- my recommendation is that we come in with
6 a title, what the objective of that title agenda item is.
7 It's hard sometimes to discern what the background, what's
8 really intended when you just read the agenda item, what's
9 intended. If there are reading materials that go along with
10 that particular agenda item, sometimes there may not be,
11 sometimes it may be a -- a testimony.

12 For example, the -- the auditor, the reviewer of the --
13 of the spreadsheets and the -- the financials, and that's
14 okay, too. But we -- we know that that's coming forth. And
15 if someone recommending an agenda item has -- has an idea
16 that they want to get a recommendation out of it, that a
17 draft recommendation be provided at the outset. So we kind
18 of have the end in mind as we begin the process of listening
19 to -- you know, reviewing before we get here, listening to
20 the -- the testimony that is provided, and -- and we are
21 able to get a -- a smarter, more succinct recommendation to
22 ease the job of -- of Frank and -- and others with the
23 Coast Guard.

24 And so that's -- that's hopefully, in short, my
25 thought, in order to make all our jobs smarter, better and

1 more efficient. Thank you.

2 VICE-CHAIR JOHN BOYCE: This is John Boyce.

3 So you want to have a motion, and then a discussion
4 that goes along with that, before we get to the meeting?
5 Because the motion, I would think, should be an outgrowth of
6 the discussion at the meeting.

7 MEMBER JOHN CROWLEY: Well, you certainly --
8 John Crowley. You certainly can do that. I -- I've seen
9 that happen, but that's not my intent per se.

10 My intent is when someone puts an agenda item on the --
11 on our list, there is an end in mind. Otherwise, I don't
12 know that -- why it's there. And -- and in preparation
13 before the meeting then is that much more challenging to
14 come in and -- knowledgeable about what someone else's issue
15 is and it's -- it's catch-up at that point.

16 And I -- I think we can all be better prepared if we
17 are mindful of what the -- what the intention is. And that
18 doesn't mean that there's not a discussion, that there's
19 still, you know, the exchange that occurs between Paul and I
20 that -- that elucidates the differences of -- of view. But
21 it -- it allows us to -- to think through and maybe make
22 better thoughts of one or the other of us. And in order
23 to -- to come to a very salient conclusion and -- and one
24 that we can all, you know, say, "Yes, that's -- that's the
25 smart thing, smart answer to come out with." So...

1 CHAIR DAN GALLAGHER: Any other questions from the
2 Committee? Nothing?

3 (No response.)

4 CHAIR DAN GALLAGHER: I'll turn it over to the public.
5 Any questions or comments from the public?

6 Mr. Fisher.

7 MR. STEVE FISHER: Steve Fisher, American Great Lakes
8 Ports Association.

9 I don't know if the actual structure John is
10 recommending is a right or wrong one. I would agree that
11 sometimes the topics are a bit vague. I'll just take the
12 CohnReznick discussion as an example.

13 There was an issue there. It was about 15, 20 minutes,
14 though, before I understood what the problem -- underlying
15 problem was. It would be easier if it was just stated
16 upfront what the -- it seems Coast Guard contracting
17 processes result in an annual contract instead of a
18 long-term contract on that one. And, in fact, stakeholders
19 felt that a long-term contract provided more stability.

20 Okay. Well, that maybe could have been said upfront.
21 But it -- a bunch of us here in the audience were completely
22 puzzled at what was the underlying issue. We got to it
23 eventually. But maybe it would be easier if this -- if
24 the -- everything is on the agenda for a reason. Maybe if
25 it was more clearly -- more clear why things were on the

1 agenda, that would be helpful.

2 CHAIR DAN GALLAGHER: Thank you, Steve.

3 Anyone else from the public?

4 Mr. Haviland.

5 MR. TODD HAVILAND: Good morning, Paul. Good morning.

6 Todd Haviland, U.S. Coast Guard.

7 I'm going to ask Melanee to weigh in a little bit.

8 Because when we put the agenda together, we say, "Hey, these
9 are the topics the Coast Guard wants the Committee to
10 consider." I send that to the Chairman, and the Chairman
11 shares that with the Committee members.

12 This is a unique FACA where if a majority of the
13 members want to have a meeting, the law requires us to hold
14 it. So, at that time, we also solicit input from the
15 Committee members on what those agenda items should be.

16 And I -- I almost think that, you know, what
17 Mr. Crowley is asking us is to have like a mini meeting of
18 the Advisory Committee without the public present to discuss
19 these things. And then when the Committee is ready, we'll
20 bring in the public to let them know what we discussed in
21 private, and I don't think we're allowed to do that. But,
22 again, I -- I'm probably misunderstanding what's being said.

23 But, you know, the one thing I would encourage is, you
24 know, there's nothing that prevents the Committee members
25 from talking in between meetings. But it gets kind of

1 sticky if -- if the Coast Guard now is calling a portion of
2 the Committee members together to discuss Committee business
3 because that now looks like we're having a -- a special
4 session for the GLPAC, and we're not allowed to exclude the
5 other Committee members or the public from those
6 discussions.

7 Am I correct, Melanee?

8 MS. MELANEE LIBBY: Yes.

9 MR. TODD HAVILAND: She just said yes.

10 MEMBER JOHN CROWLEY: I -- well, John Crowley. First
11 of all, Todd, my recommendation was that we do this at
12 the -- as a final agenda item at the actual meeting, so it's
13 not outside the bounds of meeting structure. And that
14 it's -- but -- and you're eventually asking us to provide
15 input anyway. So why not do that in advance so that we can
16 be thoughtful and forearmed?

17 I -- I would say that there -- that I am pretty
18 certain, based on prior experience, that you can do member
19 meetings that are organizational in nature if -- if there is
20 a, "How do we -- how do we do this?" kind of scheduling
21 issue or something of that nature.

22 So I just -- just for the record, I don't know that I
23 concur with that you can't ever do something. Because you
24 are doing something outside the -- the formal meeting when
25 you ask for input and -- and there's -- there's a way to do

1 that. There's -- there's boundaries and processes to keep
2 you in the lane.

3 But, again, my thought is to keep it on the record and
4 just to do it while we're all here. You say we are always
5 able to talk to each other, but here's the venue where we
6 are. And we just had the discussion of the importance of
7 being in person to do that and -- and this kind of flips --
8 I -- flips our position somehow.

9 And -- and so I -- I think that it's -- it's valuable
10 to have the discussion while we're all here. So just to --

11 MEMBER PAUL LAMARRE: But you voted against us all
12 being here.

13 MEMBER JOHN CROWLEY: No, I -- I said it was --
14 John Crowley. I said it was important for this table to be
15 here. I don't know that I would exclude a virtual. But I
16 advocated for the ability of the public, that were not able
17 to be here, understanding that you're still going to get
18 robust attendance depending where you are and -- and the
19 issues involved.

20 But I'm -- I still think it's -- it's critically
21 important, and I think I said that reflecting on the
22 transcript, that -- that the table be a round and be in
23 person, face-to-face.

24 CHAIR DAN GALLAGHER: Mr. Haviland.

25 MR. TODD HAVILAND: Todd Haviland, U.S. Coast Guard.

1 I just want to clarify, having a list of where previous
2 meetings have been held and running a list of what the
3 recommendations were at each meeting and how we've
4 adjudicated them, we can provide that. No problem.

5 MEMBER JOHN CROWLEY: Okay.

6 MR. TODD HAVILAND: And I'm thinking we've got that
7 posted somewhere, so...

8 CHAIR DAN GALLAGHER: Mr. Boyce.

9 VICE-CHAIR JOHN BOYCE: John Boyce. I would further
10 say there's currently nothing precluding you from, at the
11 conclusion of the meeting, bringing up topics that you want
12 to be on a future agenda or suggesting a place.

13 CHAIR DAN GALLAGHER: Agree.

14 VICE-CHAIR JOHN BOYCE: We don't have to do anything to
15 allow it to happen.

16 MEMBER JOHN CROWLEY: John Crowley. So that means that
17 I'm responsible for the organization of the -- the Committee
18 if that's what I think is important? I don't understand why
19 we don't make that a -- a best practice for our committee.
20 And -- and with the outcome that we're driving towards,
21 preparation equals performance, and the better we prepare,
22 that's all this is about.

23 And I -- if everyone feels differently, then that's --
24 I wanted to offer the suggestion.

25 VICE-CHAIR JOHN BOYCE: This is John Boyce again.

1 Basically, because I think a -- a shorter time frame
2 allows the topics to be much more timely and applicable.
3 Again, I'll say there's nothing precluding you, if you want
4 to put it out there sooner, go right on ahead.

5 I personally have not seen a single issue it takes me a
6 year to figure out what's going on with, because I know what
7 I'm talking about. If other people don't, not my problem.

8 CHAIR DAN GALLAGHER: Sir.

9 MEMBER PAUL LAMARRE: Well -- Paul LaMarre.

10 I think it does make sense to -- at the end of the
11 meeting, talk next meeting. If that's closing comments,
12 that can be all of us, one of us, suggestions, food for
13 thought, whatever it is. I think a brief explanation about
14 an agenda item, if it -- there is any level of complexity,
15 following the title of the agenda item when we introduce it,
16 isn't a bad thing.

17 But the discussion and/or the preparation, in my
18 opinion, I didn't know the complexity or the issues related
19 to CohnReznick necessarily, but that's why each of us is
20 here. We bring our own experiences professionally, on
21 behalf of the institutions that we represent, and all we can
22 do is communicate and comment in that silo. And so
23 preparation is what we have with daily experience that we
24 have in each of our fields that we bring to the table.

25 So in agenda item-wise, if I think anything should be

1 an agenda on the GLPAC, I'm going to call Mr. Haviland
2 immediately, who will then usually put something out and/or
3 we vet it via email with the members of the Committee,
4 et cetera.

5 I think open discussion, not a bad thing.
6 Transparency, not a bad thing. But I also don't think that
7 we're doing a bad job.

8 CHAIR DAN GALLAGHER: Thank you, Paul.

9 Any other comments from the public?

10 Mr. Haviland.

11 MR. TODD HAVILAND: Good morning. Todd Haviland,
12 U.S. Coast Guard.

13 This morning there was an administrative session with
14 just the Committee members and a handful of people from
15 Coast Guard headquarters. The law has an eighth member slot
16 for the Committee. So if the seven Committee members can
17 agree to an eighth member, then we'll have an eight-member
18 instead of a seven-member committee.

19 When the law to reauthorize the Advisory Committee was
20 put into place, we removed the necessity or the requirement
21 for that eighth person to have a background in finance and
22 accounting. It's been at least a year and we haven't
23 received any recommendation or any suggestion, either from
24 the Committee members or someone applying through the
25 Federal Register notice.

1 And Ms. Libby asked the Committee to consider, you
2 know, "Is it time to get rid of this eighth person?" and
3 just, you know, stay with the seven-person committee.

4 And Mr. Crowley asked that we discuss this, you know,
5 during the committee.

6 But I also, during that discussion, referenced Steve
7 Fisher, who helped, you know, draft that law. And if he
8 could give a little background on that finance and
9 accounting.

10 And just from my perspective, if we're not going to get
11 anyone to -- for the Committee to consider, I think it's
12 time to just eliminate that eighth person. And, you know,
13 maybe I'm wrong, but I -- I can only think of two or three
14 people who the Committee might unanimously, you know, vote
15 for. But I don't think any of those people are interested
16 in serving in Great Lakes Pilotage, so...

17 And since 1998, John Tanner is the only person who the
18 Committee has unanimously elected to hold that position.
19 And, you know, he has expressed zero interest and said he's,
20 you know, not going to do it anymore.

21 So I -- I would just like to move forward with a
22 seven-member committee instead of eight. And if it's okay,
23 let Steve speak and give us some information.

24 CHAIR DAN GALLAGHER: Mr. Fisher.

25 MR. STEVE FISHER: Steve Fisher, American Great Lakes

1 Ports Association.

2 As Todd commented, I was -- a number of you were, also,
3 but I was around when the bill was being drafted by Congress
4 to create this Committee, and there were stakeholders
5 engaged with the Committee chairman at the time, Congressman
6 Jim Oberstar from Duluth.

7 And they were seeking to create a -- a committee that
8 had three pilot representatives, three industry
9 representatives, and then a -- a seventh person, who was
10 sort of seen as sort of an impartial tiebreaker.

11 And the law provides that that seventh person be
12 provided at -- because -- that seventh person has to be
13 approved by the other six. So in concept, the idea was that
14 this would be somebody who was agreeable to all the other
15 Committee members and ultimately could be a tie -- a vote
16 tiebreaker.

17 Since then, I think something significant has happened,
18 is that the Committee has existed and sat many, many years,
19 and I think we understand the dynamics of the Committee
20 behavior better.

21 I -- I personally don't know that that seventh person
22 matters anymore. The Committee doesn't vote pilot industry
23 on every issue. It -- the votes tend to be mixed, depending
24 on the topic. And I think the initial concern, that was
25 feared by the crafters of the legislation, who -- who again,

1 have not gone through any committee meetings yet, because
2 the committee doesn't exist, I don't think that concern
3 has -- has materialized.

4 The other issue is that Congress has since modified the
5 Committee and added an eighth seat for a labor
6 representative. So it's not even a three, three, and a
7 tiebreaker vote structure anymore. We have eight people on
8 the Committee, hypothetically, in law.

9 And so in reality, I think this seventh -- this elusive
10 so-called seventh person, who we generally, in the
11 Committee's history, has only been filled one time, hasn't
12 really been that important. So ultimately, if it's done
13 away with, I don't think we lose anything, quite frankly.
14 I don't think it makes any difference. Quite frankly, at
15 the end of the day, it's almost a housekeeping item.

16 But the Committee today, and every -- every year when
17 it meets, is not encumbered, in any way, because this person
18 doesn't -- isn't present, so...

19 CHAIR DAN GALLAGHER: Thank you, Steve.

20 Anyone else from the public?

21 (No response.)

22 CHAIR DAN GALLAGHER: We'll bring it back to the
23 Committee for any recommendation.

24 MEMBER JOHN CROWLEY: Mr. Chair --

25 CHAIR DAN GALLAGHER: Mr. Crowley.

1 MEMBER JOHN CROWLEY: John Crowley, I -- just so I can
2 speak for myself for -- on this matter, I did recommend that
3 it be brought before the public. I asked the Coast Guard
4 whether there was a compelling reason that we should remove
5 that person from the -- from the law. And believing if
6 there was, then -- then we should.

7 However, there wasn't anything offered. It was more
8 of, "Well, we haven't had one." And my perspective was that
9 there is a -- there is a value still in having a more
10 neutral and detached person who can be potentially a
11 unifying voice within the group of opposing, you know,
12 industry views.

13 And even if it is a -- it becomes an agenda item almost
14 yearly where we have a discussion recognizing that there's a
15 value to try to unify -- because we have one industry here,
16 not two or three. We have business units, but we have a
17 maritime industry that we want to flourish in the
18 Great Lakes. And that seems to me that, by itself, is a
19 pretty strong statement.

20 If someone -- and if we can remind ourselves around the
21 table that that is the prevailing view of all of us, that we
22 strengthen the maritime industry on the Great Lakes, that's
23 a credible discussion and I'm not that quick to remove it
24 even if we don't achieve that, you know, on a year-by-year
25 basis. Thank you.

1 CHAIR DAN GALLAGHER: Okay. Having no recommendations,
2 we'll move on to the next topic.

3 The third topic is the 2024 Annual Ratemaking Update
4 with Staffing Model. The Coast Guard has a statutory
5 mandate to publish pilotages rates by March 1st of each
6 year. The Coast Guard uses a 10-step methodology to
7 calculate pilotage rates for each of the U.S. Great Lakes
8 Pilots Associations.

9 These rates are the primary source of the revenue for
10 each pilot association to provide pilotage service. Even
11 the staffing model is not part of the 10-step methodology.
12 The staffing model provides the methodology with the maximum
13 number of working pilots the Director can authorize for a
14 ratemaking.

15 Therefore, we have combined the 2024 Ratemaking Update
16 and Staffing Model discussion. The Committee will discuss
17 the methodology after we finish with the current ratemaking
18 and staffing model.

19 Mr. Haviland, you want to start the conversation,
20 please?

21 MR. TODD HAVILAND: Good morning, again.
22 Todd Haviland, U.S. Coast Guard.

23 So I -- I asked the Committee to consider these two
24 comments together. Because right now, we're in the midst of
25 a time period with the 2024 rates. And we removed the

1 staffing model separately, but the staffing model provides
2 a -- a limit to the number of working pilots that I'm
3 allowed to -- to put into a rate.

4 And, you know, again, Steve and I have talked about
5 this over the years. And I've talked about this a lot with
6 The Shipping Federation and with the various ship owners.

7 Traffic coming in out of the lakes is not linear and
8 this year has been very interesting. Because even though
9 traffic is down, we've had numerous periods where every
10 pilot in every, you know, district or pilot association has
11 to be called back from their rest for a couple days to move
12 ships. And then we'll go three or four days and there's
13 nothing. And then it will be three or four days and
14 everyone is back.

15 And what the staffing model doesn't allow me to do is
16 provide any buffer for the system. It doesn't allow me to
17 deal with, you know, medical issues that arise right before
18 the system starts or right after the system opens.

19 The last couple years, we've had apprentices get over a
20 year into their training, and on a couple of occasions they
21 were within a month of completing their training and say,
22 "Hey, you know, this is a lot harder than I thought it was
23 going to be and I don't want to do this anymore."

24 So now, you know, that two-year period starts all over
25 where they're going to have to advertise, they're going to

1 have to hire. They're going to have to interview. They're
2 going to have to get my permission to hire, and then the
3 person goes into training. And the -- the reliability of
4 the system, you know, is at risk because, you know, things
5 don't align perfectly.

6 And then another issue that has come up is, you know,
7 because you can't hire someone, you know, on a certain day,
8 and you can't control what the traffic is going to do,
9 sometimes it takes a little longer to hire someone and get
10 them properly trained.

11 But with the cruise ships in Districts 2 and 3 this
12 year, there are a couple mariners who are almost a year
13 ahead of their development to be -- to complete their
14 training. And, you know, I'm kind of left without the
15 ability, because we're at the -- the ceiling with the
16 staffing model, and also, you know, we didn't propose it in
17 the rulemaking because we -- I didn't really anticipate two
18 guys completing training a year early. You know, what are
19 we going to do with all these people? So...

20 And I know Captain Gallagher has some, you know, strong
21 words, I think, for the 2024 rulemaking. I think
22 Captain Edyvean also has some recommendations for us.

23 But the other thing is, is, you know, at the last
24 meeting, I was asked to exercise discretion, with the
25 unanimous recommendation from the Committee, when it comes

1 to staffing. Personally, I -- I understand, you know,
2 shipping in and out as well as anyone in the world. I would
3 put my knowledge and ability to predict these things against
4 that. But it -- I don't want to exercise discretion and set
5 that precedent because I -- I just think it's important that
6 we have a methodology that helps in form the rates.

7 So what I would ask the Committee is, you know, I think
8 where the current staffing number is should be the floor.
9 So that's the minimum number of pilots we need to ensure
10 safety on the Great Lakes. And if you want to give me an
11 upper bound so I can, you know, have some discretion, you
12 know, I -- I want an upper limit.

13 You know, it -- I think the methodology is pretty
14 straightforward. If you want me to have an upper limit, I
15 think it would be reasonable to ask you to give me, you
16 know, that upper limit being, "We'll move one more ship in
17 each area of water in a 24-hour period." That would be the
18 upper bound.

19 So it would take, you know, District 1 from their lower
20 limit being 18 to their upper limit being 21. It would take
21 District 2, their lower limit being 16, their upper limit
22 being 19, and it would take District 3, their lower limit
23 being 22, and their upper limit being 25.

24 And, again, I would -- I would propose, you know, in
25 the interim each year this is the number of working pilots

1 we're going to have in the system. Because I want to make
2 sure that, you know, every pilot that is funded is providing
3 service, you know, just like every one of the other
4 partners, so...

5 Thank you for your consideration.

6 CHAIR DAN GALLAGHER: John Boyce.

7 VICE-CHAIR JOHN BOYCE: This is John Boyce. I -- I
8 think there is some wisdom in what -- what the Director was
9 just saying of -- of adding the capacity to move, you know,
10 one more ship through each district or each area. One, you
11 know, part gets the other.

12 I also think we need to adjust when a pilot counts, for
13 lack of a better term, in the rate. Currently, either
14 they're there at the beginning of the season or they don't
15 exist for a year and -- and I think that loses a lot on the
16 table for the ability for that person to be fully utilized.

17 Right now, it's not the case for us, but I know -- I
18 believe Districts 2 and 3 both have -- have somebody that
19 they were able to get trained. But because of time frames,
20 they're not going to be counted in the -- the current NPRM
21 where, operationally they could count them and have the rate
22 adjusted for -- for their use, which I think is the goal
23 of -- of the whole system is -- is to provide -- provide the
24 people to be able to -- to move the ships.

25 So I think, one, we need to look at making a

1 recommendation to the Coast Guard to add an additional pilot
2 for both Districts 2 and 3.

3 Two, I think we need to recommend to the Coast Guard
4 a -- a better time frame than the beginning of the season
5 for a pilot to count. You know, in -- in fairness, maybe
6 make it the middle of the season. Probably sometime in
7 August would make more sense that -- you know, at least it's
8 half a year. Theoretically, you wouldn't lose the -- the
9 same amount on that.

10 Because another structural problem that exists is we
11 have a two-year training period. When an NPRM comes out, if
12 you try to be as -- as proactive as possible, you're already
13 late fall to try to start recruiting somebody and hire to
14 fill a vacancy. That, by default, puts them starting late
15 in -- in the year, two years later. And I think it's in
16 everybody's best interest to bring guys on as soon as you
17 can.

18 So I think giving the -- the open -- opening of the
19 season being when somebody has to be on board to count, it
20 hampers the whole system.

21 CHAIR DAN GALLAGHER: Mr. Crowley.

22 MEMBER JOHN CROWLEY: John Crowley. I guess, I -- I
23 have two kind of elements of confusion in the discussion.
24 One, is I had understood that the rate is based upon the
25 experience that over a period of time that we -- that that

1 the numbers work out. And that they're because of the
2 fluctuations from year to year, and this year is this year
3 and next year we might not have as much cruise line and
4 maybe it's different. I don't know. But that over time, it
5 has proven to provide a baseline for your work. That's --
6 that's one element of confusion.

7 The second piece is that the rate provides income to
8 the districts, but not attached to a particular pilot. So
9 that if -- if the pilots come and go during the year, but
10 the numbers remain the same, that it doesn't matter that you
11 bring them on halfway through the year or at the end of the
12 year because the rate is not attached to a person. It's
13 attached to the income level that's -- that the Director has
14 decided is necessary to operate.

15 Now, the question of -- of the surges is, I think, what
16 we're really looking at. And maybe it's this year, maybe
17 it's two weeks during a year. I mean, I don't -- I don't
18 have enough data in order to really -- to -- to offer an
19 opinion on that. I'm justing trying to -- to weed out the
20 things that I -- that don't kind of fit in what I know about
21 it.

22 CHAIR DAN GALLAGHER: Mr. Haviland.

23 MR. TODD HAVILAND: Todd Haviland, U.S. Coast Guard.

24 I -- I need to clarify. So in 2016, when we developed
25 the staffing model, traffic was very much different than it

1 is now. We had five companies, four companies essentially,
2 that consumed 95 to 97 percent of all pilotage service on
3 the Great Lakes; FedNav, CanforNav, Wagenborg, Polsteam,
4 and BBC. Then, Petro-Canada came in, and now we've got the
5 cruise ships. And on top of that, I've got the Canadian
6 domestic fleet hiring pilots, not only during the season,
7 but throughout the winter. Some winters it's a lot; some
8 winters it's not too much.

9 But the initial thought behind the staffing model was,
10 if we can staff for this beginning season rush, and the
11 end-of-season rush, there was such a decline in traffic from
12 June, July, August, and half of September, that I really
13 didn't have to worry about, you know, pilot fatigue and too
14 many delays.

15 But, you know, the cruise ships, they're not probably
16 going to get to the, you know, 20, 30, 40 cruise ships a
17 year that, you know, they projected a couple years ago. But
18 I've talked to enough of the cruise ship owners and enough
19 people from Seaway that on a given year, we should expect
20 anywhere between eight and 12 cruise ships to provide
21 cruising opportunities to people, you know, throughout the
22 shipping season.

23 And I think, you know, Captain Edyvean has some
24 unbelievable numbers. And I know Captain Gallagher does,
25 too. The thousands of bridge hours now that have been

1 added.

2 And, again, it's -- if there's one topic that I believe
3 the stakeholders can all agree on, it's the number of pilots
4 you want in the rate.

5 Because, you know, the shippers don't want too many
6 pilots because that deflates the rates. Too many pilots for
7 the pilot associations means that they don't meet their
8 target compensation and they don't keep their recency. Too
9 few pilots means that we're probably going to have some
10 delays. And even though the registered pilots and
11 associations are going to generate, you know, more revenue
12 and more income, they're not going to really have much time
13 to enjoy that and their work/life balance is going to be
14 off.

15 So in that context, you know, I -- you know, I went
16 back and forth. You know, I didn't know -- I didn't think
17 that we could just talk about the '24 rate and the staffing
18 model separately, and that's why I asked for the two agenda
19 items to be combined because they're kind of feeding into
20 each other.

21 And right now what we've got is, you know, we figured,
22 you know, probably next year is when we're going to say,
23 "Hey, these are some things that we need to do with the
24 staffing to increase the staffing numbers for all three
25 districts."

1 Because, you know, the other thing that has happened in
2 District 1 is we've got the grain coming in and out of
3 Hamilton that -- you know, they used to come into Hamilton,
4 drop off their steel and then sail all the way up to Duluth
5 and Thunder Bay, and that would give, you know, those guys a
6 little buffer to get people, you know, recycled and rested
7 before the ship went back out.

8 And now he's got the petroleum tankers that, you know,
9 had we listened to them, they were going to bring in a ship
10 every other day and, you know, we needed to increase numbers
11 drastically that -- you know, now we'd have a whole bunch
12 of, you know, pilots sitting around, you know, not doing
13 anything.

14 But I've talked to Petro-Canada enough to believe that
15 they're like, "What our numbers are now is where they're
16 going to be."

17 And it -- and the other thing, you know, since this is
18 a shared waterway -- and I'm going to let the pilot
19 presidents discuss this, you know, now or whenever they
20 feel. But like, you know, District 1 has
21 Canadian-registered pilots on the river and on the
22 Welland Canal. And for whatever reason, sometimes during
23 the weekend, there aren't a lot of ships that move. And
24 then 8:00 Monday morning, all the ships from Montreal are
25 coming in. What is left in the river, you know, is trying

1 to move out. And now stuff is moving through the
2 Welland Canal. We don't -- you know, we don't staff for
3 that.

4 But I -- I think, you know, those three extra pilots
5 would not only allow the District 1 pilots to have the
6 reliability that I think the shippers want, you know, to
7 move the petroleum in and out, to move the dry bulk
8 commodities in and out. And I think, you know, as -- this
9 is a learning you know, process for everyone.

10 You know, as the cruise ships more normalize on, you
11 know, "This is how they're going to operate, you know, year
12 after year." Because I sat down with Matt Grimes, and he
13 told me in January he's going to say, "Hey, these are the
14 dates and times I'm going to be at every port for the next
15 year or two."

16 You know, I understand that FedNav can't do that
17 because, you know, they're bringing in steel and they're
18 exporting grain. And they might go to a dock and then a
19 laker comes while they're trying to onload or offload and
20 they'll get kicked off so that laker can get serviced. That
21 might happen to them two, or three times.

22 So, you know, I know that with the petroleum trade and
23 with the cruise ships, for the next two or three years, I --
24 I can get a good idea, you know, exactly where they're going
25 to be on any given day and what they're going to need.

1 But the -- the global commodity trade that really is
2 the bread and butter of Great Lakes Pilotage, you know, they
3 can forecast out six to eight weeks. And to me, the real
4 question is, "You know, what's your tolerance for delays?"

5 Because if you don't want to put these pilots, you
6 know, in the rate, and if you don't want to increase the
7 number of pilots in the staffing model, we're going to have
8 delays. And if -- and I'm not saying that, you know, what I
9 recommended is the exact same thing you need. But I think
10 as an interim step to keep things kind of bounded and
11 predictable, I think it's a good framework that I'd like the
12 Committee to rec -- to consider.

13 CHAIR DAN GALLAGHER: Mr. Boyce.

14 VICE-CHAIR JOHN BOYCE: Just -- just to sum up real
15 quick and -- and directly to the two points you made.

16 MR. TODD HAVILAND: Thank you.

17 VICE-CHAIR JOHN BOYCE: There is an experience over
18 time that the rate is designed to take into account. And
19 what we've seen over short-to-medium-term recent history is
20 we need more people. You know, that -- that's, I think,
21 right on point. What direct observation is showing is, is
22 we need -- we need more people to be able to reliably move
23 everything.

24 The second point, as far as -- agreed, the compensation
25 isn't directly tied to an individual. But it's a two-year

1 training cycle. So what happens is you can't make somebody
2 announce two years from now they're going to retire. So to
3 backfill -- whether it's increasing our numbers or to
4 backfill a retirement, when somebody retires, they're pulled
5 out of the rate, and it's going to depress the number by
6 one. It will be two years later before that number is
7 increased by the guy that's trained to fill that position.

8 So we don't have a -- a very good ability to have
9 somebody retire in June and have the replacement come online
10 in July.

11 CHAIR DAN GALLAGHER: Mr. Crowley.

12 MEMBER JOHN CROWLEY: I mean, first of all, let me --
13 let me say that I don't think my members would disagree at
14 all with the premise that we want sufficient pilots to move
15 maritime commerce through the system on an efficient and
16 timely basis, so the -- the argument is not that.

17 I guess, to the last point, John, I -- I still am
18 grappling a little bit with the rate is set for a -- an
19 income level and the numbers, I don't -- I'm not
20 understanding how they vary, that income level by the
21 staffing model.

22 Now, what I -- next comment is, I really expected the
23 Director to be able to come in here with more than anecdotal
24 conversations. And -- and there's got to be data available
25 here that actually demonstrates the -- the cycles and it's

1 not just the two weeks that are, you know, beginning and end
2 of the season. Now it's here and there's -- there's so many
3 pilot demands, ships moving through the system that has
4 changed, and -- and that's what I would expect to -- to see
5 when asking for really comments at this Committee meeting.

6 But even more than that, subsequent comments toward the
7 ratemaking process, that there ought to be that kind of
8 information available to -- for -- for the right people to
9 understand and to comment on. And that would get us to, I
10 would hope, a more unified position on sufficient pilots to
11 move through the system on an efficient basis, which I think
12 is -- we're all -- we're all in agreement. The process here
13 is what I'm struggling with. Thank you.

14 CHAIR DAN GALLAGHER: Dan Gallagher. When the -- when
15 the staffing model was developed in 2016, there was nothing
16 wrong with it. The Coast Guard did a great job with it.
17 And like you said, you know, it -- ups and downs with the
18 traffic.

19 Since then, we've got the cruise ships that we never
20 had. That's -- that's the difference. If we didn't have
21 cruise ships right now, 16 would be adequate for our
22 Association. We're -- we're swamped with cruise ships, and
23 District 3 even more than us.

24 We've -- we've changed the way -- you know, this year
25 we've got 16 full registered pilots, one training -- that's

1 already up and training. Had we had more traffic into
2 Toledo this year, he would have been already fully trained.

3 We're able to -- because of the stability in the
4 system, and it -- it has a lot to do with this Committee,
5 with the -- the audits done properly, everything, that we --
6 we finally have some stability.

7 So people are looking at this as a better place to
8 work. There's more stability. And if we don't have that
9 stability, and if people don't get time off, and if they
10 have to work all year, they're just going to go back to the
11 lakers. There's no doubt about it. Or they'll look, you
12 know, for another pilotage group.

13 We've changed how we -- in our district, how we train
14 people now. We always, in the spring of the year, voted to
15 bring somebody in. We give that person the ability. We
16 wanted them to go back to their company and not leave them
17 hanging. We said, "Hey, you have to have a commitment for
18 your company that you're leaving to come with us, please do
19 it." Because we -- the last thing we want them to do is,
20 you know, put someone else in a bad position.

21 What we're doing now is we're -- we're committing to a
22 person the prior year. So this year, by the end of this
23 year, we will already tell a guy, "Okay, you're going to
24 start training." And instead of trying -- starting to train
25 them later in the year -- and sometimes you have to do that

1 to get the right person. But we're -- we're starting them
2 off with the very first shift.

3 So, we're -- in our district, we're two, three months
4 ahead of schedule. So we've been training individuals.

5 And -- and everybody -- everybody who they attract is a
6 little bit different. John -- John doesn't have the ability
7 to attract the people that my district has, District 2, or
8 District 3 has, just because of the -- the traffic of
9 people. We're getting better people that have more
10 experience.

11 And it's -- you know, we're -- we're accelerating them.

12 And we're -- what we're doing is we're putting them in just
13 training. We used to have them start training, do a little
14 bit of work, start training. Because that's the way the
15 system was set up before. It's not set up that way.

16 Now we have them specifically trained. I mean, he
17 doesn't take a job, even though he can, unless we really,
18 really have to. We want to get him trained and get through
19 all the -- the ports and everything that he has.

20 As far as the -- like I say, we -- we have 16 and the
21 one trainee. The one trainee is a benefit to industry right
22 now because he's in the training program. He's already
23 trained. So we're basically using him as a full-registered
24 pilot. Our company -- because we only get X-amount of
25 dollars in the rate for him.

1 VICE-CHAIR JOHN BOYCE: Right.

2 CHAIR DAN GALLAGHER: Our company is paying him more,
3 almost double what the rate is because we want to attract
4 the best and that's the object of this.

5 And, you know, we suffer. But is it right for us now
6 because we got to wait another year for him? I don't think
7 anyone is probably arguing, in industry, they want the
8 service. We're providing the service.

9 We, you know, we haven't had -- in our district, we've
10 had minimum delays this year. Probably -- I don't think
11 there's been 12-hour delays this year on -- total delays for
12 everything. You know, we're calling people back out on
13 rest. People are working over past their rest, and we're
14 using some of our contract pilots. So we're -- we're doing
15 the best we can.

16 I think it should really look at putting the floor at
17 what the Director said, and then put the ceiling up there.
18 Now, I'm not -- just because the ceiling is 19, that doesn't
19 mean I'm going to go out and hire 19 guys. I'm going to
20 wait. I've got the 17. I want to see. I want -- we need a
21 little bit more stability in the system to see what these
22 cruise ships are actually going to do.

23 We don't want more people, because then we got to feed
24 them and industry doesn't want too little people because,
25 you know, then -- then there's going to be huge delays. So,

1 you know, we don't want that. I don't think the system
2 wants it. And I know the petroleum people and the cruise
3 ships definitely do not want that.

4 MEMBER CHRIS EDYVEAN: Well --

5 MEMBER PAUL LAMARRE: You go first, Chris.

6 CHAIR DAN GALLAGHER: Chris.

7 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
8 Lakes Pilots.

9 Mr. Levesque, could you pull up that first PowerPoint
10 with the rate?

11 ADFO FRANCIS LEVESQUE: Yes, sir. Yes, sir. Give me
12 one moment, please.

13 (Technical difficulties.)

14 MEMBER CHRIS EDYVEAN: Go hit "slideshow" at the top
15 and then from beginning.

16 (Technical difficulties.)

17 MEMBER CHRIS EDYVEAN: If you go up to the top bar
18 there where it says "slideshow"...

19 MEMBER PAUL LAMARRE: Are you Amish?

20 (Laughter.)

21 ADFO FRANCIS LEVESQUE: Thank you. But it's not taking
22 any command. That's the problem right now.

23 MR. TODD HAVILAND: Do you want to come run this,
24 Chris?

25 ADFO FRANCIS LEVESQUE: Do you want to -- can you speak

1 up -- it's just not doing anything.

2 (Technical difficulties.)

3 ADFO FRANCIS LEVESQUE: All right. Thank you.

4 MEMBER CHRIS EDYVEAN: Is there a reason it's not on
5 the other screen and -- is that a tech issue or...

6 ADFO FRANCIS LEVESQUE: Tech issue.

7 MEMBER CHRIS EDYVEAN: Okay. Director Haviland spoke
8 about the -- the staffing model and how years past, it would
9 meet the demands of the beginning of the season and the
10 later part of the season.

11 I'd like to show you, from District 3's perspective,
12 what's actually happening during the middle of the season.
13 So in the NPRM for 2024, it has us -- the proposed rule is
14 showing us at 22 registered pilots, and I'm going to show
15 you why we need 23. We will be making a -- a comment for --
16 asking for 23 pilots, but I'd really like to show everybody
17 why exactly we need that.

18 Basically, there's -- there's two big things going on.
19 One of them is the cruise ships. We've been talking about
20 the cruise ships. And the other thing is the Canadian
21 pilots in District 3 are way down in numbers and it's
22 causing the Americans to have to fill in that gap.

23 One other thing that we don't have the luxury of is
24 our -- all of our recent retiree pilots are -- they're done.
25 They're retired and they're -- they're not coming back.

1 So what we have here is, this is what was staring
2 District 3 in the face at the start of the season with --
3 these are cruise ship assignments. A -- one cruise ship
4 canceled and that left us with a total of 630 dispatches for
5 the season. And this is all in the middle of the season.
6 This is not the beginning of the season rush and this is not
7 the end of the season rush of the cargo ships. This is all
8 happening during the season.

9 So in -- in 2019, there was 239 cruise ship assignments
10 in District 3. Then we saw the pandemic and the cruise ship
11 industry was waiting patiently for that to get over, and
12 they came back very strong last year. District 3, 446
13 cruise ship assignments. Now, this data is pulled from
14 SeaPro. And this year, all said and done, it should be 630.

15 So you can see where these numbers are going, 239
16 assignments to 446 assignments to 630 assignments. This --
17 this is huge and this is a massive workload.

18 This is D3 cruise ship hours for American pilots
19 between the key months of May and August. Again, this data
20 is from SeaPro. Just between this year and last year, we're
21 up almost 1,200 hours, bridge hours on cruise ships.

22 So, basically, we -- when -- when you think about it,
23 we need one more pilot in the rate to move an average of one
24 more cruise ship a day. I mean, it's -- it's what we need.

25 When you look at the overall hours, yes, we were a

1 little bit slow this year with cargo traffic, but that --
2 that trend is -- is changing very rapidly. When you compare
3 all bridge hours, cruise ship and -- and otherwise for the
4 key four months in the middle of the season, we're up, you
5 know, 750 hours, bridge hours, during the season.

6 The main thing that's hurting us this year is the
7 Canadian D3 pilots are down 33 percent. In 2022, they had
8 four -- or six pilots at the beginning of the season. In
9 2023, they had four pilots at the beginning of the season.
10 And this graph right here shows the difference in their --
11 what they're contributing.

12 Last year, all said and done, 21 percent of the overall
13 bridge hours in the district. This year, year-to-date, I
14 believe through the end of August, the Canadians are only at
15 15 percent of the overall bridge hours in our district.

16 So when you factor in that we're picking up the slack
17 for the Canadians, when you factor in that the cruise ship
18 hours are -- are practically doubling every season, this is
19 showing you what's going on in the middle of the season.
20 And this -- this is showing you why the -- the staffing
21 model isn't really working anymore. And these are hardcore
22 stats pulled from SeaPro.

23 This is Thunder Bay a few days ago. We have the last
24 couple -- a week or so, we've had at least seven ships at
25 anchor, three, four more loading. Thunder Bay is busy.

1 The -- the cargo ships are picking up. We're going to have
2 a very strong run the rest of the season, and we are
3 struggling with manpower to keep up with these ships.

4 As Captain Gallagher pointed out, he's got an
5 apprentice that's moving a lot of ships. We have three
6 second-year apprentices that are moving a lot of ships. And
7 at some point, we're going to have to pull those apprentices
8 off the active tour de rôle so they can finish their
9 training. So we -- we really need help here.

10 So I hope that this has explained what's going on in
11 the middle of the season, between the rush at the -- at the
12 start and between the fall rush at the end of the season.
13 This is -- this is true data.

14 CHAIR DAN GALLAGHER: Thank you, Chris.

15 Paul.

16 MEMBER PAUL LAMARRE: Paul LaMarre. Of any issue
17 related to pilotage that gets me fired up, this is the one.
18 And the reason is because pilots are our insurance policy.
19 It's our system reliability. And as a port director or
20 manager, the number one thing that you want is a reputation
21 of reliability that your cargo is going to get in and get
22 out efficiently.

23 I have said it at previous meetings, that during the
24 pandemic, it was the pilots that kept us going. The pilots
25 stepped aboard foreign vessels, in God knows what condition,

1 and made sure that the commerce kept moving. We should all
2 be hoping for as many pilots as possible because it means
3 that the system is vibrant and healthy.

4 And it means that your members, sir, are making a
5 profit and bringing in more ships.

6 The other issue is cost. Our challenge, the
7 Coast Guard's challenge, is that unlike other pilot
8 associations throughout the country, we have the wonderful
9 benefit of being federally-regulated or rate -- rates are
10 set federally and we have the ultimate transparency. Our
11 books are open all the time.

12 My issue with stakeholders, because I just had somebody
13 in -- in my own port the other day, start going on about,
14 "Oh, those pilotage rates, they're -- they're really hurting
15 us."

16 And I said, "How are they hurting you? How are they
17 hurting your bottom line? Is the port healthy? Is your
18 terminal healthy? Tell me how much the pilotage rate
19 affects you per ton, your business, your bottom line."

20 UNIDENTIFIED MALE SPEAKER: No one can answer that.

21 MEMBER PAUL LAMARRE: We have to tell you how, or the
22 ship owner, whether it's FedNav, CanforNav, Spliethoff, you
23 name it, we're glad to have them in. But part of the
24 benefit of them coming in is because they're using foreign
25 crews to come into our system who are paid significantly

1 less.

2 So my goal, from a GLPAC member perspective, is not to
3 save shipping companies money. It is to make a reliable,
4 efficient, professional system.

5 The shippers, the ports, any of us, tell me how
6 pilotage rates are affecting your bottom line, and nobody
7 can. Because it's just something to bitch about.

8 And let's -- I -- I said this in our ports' meeting
9 recently, and the ports are going to be undertaking a study
10 at some point to look at costs throughout the entire system.
11 But you want to talk about costs that are preventing freight
12 coming into the system or pilot numbers?

13 Dude, I hope you have as many pilots as possible. You
14 need another pilot? We should be like, "Holy schnikes."
15 1,200 more bridge hours, are you kidding me?

16 Like, not to mention -- I know there are a lot of
17 pilots in here. But other folks that haven't spent the time
18 on a bridge of a ship or have not ridden for a pilotage, it
19 is a stressful, demanding, tiring job. I think everybody
20 sees a big salary and thinks that these guys are, you
21 know -- you know, "You're out there hitting golf balls off
22 the bridge wing," right?

23 (Laughter.)

24 MEMBER PAUL LAMARRE: So my issue is that our
25 transparency in our system makes us exceptionally vulnerable

1 for criticism. The people who are criticizing need to come
2 with as good of ammo as you're expecting from the Committee
3 and the Coast Guard.

4 Because let's hear from FedNav. And then could FedNav
5 or Spliethoff -- and Spliethoff is my partner. But I would
6 say if they were sitting right here, "Hey, dude, how does
7 Seaway tolls affect you coming into the system? How do
8 different wharfage and berthing charges affect you coming
9 into the system?" And nobody can answer that question as to
10 what percentage.

11 Where is that point where somebody says, "I'm going to
12 bring my freight to the Great Lakes or I'm not"? Well,
13 obviously, we're the most healthy we've been or we're --
14 we're pushing the pilots to their limits, so that's probably
15 a good thing.

16 The last thing we want to sacrifice is reliability.
17 We're already up against a brick wall with having a
18 shortened season.

19 And as -- and I'm going to talk about cargo trends on
20 the lakes later. But as cargo trends shift and
21 diversification is critical, we need to bolster this system.

22 So if I had a mic, I'd drop it. And I'm going to get a
23 coffee.

24 (Laughter.)

25 MEMBER JOHN CROWLEY: Mr. Chair --

1 CHAIR DAN GALLAGHER: Mr. Crowley.

2 MEMBER JOHN CROWLEY: -- I was addressed there in that
3 last group, and I think the addresser should have remained
4 at the table out of courtesy this good morning.

5 I think bitching, and I'll leave that in the -- in the
6 transcription -- is inappropriate here. The questions that
7 are being asked are data questions, which every business,
8 every association that I've ever been dealt with, including
9 the Government and the Coast Guard, have to answer. So I
10 don't think we should be complaining that there are data
11 questions that are being asked to understand. And this is a
12 model, which is based on data.

13 It's not the outcome here that we're in disagreement.
14 It's the process in trying to understand it. And if
15 there -- this is the venue in which we are trying to
16 understand it.

17 To demean the challenge, just because someone is
18 cost-conscious, is the wrong answer. And I would submit
19 that we also don't know if we could be -- if we could find
20 ways of being more cost-conscious through cost-reduction
21 efforts.

22 And I don't know that they're there or not, but I don't
23 know what we've done either. Hence, I asked the question
24 earlier: Could we attract, through lower prices, more
25 business into the system for a port such as Monroe?

1 And -- and these are questions that you have to
2 understand and you can't -- you have to understand at a
3 greater depth than the anecdotes that we're talking at the
4 level here. And that's my objection is to get the data out
5 so we can make the appropriate decisions.

6 And then I will have a question of: How do we adjust
7 when next year doesn't prove to be as the 1,200 hours driven
8 by cruise lines? I don't know if that's going to happen.
9 But if it does, how do we -- that's -- but that's a --
10 that's more of a minor issue.

11 And -- and I -- I'm going to resist an effort to live
12 by anecdote instead of data, just of -- because of
13 accusations of -- of cruise -- of ocean liners and ocean
14 shippers that are making money and a profit.

15 CHAIR DAN GALLAGHER: Mr. LaMarre.

16 DFO KEVIN KIEFER: So -- very good. Thank you for your
17 comments. This is, obviously, a passionate issue. Really
18 appreciate it, M. -- Captain LaMarre and Mr. Crowley.

19 As the DFO, we're going to take a 15-minute break right
20 now. Thank you.

21 MEMBER PAUL LAMARRE: I like it.

22 (Short break.)

23 CHAIR DAN GALLAGHER: Mr. Haviland.

24 MR. TODD HAVILAND: Paul, good morning.

25 (Laughter.)

1 MR. TODD HAVILAND: Todd Haviland, U.S. Coast Guard. I
2 just wanted to clarify, you know, some of my comments from
3 earlier. Last year, a unanimous recommendation from the
4 Committee, with everyone sitting here, told me to use
5 unfettered, unbounded discretion when I -- when it comes to
6 determining the number of pilots that I put into a rate.

7 Two mariners completed their training a year ahead of
8 time. I really anticipated having more of this conversation
9 next year. But specifically what I'm asking the Committee
10 is: Instead of this unbounded, unlimited discretion you
11 want me to exercise, you know, in the 2024 Rulemaking, I --
12 I think you should limit that to, you know, moving one more
13 ship through the system.

14 And specifically, you know, it's really -- we're
15 talking about -- about \$800,000 in total revenues for the
16 entire system to put one more pilot in District 2 and one
17 more pilot in District 3 in the rate for 2024.

18 So when it comes time to -- to look at and update the
19 staffing model, I am more than prepared to provide the data
20 that I think the Committee wants. But I'm just afraid that
21 I didn't explain it well enough. I'm looking at a very
22 short timeline and I'm -- and really, I'm looking at just
23 impacting the 2024 rates. I hope that's been helpful.

24 CHAIR DAN GALLAGHER: Paul.

25 MEMBER PAUL LAMARRE: Paul LaMarre. I would like to

1 make a motion and a recommendation that we support an
2 additional pilot for 2024, for both Districts 2 and 3. I
3 think the recommendation, based on your language or input,
4 should include the lower and upper echelons, not limiting us
5 in the midst of a season, to a specific number. That if a
6 pilot begins working, then that should be reflected
7 appropriately in the rate.

8 The summary of that is we need to have enough pilots
9 for enough commerce that is being demanded of the system.
10 There's an ebb and a flow with that, no doubt. But this is
11 a instance of -- it's an insurance policy for reliability,
12 in my opinion.

13 So I -- I would make a motion additional pilot for D2
14 and D3 for 2024. But also to include language about lower
15 and upper echelon, but also an adaptive measure that if we
16 have a pilot that becomes active mid-season, that that can
17 be accommodated, as well.

18 CHAIR DAN GALLAGHER: Thank you. Any other discussion?

19 MEMBER JOHN CROWLEY: John Crowley. Can I just ask:
20 So does that change what the Director was asking for?
21 Because I understood he was asking that he had discretion to
22 go up one, not -- but it sounded like you were proposing
23 a -- a higher --

24 MEMBER PAUL LAMARRE: I was proposing --

25 MEMBER JOHN CROWLEY: -- limit with the bottom and a

1 top.

2 MEMBER PAUL LAMARRE: I was proposing -- Paul LaMarre.

3 I was proposing a baseline and then for 2024, what
4 Mr. Haviland has requested. But 2025 and beyond, it should
5 be recommended that there are the number of pilots to meet
6 the growing demand, if that so be the case.

7 VICE-CHAIR JOHN BOYCE: This is John Boyce. Do we need
8 to say, you know, that the upper is staffing model plus
9 three? The upper is X-number of ships per district, per
10 area? I -- I think -- I think just looking at how the
11 Coast Guard ends up interpreting this, if they're not
12 relatively specific, it doesn't end up the way you think,
13 so...

14 Should we modify that to say --

15 MEMBER PAUL LAMARRE: Yes, let's modify that.

16 VICE-CHAIR JOHN BOYCE: Staffing model plus three
17 pilots per district for the upper limit.

18 MEMBER PAUL LAMARRE: John, what do you think?

19 MEMBER JOHN BAKER: I do -- I do feel that there's a
20 need for more pilots. What that number is, I couldn't tell
21 you. But I do feel that there is a need for extra pilots.

22 VICE-CHAIR JOHN BOYCE: John Boyce. To go back to a
23 comment John Crowley made earlier, there -- there's a -- an
24 "over time how it's working out" factor to it, also. Right
25 now, it appears three is the right number. Once you build

1 into that, two, three, five years down the road, three might
2 not be the number. Traffic may whole -- wholesale change
3 in -- in either direction in reality.

4 It would probably need to get revisited at some point
5 in the future, once you have some experience dealing with
6 this change.

7 MEMBER JOHN CROWLEY: John Crowley. I -- I mean, I
8 could -- I think I could support where we're going. I -- I
9 don't necessarily disagree with what the Director has
10 proposed given that he's looking for a cap on his
11 discretion.

12 I don't think I said "unfettered" last year, but -- but
13 I -- you know, he's looking for that help, I suspect,
14 because he needs it. And when he goes back to the job, that
15 he's got a structure he's dealing within and I can -- I can
16 understand that.

17 And any version of -- that you-all think is best to
18 actually get the number right in language, I -- I can
19 support that recommendation.

20 I would ask that we encourage, you know, future
21 discussions to be preceded by more data about, you know,
22 what -- what we're -- what the need is, and -- and that's
23 not a -- that's not directive. It's -- it's just expressing
24 this man's view that we should be as much data-driven to get
25 the number right, not to be largess or not to be the

1 minimus, but to get it as right as we can.

2 CHAIR DAN GALLAGHER: Uh-huh.

3 MEMBER JOHN CROWLEY: Because that's what we, I think,
4 all want. So that's what I would ask.

5 CHAIR DAN GALLAGHER: Okay. Do we want to make that
6 motion then, Paul, to read that motion again?

7 MEMBER PAUL LAMARRE: That motion would be: For the
8 2024 shipping season, to recommend one additional pilot for
9 both District 2 and District 3.

10 And this is where I'll need your help on the language.
11 For 2025 moving forward, do we want to include that or do we
12 just want to keep it at --

13 CHAIR DAN GALLAGHER: What do you want to make it,
14 Paul?

15 MEMBER PAUL LAMARRE: I would make it all --

16 CHAIR DAN GALLAGHER: Additional pilots in each
17 group --

18 UNIDENTIFIED MALE SPEAKER: Yeah.

19 CHAIR DAN GALLAGHER: -- as a ceiling?

20 VICE-CHAIR JOHN BOYCE: Yeah.

21 MEMBER PAUL LAMARRE: Yeah, with a ceiling of plus
22 three.

23 CHAIR DAN GALLAGHER: Yes.

24 MEMBER PAUL LAMARRE: Correct.

25 CHAIR DAN GALLAGHER: And then as far as the -- the

1 other part of the motion is, if you bring a person on
2 halfway through, you said?

3 MEMBER PAUL LAMARRE: Yes. If you bring a person on
4 halfway through the season, that they are compensated
5 appropriately and it does not have to wait until the next
6 year to kick in.

7 CHAIR DAN GALLAGHER: Okay. Do we want to start like a
8 mid-season August, and make it part of that motion?

9 MEMBER PAUL LAMARRE: My thing would be when the pilot
10 starts.

11 CHAIR DAN GALLAGHER: Yeah. I think industry would
12 have a problem if we brought a guy on in October and paid
13 him for the whole year.

14 MEMBER PAUL LAMARRE: Oh, sure, absolutely.

15 CHAIR DAN GALLAGHER: So I would say --

16 MEMBER PAUL LAMARRE: A prorated-type --

17 CHAIR DAN GALLAGHER: Yeah. If we -- if we bring him
18 on before August, then he's counted. If we bring him on
19 after August, he's not counted.

20 MEMBER PAUL LAMARRE: Okay. August being the
21 benchmark, that's good.

22 CHAIR DAN GALLAGHER: Seem fair?

23 MEMBER JOHN CROWLEY: 1 August?

24 CHAIR DAN GALLAGHER: Sure. Yeah. Okay. Part of the
25 motion.

1 MEMBER PAUL LAMARRE: Yes, sir.

2 CHAIR DAN GALLAGHER: You got that, Frankie?

3 ADFO FRANCIS LEVESQUE: Have to go back. Could you
4 clearly articulate your recommendation in one or two brief
5 sentences?

6 MEMBER PAUL LAMARRE: We just did.

7 (Laughter.)

8 MR. TODD HAVILAND: Excuse me. Good morning,
9 Todd Haviland. I'm sorry to --

10 MEMBER PAUL LAMARRE: Todd, how do you -- how does he
11 need to write it?

12 MR. TODD HAVILAND: Well, I think it's best if you
13 break it up into the three different tranches of what your
14 discussion -- and we just get three separate
15 recommendations.

16 MEMBER PAUL LAMARRE: Okay.

17 MR. TODD HAVILAND: I think it will be easier for us
18 to --

19 VICE-CHAIR JOHN BOYCE: Digest.

20 MR. TODD HAVILAND: -- interpret your recommendation.

21 MEMBER PAUL LAMARRE: Got you.

22 Frank, you ready?

23 ADFO FRANCIS LEVESQUE: Yes, sir.

24 MEMBER PAUL LAMARRE: Recommendation number one,
25 recommend for 2024 shipping season, one additional pilot for

1 District 2 and one additional pilot for District 3.

2 CHAIR DAN GALLAGHER: Okay. Let's vote on that.

3 ADFO FRANCIS LEVESQUE: I ain't that fast.

4 CHAIR DAN GALLAGHER: Let's take one at a time then.

5 All right. Do we -- we have a motion?

6 VICE-CHAIR JOHN BOYCE: I'll second.

7 CHAIR DAN GALLAGHER: Second by John Boyce. All in
8 favor?

9 (Affirmative response.)

10 CHAIR DAN GALLAGHER: Motion unanimously carried.

11 All right. Second motion.

12 MEMBER PAUL LAMARRE: Second recommendation.

13 ADFO FRANCIS LEVESQUE: Wait, wait, hold on. Sorry,
14 I'm not that fast, gentlemen. I'm sorry.

15 UNIDENTIFIED MALE SPEAKER: I thought you worked for
16 the Coast Guard.

17 (Laughter.)

18 ADFO FRANCIS LEVESQUE: 2024 shipping season plus --

19 MR. TODD HAVILAND: One plus additional pilot for
20 Districts 2 and 3.

21 MEMBER PAUL LAMARRE: You get the Amish award today,
22 Buddy.

23 ADFO FRANCIS LEVESQUE: Oh, sorry.

24 MEMBER PAUL LAMARRE: Usually, that's Mark Rohn.

25 (Laughter.)

1 ADFO FRANCIS LEVESQUE: Okay. Work with me here. What
2 else we got?

3 MR. TODD HAVILAND: For District 2 and District 3.

4 CHAIR DAN GALLAGHER: 2 and 3, yeah.

5 ADFO FRANCIS LEVESQUE: Okay. Is that it? Everybody
6 happy?

7 CHAIR DAN GALLAGHER: Yeah.

8 ADFO FRANCIS LEVESQUE: Okay.

9 MR. TODD HAVILAND: Carried unanimously.

10 ADFO FRANCIS LEVESQUE: Unanimous. That's all right.
11 Next one.

12 MR. TODD HAVILAND: Next recommendation, please.

13 CHAIR DAN GALLAGHER: Second recommendation.

14 MEMBER PAUL LAMARRE: Second recommendation is that
15 post-2024, from the 2025 shipping season on, that the
16 Pilotage Director is given the discretion to current
17 staffing plus three for ratemaking/rulemaking based on
18 industry demand and reliability.

19 VICE-CHAIR JOHN BOYCE: Can I offer --

20 MEMBER PAUL LAMARRE: Absolutely.

21 VICE-CHAIR JOHN BOYCE: I wouldn't say current
22 staffing. I would say staffing model plus three.

23 MEMBER PAUL LAMARRE: Staffing model plus three.

24 VICE-CHAIR JOHN BOYCE: That way, if there's a change
25 in the staffing model, it doesn't go back to current

1 numbers.

2 ADFO FRANCIS LEVESQUE: Increasing...

3 Is that what you want?

4 CHAIR DAN GALLAGHER: Yes. Okay. So the -- it's
5 (as read): "The post-2024 shipping season, Director is
6 given discretion to increase the staffing model plus three,
7 based on industry demand and to ensure shipping
8 reliability."

9 We have a motion by Paul. Do we have a second?

10 MEMBER JOHN BAKER: Second.

11 CHAIR DAN GALLAGHER: Second by John Baker. All in
12 favor?

13 (Affirmative response.)

14 CHAIR DAN GALLAGHER: Carried unanimously.

15 All right. Now, the third.

16 MEMBER PAUL LAMARRE: The third recommendation. A
17 pilot, who becomes qualified mid-shipping season, "August
18 1st -- on or before August 1st..." or do you want on or
19 after? How do you want that to read?

20 VICE-CHAIR JOHN BOYCE: You want before.

21 MEMBER JOHN CROWLEY: You want before.

22 MEMBER PAUL LAMARRE: Yep. "...on or before shall be
23 compensated as a full pilot for that shipping season --
24 respective shipping season." Correct.

25 And I will note that John Crowley and I have agreed on

1 two things thus far, and we might be three.

2 CHAIR DAN GALLAGHER: Okay. We've got a motion by
3 Paul LaMarre, (as read): "A pilot becomes a qualified
4 midship season on or before August 1st shall be compensated
5 as a full pilot for a respective shipping season." It's a
6 motion. Do we have a second?

7 MEMBER JOHN CROWLEY: Can I ask a question first?

8 CHAIR DAN GALLAGHER: Yes.

9 MEMBER JOHN CROWLEY: So if -- if what this addresses
10 is the -- the discretion to go up a -- I mean, I -- what --
11 what I hesitate -- why -- the reason I hesitate is if this
12 ends up being -- and maybe I'm imagining dragons here. But
13 if this ends up being six pilots that come on, on the first
14 of August, that, I think, would be viewed unreasonable.

15 VICE-CHAIR JOHN BOYCE: I don't think that's what it is
16 at all.

17 MEMBER JOHN CROWLEY: I -- is that what that says it
18 could be?

19 VICE-CHAIR JOHN BOYCE: No.

20 MEMBER JOHN CROWLEY: Okay.

21 CHAIR DAN GALLAGHER: Todd, you got something?

22 MR. TODD HAVILAND: Todd Haviland, Coast Guard.

23 Are you asking for the pilot to be compensated or for
24 the revenues to be provided to the Association?

25 VICE-CHAIR JOHN BOYCE: Well, for the -- and I was

1 going to offer that suggestion. It's not for the pilot to
2 be compensated, but for that pilot to count in the
3 complement for the Association and the staff or --

4 MEMBER JOHN BAKER: Yeah, as a full pilot.

5 MEMBER PAUL LAMARRE: That's correct.

6 ADFO FRANCIS LEVESQUE: John -- Pilotage Association --

7 CHAIR DAN GALLAGHER: Correct.

8 MEMBER JOHN CROWLEY: So isn't that then addressing the
9 Delta? Because you're going to get compensated for the
10 staffing model.

11 VICE-CHAIR JOHN BOYCE: No. There's two -- there's two
12 different numbers.

13 CHAIR DAN GALLAGHER: Training numbers.

14 VICE-CHAIR JOHN BOYCE: There's a number of pilots
15 that's allowed and a number of pilots that are expected to
16 be working.

17 CHAIR DAN GALLAGHER: Uh-huh.

18 VICE-CHAIR JOHN BOYCE: What's actually funded is not
19 the allowed number, it's the number that's actually
20 expected --

21 CHAIR DAN GALLAGHER: Expected.

22 VICE-CHAIR JOHN BOYCE: -- to be working. So
23 currently, it -- you're stuck with a day one of the season
24 convention. So it -- it's -- it's an entire year before
25 somebody can be counted again.

1 What we're proposing here is you've got basically half
2 of your summer that counts, and if it's the later half, they
3 don't count. But it's not a -- a two-week window that
4 somebody has to be onboard by.

5 MEMBER JOHN CROWLEY: All right. I -- I could draw
6 this out, but I won't, so...

7 MR. TODD HAVILAND: Will you provide the language that
8 you want, please?

9 CHAIR DAN GALLAGHER: Well, he's got to amend his
10 motion then.

11 MEMBER PAUL LAMARRE: So I've got to amend my motion?

12 CHAIR DAN GALLAGHER: Yes.

13 MEMBER PAUL LAMARRE: All right.

14 MR. TODD HAVILAND: Is that what you want?

15 MEMBER PAUL LAMARRE: Yes, it is. I -- I would like it
16 to be amended to the language which Mr. Boyce just stated.

17 ADFO FRANCIS LEVESQUE: Which was, sir?

18 (Laughter.)

19 VICE-CHAIR JOHN BOYCE: So the -- the appropriate term
20 for the rate would be "projected working pilots," correct?

21 So a pilot who becomes qualified...will result in
22 revenues being added -- I -- I think that would work.

23 MR. TODD HAVILAND: You've got to get up to the mic.

24 ADFO FRANCIS LEVESQUE: Does that sound better?

25 VICE-CHAIR JOHN BOYCE: I think that -- go ahead.

1 MR. STEVE FISHER: Steve Fisher, American Great Lakes
2 Ports Association. Can I make a recommendation?

3 CHAIR DAN GALLAGHER: Yes.

4 MR. STEVE FISHER: "A pilot who becomes qualified
5 mid-shipping season..." so don't type yet. I'm just going
6 to throw this out "...shall be included in the rate -- shall
7 be included in the rate, in the..." is that -- it's that
8 simple.

9 CHAIR DAN GALLAGHER: Yes.

10 MEMBER PAUL LAMARRE: I like it.

11 CHAIR DAN GALLAGHER: Yeah.

12 ADFO FRANCIS LEVESQUE: On or before August 1st.

13 MEMBER PAUL LAMARRE: Yeah, yeah, shall be -- but after
14 August --

15 CHAIR DAN GALLAGHER: Shall be included in the rate.

16 MEMBER PAUL LAMARRE: -- will be included in the rate.

17 CHAIR DAN GALLAGHER: Yeah.

18 MEMBER JOHN BAKER: Danny, you've got someone
19 over --

20 CHAIR DAN GALLAGHER: Oh.

21 MR. JON OLNEY: You can take the word
22 "mid-shipping season" out of there completely.

23 VICE-CHAIR JOHN BOYCE: Yeah, since you've got
24 August 1st.

25 MEMBER JOHN CROWLEY: If you've got the date, you don't

1 need "mid-shipping season."

2 CHAIR DAN GALLAGHER: Yeah.

3 MR. JON OLNEY: That's Jon Olney.

4 CHAIR DAN GALLAGHER: Right.

5 MEMBER PAUL LAMARRE: Retired guy.

6 MR. TODD HAVILAND: Hey, Jon, you have to come talk
7 into that microphone.

8 CHAIR DAN GALLAGHER: State your name.

9 MR. STEVE FISHER: Do you want me to just -- do you
10 want me to just repeat what you said? It will save you a
11 trip across the room.

12 So, Frank, it should read, "A pilot who becomes
13 qualified on or before August 1st," so you can remove the
14 words, "mid-shipping season."

15 ADFO FRANCIS LEVESQUE: All right.

16 MR. STEVE FISHER: Great. Shall be included in the
17 rate, period. Erase the rest.

18 MEMBER PAUL LAMARRE: That's it.

19 MEMBER JOHN CROWLEY: John Crowley. Just as a matter
20 of curiosity, educate me better. We talk about projected
21 pilot numbers. Is there a -- is there a window that that,
22 you know, equals? Is that one week, two weeks? Is that an
23 informal number, you know, of weeks when -- when the
24 projection starts?

25 I mean, you don't have -- that assumes that you don't

1 have full numbers on day one, so it's projected to be full
2 numbers on day one. And I'm -- it's just an educational
3 question, it's not a -- I'm trying to -- trying to do
4 anything with the recommendation.

5 CHAIR DAN GALLAGHER: We have -- every year the
6 Coast Guard -- well, the last couple years, the Coast Guard
7 asks us to project what we're going to have for pilot
8 numbers for, let's say, the 20 -- we've already done the
9 2024.

10 VICE-CHAIR JOHN BOYCE: Right.

11 CHAIR DAN GALLAGHER: So it would be the 2025. "How
12 many working pilots are you going to have? Are you having
13 any retirees that you know of? When are the trainees coming
14 aboard? When do you anticipate that they're going to be
15 registered?" So we give that all to the Coast Guard. This
16 is the one that was filled out last year.

17 MEMBER JOHN CROWLEY: Sure. So that -- that then
18 becomes the number -- the real number for purposes of the
19 rate determination or --

20 CHAIR DAN GALLAGHER: Yeah.

21 MEMBER JOHN CROWLEY: -- or does that get updated at
22 the day one --

23 CHAIR DAN GALLAGHER: It --

24 MEMBER JOHN CROWLEY: -- of the navigation year or
25 something?

1 CHAIR DAN GALLAGHER: It gets updated. But, I mean, if
2 something happens and we can't get the guy on, we -- you
3 know, we can't tell them April 1st. Because if we don't
4 have a lot of ships or any ships, then we can't get them
5 run.

6 MEMBER JOHN CROWLEY: Yeah.

7 CHAIR DAN GALLAGHER: And so we got to have a little
8 bit of leeway. It's -- it's an estimate, but we try to hold
9 to it.

10 MEMBER JOHN CROWLEY: Okay. That's good. Thank you.

11 CHAIR DAN GALLAGHER: All right. So we've got an
12 amended recommendation. (As read): "A pilot who becomes
13 qualified on or before August 1st shall be included in the
14 rate." We have a motion by Paul. Do we have a second?

15 MEMBER JOHN BAKER: I'll second the motion.

16 John Baker.

17 CHAIR DAN GALLAGHER: Seconded by John Baker. All in
18 favor?

19 (Affirmative response.)

20 CHAIR DAN GALLAGHER: Opposed?

21 (No response.)

22 CHAIR DAN GALLAGHER: Motion carried.

23 Now, we're going to change the agenda a little bit.
24 Vince has got to -- just the order, yeah. Vince has got to
25 leave here.

1 And so the next topic --

2 MEMBER JOHN CROWLEY: Captain --

3 CHAIR DAN GALLAGHER: Yes.

4 MEMBER JOHN CROWLEY: -- if -- John Crowley. If I
5 could just take 30 seconds and say, I'm not going to ask for
6 a recommendation on this, but I would like to offer from --
7 from my position and that I -- and my representation, the
8 advice that in subsequent returnings by the Director to the
9 Committee on this matter, that more robust data be available
10 to aid in the discussion. That's -- we don't need --

11 CHAIR DAN GALLAGHER: Okay.

12 MEMBER JOHN CROWLEY: -- further discussion as far as
13 I'm concerned.

14 CHAIR DAN GALLAGHER: All right. Thank you.

15 All right. So topic number eight, Projects and --
16 Projections and the Current Staffing.

17 First, we'll hear from Captain John Boyce, President of
18 Saint Lawrence Seaway Association -- is that number eight?

19 VICE-CHAIR JOHN BOYCE: Yeah.

20 CHAIR DAN GALLAGHER: -- an update.

21 Next, we'll hear from -- yeah, so...

22 VICE-CHAIR JOHN BOYCE: This is John Boyce. For
23 staffing, we're allowed 18 in the staffing model. We'll
24 finish this year with 18. We've got two trainees
25 approximately halfway through their training that we expect

1 to be fully registered, unfortunately, after August 1st,
2 next year, bringing us up to 20. And, you know, hoping
3 this -- this comes to pass with -- with the plus three
4 binging an additional pilot on to be 21, we'll say two and a
5 half years from -- from now.

6 Projects, we're currently looking at building an
7 additional heavy pilot boat to increase capacity to deal
8 with ice at the beginning and end of the -- of the season
9 and deal better with heavier weather, especially at our
10 anchorage out onto -- onto Lake Ontario.

11 Right now, the current big boat, at about six feet
12 of -- of sea and swell, it gets a little sporting trying to
13 get on and off a ship when it's at anchor. We're hoping to
14 build a bigger boat -- or not hoping to, we're looking at
15 building a bigger boat. A slower, deeper draft to deal with
16 ice, and in much heavier weather, to keep the traffic moving
17 and not be hampered by -- by the conditions that are pretty
18 common at the beginning and end of the season.

19 CHAIR DAN GALLAGHER: Thank you, John. We're going to
20 skip around a little bit just to get Vince out of here.

21 I'd like to ask Mr. Vince Berg to give us an update
22 regarding the credentials.

23 MR. VINCE BERG: Hello. Thank you. Hello. Thank you
24 for giving me the opportunity. Vince Berg, U.S. Coast
25 Guard.

1 Last year, the Committee recommended that we purchase a
2 ID printer to better make our IDs more professional and more
3 durable. And we did some research and we were going to act
4 on that recommendation. And the Coast Guard has some
5 policies that you have to go through a process to get the
6 equipment and software approved to hook into the Coast Guard
7 network.

8 So there were no ID printers is -- was in what's called
9 Storefront. The Storefront is where everything is put in
10 there that an office from the Coast Guard can buy from.
11 Well, there were no ID printers on there.

12 So I did some research and went through the process and
13 we found a printer that would be perfectly fine to buy one.
14 And I went through the process to the appropriate
15 Coast Guard offices and they said, "Okay, you can purchase
16 it. Your office can purchased an ID printer." It was
17 \$5,800. It wasn't much.

18 And then they said, "And in the approval process, your
19 office pays \$4,000." Okay. For them to put it on the
20 system and make sure that it's -- doesn't have any bad
21 things to stick into the, you know, the hard network.

22 So we're like, "Okay."

23 But then for them to service it and support it, "your
24 office pays \$4,000 each year on top of that for them to
25 support it and keep -- keep it going."

1 I was like, "Okay. Well, we can do that, but our
2 office really doesn't budget for that."

3 So they said, "Well, why don't you hold out and see if
4 something comes on the system."

5 I said, "Okay. We'll wait a little bit." So I waited
6 probably four or five months. And by gosh, there's a
7 printer that came on the system for Storefront.

8 I'm like, "Great. Somebody else wants it. They're
9 going to pay the \$4,000 a year," whomever it is, but I can
10 buy one.

11 I said, "Okay. So I will put in the purchase order."
12 Put the purchase order in, and I think it was in September.
13 And then December came around and says, "It's delayed. It's
14 backordered. You're not going to get it until April," and
15 this has just kept going on.

16 So then I said, "Well, why don't..." I said, "Well,
17 why is this on there if we can't get it?"

18 So I said, "I'm going to call all the 21 providers and
19 see if any of them have them in stock." And I got anywhere
20 from a number of, "We have to have a special certificate to
21 buy and sell this machine. They won't sell them to us." So
22 really, I wasn't going to get a printer.

23 And I asked, "Why is this even on the system to -- to
24 be able to be sold out there?"

25 And they go, "Oh, we're going to remove that."

1 So now there's no approval ID printer on the system.
2 And the purchase order that I had, is cancelled this month
3 because it's a year -- year-end, so we're back to square
4 one.

5 We're not getting a printer. I'm still going to keep
6 making the IDs by cutting them out with pieces of paper and
7 laminating them ourselves. Not to be a -- you know, we were
8 thinking about doing a nice ID, looks like your driver's
9 license. It's more durable. And we're back to square one
10 to where we're -- we're not getting an ID printer. So
11 that's the bottom line of this status was the ID printer,
12 so...

13 I don't have a recommendation. I don't know if you
14 guys want to discuss it, but that's where we're at. You
15 will still get IDs the old way, so...

16 MEMBER PAUL LAMARRE: Dan, could they make --
17 Paul LaMarre. Could they make the file and then each
18 Association be able to print it on their own with that
19 printer, if there was a --

20 DFO KEVIN KIEFER: You sign it.

21 MEMBER PAUL LAMARRE: You sign it afterwards?

22 DFO KEVIN KIEFER: Yeah.

23 MEMBER PAUL LAMARRE: Well, however that works. This
24 doesn't instill confidence in the Coast Guard, okay?

25 CHAIR DAN GALLAGHER: Clay.

1 MR. CLAY DIAMOND: I just wanted to offer --

2 DFO KEVIN KIEFER: Your name. Your name.

3 MR. CLAY DIAMOND: Clay Diamond with the American
4 Pilots Association. Wanted to offer just a -- a thought
5 maybe for the Coast Guard to consider.

6 We were -- the APA, we keep in close contact with the
7 National Maritime Center, for obvious reasons for the
8 credential purposes. And when we were out there, we were
9 told that really close to the end of this year, they're
10 going to start a dramatically-different production of
11 Merchant Mariner credentials because the passport-type
12 booklets are printed by these printers that are -- that they
13 had to buy through Germany. The laminate is -- is from
14 France, and it's this incredibly cumbersome thing.

15 And earlier this year, two of the three printers were
16 broken and it led to a huge backlog. It's this incredibly
17 cumbersome thing.

18 So they are looking now -- they're going to produce a
19 single eight-and-a-half-by-eleven sheet of paper that's
20 untearable. They showed us the paper. And it folds into
21 fourths. And that's going to be everybody's Merchant
22 Mariner Credential that will have the endorsements and that
23 sort of thing.

24 Not suggesting, in any way, that that be added as an
25 endorsement to the Merchant Mariner Credential. But if the

1 NMC already -- and it's a laser printer, by the way. If the
2 NMC is already looking to change the way they print Merchant
3 Mariner Credentials, including endorsements, perhaps that's
4 something that the Great Lakes Pilots office can use the
5 same kind of format, and even printer that they're using for
6 the fifth year -- you know, fifth or sixth, or seven or
7 eight or whatever it's going to be here.

8 So just -- just a thought maybe for the Coast Guard to
9 consider contacting the NMC and see if there's any way they
10 can piggyback onto that a little bit.

11 CHAIR DAN GALLAGHER: Any discussion from the members?

12 (No response.)

13 CHAIR DAN GALLAGHER: Any more from the public?

14 (No response.)

15 CHAIR DAN GALLAGHER: Vince, anything you have to add?

16 MR. VINCE BERG: I do. Vince Berg from the
17 Coast Guard. I do just want to piggyback on what Clay said.

18 We did bring this up in the building to have NMC to
19 work with us to print. Well, before we asked them to put it
20 in the book, and we don't want to do -- we don't want to put
21 it in the book it, because a Certificate of Registration is
22 not an endorsement. It's a certificate for you guys, for
23 the pilots to carry. It's totally different.

24 Secondly, within the building, to ask them to take on
25 another 60 pilots, they didn't want to do it. So it's a

1 great idea. We've gone down that route, so we don't know if
2 NMC will -- maybe we could do maybe some type of machine and
3 buy under their contract. I don't know that. But we can
4 look into that.

5 But right now, the building doesn't want to take on
6 ours, and I don't think we want ours to be included as an
7 endorsement on the regular mariners.

8 CHAIR DAN GALLAGHER: Thank you. In the interim, we'll
9 just get you another pair of scissors.

10 MR. VINCE BERG: Thank you.

11 (Laughter.)

12 MEMBER PAUL LAMARRE: Because I'm looking forward to
13 the -- the origami license that's coming out. That sounds
14 great.

15 CHAIR DAN GALLAGHER: Okay. We'll move on. No
16 other -- no other comments from the public?

17 (No response.)

18 CHAIR DAN GALLAGHER: Nothing from the members?

19 (No response.)

20 CHAIR DAN GALLAGHER: Okay.

21 DFO KEVIN KIEFER: Kevin Kiefer, DFO, U.S. Coast Guard.

22 So, yeah, we'll keep working on this issue, obviously.
23 Yeah, it -- I've seen the -- the good product that Vince
24 produces and I've moved that around the building. And when
25 people see it, they're -- they -- they're convinced that we

1 need to -- to do something.

2 So, again, we'll keep working on it, buying a printer,
3 working with the National Maritime Center, the Coast Guard
4 National Maritime Center, or other folks to -- to try to
5 make something happen.

6 If there are any other ideas from the Committee or
7 anyone else, please let me or Mr. Todd Haviland, the
8 Director of Great Lakes Pilotage, or Frank Levesque, the
9 ADFO know. Appreciate it. Thanks.

10 ADFO FRANCIS LEVESQUE: Okay. Thank you.

11 CHAIR DAN GALLAGHER: All right. We'll resume the
12 Projects and Current Staffing.

13 Chris.

14 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
15 Lakes Pilots.

16 Mr. Levesque, could you pull up the other PowerPoint,
17 please?

18 ADFO FRANCIS LEVESQUE: Yes, sir.

19 MEMBER CHRIS EDYVEAN: I'm going to talk about some
20 changes in the office and some of our projects. But I'd
21 also like to take a couple minutes and give a little bit of
22 a refresher on District 3 and the size of District 3 and --
23 and put it into perspective, especially for some of our
24 attendees who may not be familiar with -- with some of the
25 challenges logistically and -- due to the size of our

1 district.

2 ADFO FRANCIS LEVESQUE: Bear with me. It's locking up
3 again. It's just not coming up right now.

4 MR. TODD HAVILAND: Can we do District 2 while Frank
5 pulls that up, please?

6 CHAIR DAN GALLAGHER: Yeah. All right. We'll go to
7 District 2. For the 2024 season, we're going to have 17
8 fully-registered pilots and one trainee.

9 MR. TODD HAVILAND: What do you have right now?

10 CHAIR DAN GALLAGHER: We have 16 and one right now. So
11 we will have -- we'll have 17 and one. And we're -- we're
12 anticipating -- we won't know until later next year, but one
13 of our guys in -- in 2025, is indicating that he may retire,
14 so we'll still be at 17.

15 So the -- following 2025, we'll probably add another
16 one then. And it all depends on the cruise ships, if they
17 stay and how many, you know, cruise ships we have.

18 As far as projects, we -- we're still working on the
19 docks in Port Huron. We're going to dig in the slips.
20 We've already got permits for it from the State of Michigan.
21 So we're all set on permitting. It's just a matter of
22 getting a contractor and getting -- getting it done and
23 everything.

24 And then we are -- our facility over at Port Colborne,
25 we're -- we've got a few more items that we're going to

1 finish up. It was just hard getting contractors because of
2 COVID and everything is just behind.

3 We -- we've bought the new pilot boat, the Huron Pride
4 on. We've had it all, you know, this season. It's -- it's
5 really doing good. I mean, it's -- it's doing exactly what
6 we want to. It's reducing fuel costs. It's reducing the --
7 the pilot changes, and it's just -- everybody, the
8 Canadians, all the District 3 pilots, everybody -- everybody
9 that rides on it, they're happy with it. So I -- it's --
10 it's really working out good for us. And that's all I
11 have.

12 MR. TODD HAVILAND: Paul, do you mind talking about
13 cargo trends while we wait?

14 MEMBER PAUL LAMARRE: Sure. Paul LaMarre with the
15 Port of Monroe. I told Todd that I'd -- I'd give a brief
16 update on cargo trends with ports right now. And it's been
17 a relatively unique season on the lakes. I would say that
18 we are headed for our strongest cargo outlook that we've had
19 in quite some time.

20 But I think the biggest thing that everyone needs to
21 look at is cargo diversification and the criticality of this
22 system and growing Seaway trade based on what we're dealing
23 with domestic bulk cargoes.

24 Of course, iron ore continues to be strong. However,
25 there is a major push to convert to electric arc mills. And

1 on one hand, there are advantages. But on the other hand,
2 say if Cliffs was to acquire U.S. Steel, which has been
3 discussed, that would probably be good for the float on the
4 lakes.

5 If a company that is more focused on mini mills was to
6 acquire U.S. Steel, that could lead to a significant
7 reduction in cargo with the change to electric arc.

8 One of the biggest examples is the Algoma Steel Mill
9 just across the way here, which within two years will be
10 going to entirely scrap fed. That is going to eliminate
11 about three million tons of ore float on the lakes almost
12 overnight, that's currently coming from Marquette.

13 You couple that with the coal trade and the trends that
14 are occurring, Monroe being a great example of that, where
15 we are going to have to begin to focus, both domestic and
16 seaway, is value over volume.

17 And the Port of Monroe, for example, will be opening
18 Michigan's first marine container terminal likely Q2 of next
19 year. And we'll have investment from local, state, and
20 federal government to do so. And the goal is to, hopefully,
21 serve as an example for what other Michigan ports and other
22 ports in the system can do to become key distribution nodes
23 within the broader transportation network.

24 That's where partnerships become created between the
25 domestics lakes -- lakes fleet that can take goods from

1 ports that have traditionally been operating with lakes
2 cargoes and use those same lakers in a diversified manner to
3 distribute, foreign products and/or materials that are
4 coming in on the salties throughout the system, as well.

5 We need to have key distribution points. I think -- as
6 I mentioned a little while ago, I think needing more pilots
7 is going to be very, very important as we go forward. I
8 think that we will see traffic increases at some point.
9 It's all of our goal.

10 There are very unique things happening with wind
11 cargoes, as well. They've been slower this season than last
12 season. But with what is expected with offshore wind and
13 other developments on the coast, I think that will be
14 strong, as well.

15 So, after this, of course, if anybody has any cargo
16 questions, it's -- you know, what Mark and I do in
17 particular on a daily basis, and there -- there's some
18 unique trends taking place right now.

19 CHAIR DAN GALLAGHER: Thank you, Paul.

20 Ready for Chris'?

21 ADFO FRANCIS LEVESQUE: Yeah, go ahead.

22 CHAIR DAN GALLAGHER: Okay. Chris.

23 MEMBER CHRIS EDYVEAN: Yeah, Chris Edyvean, Western
24 Green Lakes Pilots. I'll give the review of our projects
25 and current staffing, as well as an overview of District 3

1 as a refresher, and some of the other issues that we're
2 dealing with in District 3.

3 So here's our district, Lake Superior, Lake Michigan,
4 Lake Huron, without a doubt one of the largest pilotage
5 districts in the world. Our St. Marys River, Soo Locks,
6 this is the -- the heart of our district.

7 And here's a snapshot of our designated waters. I drew
8 some arrows in there to see the direction of traffic flow.
9 That's the St. Marys River. That's a seven-and-a-half hour
10 transit on a really good day.

11 This is the upper end of our river. And you can see
12 where the Soo Locks are and where the change point is and
13 where our pilot boat station is in Brimley, Michigan. That
14 will be the site of our future office. More on that in a
15 couple minutes.

16 I want to segue into a couple other things that -- that
17 really -- we really think about in -- in District 3 and we
18 want everyone to be aware.

19 And one thing is, when we have these meetings and other
20 industry meetings, we're so focused on the components and
21 the details financially, that sometimes we forget to
22 remember why pilots exist in the first place. And -- and we
23 need to think about the environment.

24 Now, if you look on the internet, there's multiple
25 sources that are going to say 35 million people depend upon

1 the Great Lakes, essentially, for their way of life. And
2 this is what our pilots do every single day of the season.
3 We protect the environment. You could say that the true
4 number one stakeholder of pilotage, Great Lakes Pilotage, is
5 the public.

6 Some statistics from the U.S. Coast Pilot, which is
7 published by NOAA, District 3 alone has 78,000 square miles
8 of surface area, and about 83 percent of the total shoreline
9 on the Great Lakes is in our district. That is almost
10 10,000 miles of shoreline. This is what our pilots are
11 protecting every day.

12 I want to talk briefly in -- about the infrastructure
13 that's located in our district. The Soo Locks, which most
14 of us saw last night, one of the most critical pieces of
15 infrastructure in North America, there's been several
16 studies that would show what happened if the Soo Locks
17 failed for any length of time. Eighty million tons of cargo
18 a year. And, again, our pilots are protecting this valuable
19 piece of infrastructure every day of the season.

20 Mackinac Bridge located between Lake Huron and
21 Lake Michigan, 4.2 million vehicle crossings a year. The
22 Enbridge Pipeline is just west of the bridge. This is an
23 area that we like to see designated waters. Again, our
24 pilots are protecting this vital waterway every day.

25 Tied in with the need for new -- for more pilots, we've

1 been calling pilots off rest at a rate that we haven't done
2 since 2016. And that's -- that's very disturbing because
3 our job is to protect the environment.

4 So I talked to my pilots and my Association about
5 making a statement, and that statement is this: Cumulative
6 fatigue caused by insufficient recuperative rest of pilots
7 may put the environment and infrastructure at risk, as well
8 as the health of the pilot.

9 Some other things in our district, just so that
10 everyone understands what our pilots go through; in addition
11 to moving ships, our average transit time for open-lake
12 transits all factored in together is almost a day. That's
13 at 12.5 knots. That does not include docking and undocking,
14 and that's our average lake transit.

15 Our average overland travel job, which means we
16 complete a job, we get 10 hours of rest, and more times than
17 not, our pilots are shipped to another area of the district
18 where needed, is -- our average overland travel is eight
19 hours, about 500 miles.

20 So where I'm going with this is it's almost a two-day
21 turnaround in most cases to recycle a pilot and get that
22 pilot rested and -- and moved and ready for his next
23 assignment.

24 Infrastructure and operations, last November, former
25 president Jon Olney moved the office from Brimley, where we

1 had a one -- a ranch house, a small ranch house. We moved
2 it to downtown Soo. Many of you were able to stop in
3 yesterday for our open house. We did this for sufficient
4 room for dispatch to meet the APA common practices for
5 having dispatch in-house.

6 Meanwhile, Brimley is going to be developed with a new
7 office. I'll get to that in a second.

8 Some of our big changes in the office this year is we
9 have two brand new dispatchers. One of our senior
10 dispatchers retired. Another dispatcher was promoted. And
11 so we have two new hired dispatchers. They're both
12 operating out of the office at Sault Ste. Marie. They work
13 12-hour shifts, seven -- they work seven days on, followed
14 by a week off. So dispatch is going very well with us.
15 We're -- we're very pleased with our -- our new dispatchers.

16 For office personnel, we have Ted Johnson came up
17 through the ranks. He was a clerical position and he moved
18 to dispatcher. Finished his degree and he is our business
19 manager now.

20 And we have a -- a new assistant business manager that
21 does the same thing as Ted. That is Natalie. Natalie and
22 Ted -- what Ted does, Natalie does. What Natalie does, Ted
23 does. They manage our finances.

24 Logistics, we have 20 vehicles in our district to
25 handle transporting our pilots. Most of these are

1 Ford Edges. The Fusions are being phased out. We utilize
2 the Rhino tracking software. There's an image of that so we
3 can see where our cars are. It gives us a lot of details on
4 our vehicles, not just shows us where they are. But we can
5 retrieve a good -- good fair amount of information.

6 And we have drivers located all over our district. I
7 believe we have about five available drivers in Sault Ste.
8 Marie, two in Port Huron, two in Chicago, one in Duluth
9 and -- and there's one we've been using in Thunder Bay. So
10 we have our -- our drivers all over the place.

11 Brimley Development, this has been in the works since
12 before the pandemic. We basically picked up the plans that
13 we had before the pandemic. We signed the contract in
14 Brimley, which is a property, again, at the north end of the
15 river. Brimley will be developed. We have some landscaping
16 to do, refurbishing the dock and building a new office
17 building and parking lot. And that's probably going to be a
18 minimum of -- of a two-year project.

19 This is what one of our schematics looked like that we
20 had drawn -- drawn up back in 2020, I believe. So Brimley
21 is in the works. That's going to be the future headquarters
22 of Western Great Lakes Pilots.

23 MR. TODD HAVILAND: Where's Brimley from here?

24 MEMBER PAUL LAMARRE: Brimley is 20 -- about 22 miles
25 on the upper end of the river, close to the change point.

1 And Detour, we're looking at a close on a property in
2 Detour. There's an existing dock which, with proper
3 permitting, can be refurbished, which is important because
4 you cannot build a new dock in the St. Marys River. That's
5 going to be a long-term project. Immediately, we're looking
6 at housing for pilots in Detour and getting a foothold in
7 Detour and going from there.

8 MR. TODD HAVILAND: Excuse me, Chris.

9 MEMBER CHRIS EDYVEAN: Yes.

10 MR. TODD HAVILAND: Can you explain what you do right
11 now in Detour? Because I -- to me, this is a key aspect.

12 MEMBER CHRIS EDYVEAN: Yes, sir. In Detour, right now,
13 we are renting a dock from Eastern Upper Michigan. And
14 that's -- it's basically a handshake agreement. It's
15 something they could take away from us at any time. And if
16 they took it away, we would have to -- we would have to do
17 over-carriage. We'd have to have two pilots every time
18 there was a pilot running between Port Huron and -- and
19 Sault Ste. Marie.

20 And so having our own property would allow us, you
21 know, to not have to worry about that anymore. So -- so
22 Detour is -- is a big thing and it's definitely in the
23 works.

24 And I think the last thing I had then is staffing. In
25 2024, we will have 23 registered pilots and two apprentices.

1 One of -- one of those apprentices will be a second-year
2 apprentice next year and the other one we are looking to
3 hire to start at the beginning of the season.

4 MR. TODD HAVILAND: What do you have right now?

5 MEMBER CHRIS EDYVEAN: Right now at the moment, we have
6 21 registered pilots and we have four apprentices. Three
7 second-year apprentices and one-first year apprentice.

8 And that concludes the presentation.

9 CHAIR DAN GALLAGHER: Okay. Thank you, Chris.

10 Is there any questions from the public?

11 Raphael.

12 MR. RAPHAEL GAGNON: I'm Raphael Gagnon, FedNav.

13 THE COURT REPORTER: I need you to speak up. I'm
14 sorry.

15 MR. RAPHAEL GAGNON: Okay. How about that? Still no?
16 Is it good?

17 ADFO FRANCIS LEVESQUE: Yeah.

18 MR. RAPHAEL GAGNON: Okay. Raphael Gagnon, FedNav.

19 CHAIR DAN GALLAGHER: It's on. It was on.

20 MR. RAPHAEL GAGNON: So coming back to Captain Chris,
21 to the statement that you've made about fatigue and
22 increased workload for the -- for your pilots, back to
23 another statement that you had made earlier about your
24 colleagues from across the border, I was wondering -- and
25 also coming back to a motion that was approved to increase

1 the amount of pilots going forward from 2024.

2 I was wondering are there discussions with the
3 Canadians about if their level is going to remain similar to
4 what it is now, around four, or if they intend to bring it
5 back to six? And should that help the -- the fatigue, the
6 call-back issues? And is there a vision to then revisit the
7 amount of pilots required?

8 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
9 Lakes Pilots. To the best of my knowledge, it would take
10 the Canadians two full years from today to get back up to
11 that number. But they're -- they're here if -- if they
12 wanted to answer that question themselves. They're in the
13 audience. But it's -- it's not a -- it's not a quick fix.
14 It would take -- take them a long time to get back up to --
15 to former numbers.

16 MR. CHRISTIAN OULETTE: Christian Oulette, GLPA. Yeah,
17 I -- it's -- I concur and piggy-back on what you were just
18 saying. It take two years for a train -- to train new
19 pilots.

20 We are starting a new pilot next Monday and we expect
21 to have another recruitment this winter to have an
22 additional trainee for 2024, so it's a double position for
23 that.

24 CHAIR DAN GALLAGHER: Any other questions?
25 Steve.

1 MR. STEVE FISHER: Yeah, Steve Fisher, American Great
2 Lakes Ports Association.

3 Chris, you've showed us a map where some of the cars,
4 your vehicles are distributed. Could you also explain sort
5 of how your pilots are geographically distributed around the
6 region? I mean, do you have some that sort of are domiciled
7 in the Chicago area and others up near the Soo and others in
8 Duluth, or are they all in one area or how is that --

9 MEMBER CHRIS EDYVEAN: Well, all the pilots can work
10 everywhere once they're registered. We do have a river role
11 to handle the -- because everything passes through the Soo
12 ultimately.

13 But to answer your question, our pilots go where --
14 where Steve needs them to go. If -- if the agents and
15 the -- the ports have a ship moving in Thunder Bay, we --
16 we'll get a pilot there. If there's a -- if our guys are at
17 Thunder Bay and -- and we need a pilot in Chicago, we'll
18 move them there.

19 And that goes to those statistics I was showing you on
20 the overland travel and the time it takes to turn around a
21 pilot on -- on assignment.

22 MR. STEVE FISHER: Right.

23 MEMBER CHRIS EDYVEAN: So we -- we move the pilots as
24 needed. Dispatch does their best to keep up with where that
25 pilot is going to be needed. And we have some really,

1 really good dispatchers. And sometimes -- sometimes things
2 go wrong, sometimes things go right. But -- but we move the
3 pilots the best that we can to -- to move those ships.

4 CHAIR DAN GALLAGHER: Okay. Any other questions for
5 the public?

6 (No response.)

7 CHAIR DAN GALLAGHER: Anything from the Committee?

8 (No response.)

9 CHAIR DAN GALLAGHER: Okay. We'll move on to the next
10 topic. And we're going to get back to topic number four,
11 Ratemaking Methodology.

12 From 1960 to the mid -- to the mid 1990s, the
13 U.S. Government issued pilotage rates without a methodology.
14 In the mid-90s, when the U.S. Seaway Administration,
15 Great Lakes Pilots, the U.S. Seaway developed and published
16 a methodology to establish pilotage rates for the
17 Great Lakes.

18 Later in the '90s, the Great Lakes Pilotage returned to
19 Coast Guard. Coast Guard used the '90s methodology to
20 establish rates until 2016.

21 In 2016, the Coast Guard revamped the methodology to
22 address structural changes that caused safety concerns from
23 funding shortfalls. Since 2016, Coast Guard has refined the
24 current methodology.

25 Just for everyone to remember, these rates are a

1 primary source of revenue for the U.S. Great Lakes Pilots
2 Association. We do not receive state/federal funds to
3 provide pilotage service. The pilot associations collect
4 revenue from the rates to pay for fuel, pilot boats, staff,
5 training, offices, dispatchers, apprentice pilots, in
6 addition to pilot compensation, (wages and benefits).

7 Mr. Haviland is going to explain the 10-Step
8 methodology to the Committee at this time.

9 MR. TODD HAVILAND: Todd Haviland, U.S. Coast Guard.

10 Our 10-Step methodology can be found in the Code of
11 Federal Regulations, 400 -- 404 -- Section 404. It's pretty
12 straightforward.

13 The first step is to determine the operating expenses,
14 so that's where, right now, Nate and Julie come in. They
15 look at the financial reports and audits that the
16 Associations are required to generate each year. They
17 validate those numbers and then they organize them in a
18 manner that I can use them to determine what expenses are
19 necessary and reasonable and incurred in a given calendar
20 year for ratemaking purposes.

21 We apply the proper number of years of inflation to
22 those expenses -- they tend to be three years behind -- and
23 that gives us the operating expenses.

24 The next, I look at the staffing model to determine,
25 you know, how many working pilots I'm able to put into the

1 rate. Vince isn't here. But Vince and I review our records
2 to determine how many working pilots we have, how many we're
3 going to have. And I take the working pilots and multiply
4 that by the updated target compensation.

5 And then I do a sub, a bullet, and I look at the number
6 of apprentices that a group has and then we multiply that by
7 36 percent of the target compensation. And that gives us,
8 you know, the revenues that they're going to need to
9 compensate with the partners and also to provide some wages
10 and benefits for the apprentice pilots.

11 You take those two big numbers, add them together, and
12 multiply that by a high grade corporate security, or AAA
13 bond, and that's the money that's set aside in working
14 capital fund. And those three numbers, when I combine them
15 together, are the revenues that we decide are needed for the
16 Pilot Associations to provide safe, efficient, reliable
17 piloting service, to protect the marine environment, and
18 also comply with NTSB recommendations regarding staffing and
19 fatigue.

20 I take that number and then I look back at the last ten
21 years of pilotage demand, and I divide that number by ten,
22 the ten-year average, and that gives me the base rate.
23 That's the hourly rate that the pilot associations must
24 charge for their services.

25 After that, I look at the historic 10-year average of

1 the waiting factor and then I divide, again, that number to
2 get the final rate. And once we get to that final rate, you
3 know, I establish that for the designated waters of a given
4 district and the undesignated waters of a given district.

5 For the most part, I think the tran -- the methodology
6 is transparent. It's pretty straightforward. Where we get
7 some hiccups is how I assign the working pilots in
8 designated and undesignated waters, and how I divide the
9 expenses in designated and undesignated waters.

10 And where it's most -- where it's the trickiest to do,
11 or where it can cause the most hiccups is, like, the
12 St. Marys River. You know, there's only 3,000 bridge hours
13 there. So anytime I had a working pilot for the
14 St. Marys River, the rate shoots up real high. But even
15 though the rate is shooting up real high, they're only going
16 to collect another \$400,000, you know, over the shipping
17 season.

18 In District 2, at the southeast shoal, we don't have a
19 change point, but that's where we go from designated to
20 undesignated waters. And those pilots are working, you
21 know, both sides of Lake Erie down there.

22 So it -- I'm just wondering, is there a value at this
23 point, since, you know, a pilot is a pilot is a pilot on the
24 Great Lakes, that instead of setting a -- a rate for both
25 designated and undesignated in each district, I just set one

1 rate, you know, for District 1, one rate for District 2, and
2 one rate for District 3.

3 So it should help, you know, keep a smooth and
4 predictable rate, moving forward. But it also goes against
5 the recommendation that I got back in 2014-'15 time, where
6 the shipper said, "No, we want the designated charge to be
7 significantly higher than the undesignated charge."

8 So for your consideration.

9 CHAIR DAN GALLAGHER: Okay. Thank you, Todd.

10 Any comments/questions from the Committee?

11 MEMBER JOHN CROWLEY: John Crowley. I guess, first of
12 all, this would be an example of if I knew what was coming
13 up in the agenda item, I could get a better sense from a
14 membership of -- of their response and then -- and then
15 offer one to the group. I will give it a shot here.

16 I mean, on the face of it, that a pilot is a pilot is a
17 pilot, and -- and it works out that the rate addresses the
18 expenses and the costs that have been validated, and the --
19 you know, the first three steps there probably should get to
20 the overall base number and it shouldn't probably make any
21 difference to -- to my membership and to the -- to -- to the
22 ocean shippers.

23 I -- I think there will be -- there's some skepticism
24 to that, that I would have to work to abate, and it would be
25 helpful to kind of see it -- another example of how that

1 actually maps out. And I -- and I can do some of that, but
2 I'd probably have to draw on Todd or someone else to -- to
3 fill in some of the blanks that I couldn't otherwise do.
4 And with those assumptions in mind, I could -- I can see my
5 way forward to support that.

6 But there's a huge caveat there that I need to be able
7 to -- to do that and I -- other than just logic, which
8 doesn't always work in practice, I -- you know, it's --
9 it's -- it's a little hard to -- to see my way through at
10 the moment. So that's -- that's -- that's my first
11 response, I guess.

12 And some of you might be able to help educate me.
13 John.

14 VICE-CHAIR JOHN BOYCE: Oh, I would -- John Boyce --
15 say one thing just off the top of my head. I -- I think it
16 will end up shifting cost away from the domestic fleet and
17 onto the foreign fleet in our area. Because there's a lot
18 more voluntary pilots of the Canadian domestic fleet taking
19 pilots in our designated waters.

20 So I would -- just looking off the top of my head, I
21 think what's going to happen is our designated rate will go
22 down, undesignated will go up. Almost entirely our
23 undesignated is -- is the foreign fleet, so they're going to
24 end up paying more there. And the domestic fleet is going
25 to end up paying less because that's the only place they use

1 us. Yeah, not perfect, but I -- I think that's how that
2 will pan out.

3 MEMBER JOHN CROWLEY: Hmm. Thank you.

4 CHAIR DAN GALLAGHER: Mr. Yawkey.

5 MR. BILL YAWKEY: Bill Yawkey with the Longshoremen.

6 The Director hit on something here that I -- I think
7 it's long overdue, and that's the -- the combination of
8 the -- of the designated and the undesignated.

9 It -- it's a throwback from rate-setting in the old
10 days. And, you know, an hourly rate that you people have
11 now is a lot more efficient, a lot more streamlined and
12 easier to understand.

13 And, you know, if you go back to -- to where it was
14 before, with the mate and the captain's wage and all that,
15 it's just a conglomeration of stuff that didn't even affect
16 us really. I mean, we're -- we're geared to the ocean
17 fleet, not the domestic carriers.

18 And I think that what he asked to do is -- is really
19 good. I -- it's something that I thought about for years
20 that we should just have one rate. Because it's -- I don't
21 care if you're a pilot in designated water, I don't care if
22 you're a pilot in undesignated water, you're in charge. I
23 don't care if you're a pilot sitting on a ship in Cornwall
24 for X-amount of dollars an hour, and why the rate in
25 Port Huron was different. You know, you -- we can both sit

1 on the same ship for the same amount of money.

2 So I like this. I like this idea where you're going.
3 And I -- I support the Director's proposal, if it was a
4 proposal.

5 CHAIR DAN GALLAGHER: Raphael.

6 MR. RAPHAEL GAGNON: Raphael Gagnon, FedNav.

7 Todd, you've mentioned that there was an argument from
8 the shippers in 2014, who wanted to have the designated much
9 higher than the undesignated. And do you remember the logic
10 behind the -- that request?

11 MR. TODD HAVILAND: Good morning, Todd Haviland again.

12 It was Paul Gourdeau and Michael Broad, and they just
13 felt that the -- they thought that there was some way for
14 the pilots to gain an advantage if the undesignated charge
15 rose, that they would slow the ships down and, you know,
16 generate revenue that way. But we could track that. But
17 that was their rationale.

18 MR. RAPHAEL GAGNON: Thank you.

19 CHAIR DAN GALLAGHER: Mr. Crowley.

20 MEMBER JOHN CROWLEY: Yeah, John Crowley again.

21 I -- you know, unfortunately, I'd start out with "that
22 should work" kind of position. But I kind of get to, after
23 the commentary and the differences of designated and
24 undesignated waters, I -- I return to what you've, of
25 course, heard from me in the past. Which is, in today's

1 world -- and I understand that this is a legislative issue
2 maybe and not our policy, but it starts with us, that I -- I
3 would make a good case and we'd look at -- and the question
4 was asked, you know, "Where are the vehicles? Where are the
5 locations, domiciles?"

6 And I'm not convinced that we couldn't make a cogent
7 proposal that it eliminates, in part, the undesignated
8 waters as a requirement in today's navigational world, which
9 is different in leap years from when I practiced in the
10 mid '70s, which itself was better than 1960, when the
11 requirement was placed.

12 And so I -- I'm kind of -- I'm kind of torn because I
13 haven't given up that notion. But -- but I -- the practical
14 answer is I -- I think we can probably, you know, in today's
15 world, get to paying -- paying one fee.

16 And we'd have to do some things to maybe consider
17 John's point on -- on domestic shipping and -- and which
18 waters that that pertains to and, you know, other concerns.

19 But I -- so I -- I guess I -- I'm not sure I'm ready to
20 jump on this hand grenade, but I do think that it's -- it's
21 a worthy conversation. That's kind of where I -- where I'm
22 going to fall. And I -- I'm kind of inconsequential to the
23 other votes in this -- this dais. But go ahead.

24 MEMBER PAUL LAMARRE: Dan.

25 CHAIR DAN GALLAGHER: Paul.

1 MEMBER PAUL LAMARRE: Paul LaMarre. I just wanted to
2 say I agree entirely with Mr. Yawkey. And I -- I think that
3 there is no reason for designated/undesignated in the
4 current way that the system is operating.

5 MR. BILL YAWKEY: Right.

6 CHAIR DAN GALLAGHER: Well, the only -- the only
7 reservation I have, again, it's like it -- and when John is
8 talking the domestic fleet, it's all the -- basically,
9 domestic tankers that they got, Canadian tankers. So, you
10 know, you would be giving them a -- a discount, so the --
11 the saltwater ships are paying.

12 So I -- I, personally, I don't think it would affect
13 our district at all. But I -- I can understand where John
14 is coming from, and I -- we need to take that into
15 consideration.

16 DFO KEVIN KIEFER: Name.

17 CHAIR DAN GALLAGHER: Yeah, Dan Gallagher.

18 Anybody else? Raphael.

19 MR. RAPHAEL GAGNON: Raphael Gagnon, FedNav.

20 There's one thing that comes to mind when I think about
21 this. I'm thinking that -- and I'm in favor of the -- the
22 user payer. So to that same -- same extent, if we decide --
23 if you guys decide to abolish designated/undesignated, you
24 could push it to the limit where there would be only one
25 rate for all three districts.

1 The only thing that, again, comes to my mind is I'm in
2 favor of whoever uses the service, should pay for the
3 service. So if there's a higher traffic in designated in
4 District 1 and ships move only within that area, they move
5 in and then they go out, I think it would make sense for
6 them to pay potentially the premium that is the rate as it
7 is now. So that would be my only comment with regard to the
8 motion.

9 CHAIR DAN GALLAGHER: Okay. Any other comments from
10 the public?

11 (No response.)

12 CHAIR DAN GALLAGHER: Anything the Committee would like
13 to discuss or recommend?

14 (No response.)

15 CHAIR DAN GALLAGHER: No?

16 MEMBER PAUL LAMARRE: I mean, to get anything --
17 Paul LaMarre. To get anything done, we ultimately need to
18 recommend doing away with undesignated waters, correct?

19 CHAIR DAN GALLAGHER: No.

20 MEMBER PAUL LAMARRE: No?

21 CHAIR DAN GALLAGHER: No. No, you would just --
22 instead of having -- having a rate for designated and
23 undesignated waters, you would just have one rate.

24 MEMBER PAUL LAMARRE: Right.

25 CHAIR DAN GALLAGHER: Because, basically, what you do

1 is you just -- they just -- they just take it anyways and
2 divide it up. It depends on the traffic and everything
3 and...

4 MEMBER PAUL LAMARRE: Sure.

5 CHAIR DAN GALLAGHER: But, you know, John has got a
6 valid point. I mean, I don't know. I don't know if you
7 could put a premium on a certain sector. I think that would
8 be --

9 VICE-CHAIR JOHN BOYCE: This is John Boyce. I -- I
10 suppose theoretically it doesn't matter to me. You generate
11 the revenues by whichever way. I -- I don't think it's a --
12 it's a big difference.

13 But I think if you go to make it one rate, then have a
14 premium, well, you're right back to having two rates.

15 CHAIR DAN GALLAGHER: Right.

16 MEMBER PAUL LAMARRE: Yeah.

17 VICE-CHAIR JOHN BOYCE: Yeah, I don't -- I --

18 CHAIR DAN GALLAGHER: It's --

19 VICE-CHAIR JOHN BOYCE: I get they're blending it all
20 together to make -- to simplify it a bit, and I -- and I
21 think it would achieve that. But I think an absolute
22 outcome would be, basically, it's the -- the Canadian tanker
23 fleet would -- would be the benefit of -- of that change.

24 MEMBER JOHN CROWLEY: John Crowley. Does this get
25 connected a little bit to the discussion on winter? Because

1 we're talking about the same segment, right? And -- and my
2 representation, I think, would -- already is not happy with
3 the thoughts of -- of pulling in the -- that winter
4 non-navigation season business and -- and paying for that.

5 So to the extent that that kind of does a -- you know,
6 a fist pound and a double underline to that same problem,
7 I -- you know, that -- that causes a bigger problem than
8 doing away with a problem. Am I making sense kind of? Not
9 too much?

10 I -- I mean, I think it's the same segment that we're
11 dealing with and it's going to be the same end justice as
12 viewed from my -- and so then you got to -- you got -- you
13 got twice the problem that you've identified. All right.
14 But...

15 CHAIR DAN GALLAGHER: Okay. Chris.

16 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
17 Lakes Pilots. I believe most of the pilots in my district
18 wouldn't support approving the recommendation without some
19 study into it ahead of time. I -- I don't think it's
20 something I would support. If a motion was made right now,
21 I -- I don't think I could support it without some research
22 and historic -- historical data and consulting with my
23 group. Yeah.

24 CHAIR DAN GALLAGHER: Well, I think maybe the Committee
25 just will consider it and we'll bring it up next -- next

1 meeting.

2 MEMBER JOHN CROWLEY: So it's on the agenda for next
3 time.

4 CHAIR DAN GALLAGHER: We got an agenda.

5 (Laughter.)

6 MEMBER JOHN CROWLEY: That was John Crowley for the
7 record.

8 (Laughter.)

9 CHAIR DAN GALLAGHER: Okay. Hey, do we want to break
10 for lunch?

11 DFO KEVIN KIEFER: Sounds good.

12 CHAIR DAN GALLAGHER: All right. Why don't we take,
13 what, a half hour?

14 DFO KEVIN KIEFER: Yeah.

15 CHAIR DAN GALLAGHER: Half-hour break for lunch.

16 (Lunch break.)

17 CHAIR DAN GALLAGHER: Okay. We'll resume the meeting
18 here. The next topic, topic number five, the 2013
19 Memorandum of Understanding between the U.S. Coast Guard and
20 the Canadian Great Lakes Pilotage Authority & the Great
21 Lakes Pilotage and American Pilots Association Best
22 Practices.

23 This Memorandum outlines billing, dispatching and pilot
24 boat responsibilities amongst the U.S. Great Lakes Pilots
25 Association and the Canadian Great Lakes Pilot Authority.

1 This agreement also established a flagging protocol that
2 determines whether a U.S. or Canadian Registered Pilot is
3 responsible for providing pilot service to a given vessel.

4 In addition to modernizing the document to reflect
5 current practices, the Coast Guard wants to incorporate
6 "best practices" throughout the U.S. Great Lakes Pilots
7 Association.

8 I recognize Mr. Todd Haviland. You're a busy little
9 talker.

10 (Laughter.)

11 MR. TODD HAVILAND: I sat in the back so you couldn't
12 yell at me for interrupting.

13 Good afternoon.

14 MEMBER PAUL LAMARRE: Boom.

15 MEMBER JOHN CROWLEY: You invited that, you know.

16 MEMBER PAUL LAMARRE: Yes.

17 MR. TODD HAVILAND: Todd Haviland, U.S. Coast Guard. I
18 just want to give a quick overview of the current state of
19 what the Memorandum of Understanding says and then explain
20 what I mean by this "best practices" statement that's kind
21 of been tacked on to the end.

22 But right now, as a ship comes through the system from
23 Les Escoumins to Montreal, the Laurentian pilots will take
24 care of it. From Montreal to Snell Lock, it's the
25 Great Lakes Pilotage Authority out of Cornwall. But now

1 once it hits Snell Lock, the Memorandum of Understanding
2 kicks in.

3 And between Snell Lock and Cape Vincent, 58 percent of
4 the jobs are done by Canadian Registered Pilots on the
5 St. Lawrence River and 42 percent are done by the
6 United States registered pilots on the St. Lawrence River.

7 Then you get into Lake Ontario, where it's a 50/50
8 split. You go over to the Welland Canal, the Canadian
9 registered pilots provide exclusive service through the
10 canal. But now once it leaves the canal, and it's on
11 Lake Erie, if it's going to a U.S. port, it gets an American
12 job. If it's going to a Canadian port, it's going to get a
13 Canadian pilot. If it's a through job, half of those will
14 go to Canada, half of those will go to America.

15 And then once we get up into District 3, the Memorandum
16 gets, like, real squishy. We don't have any flagging and
17 it's somewhat of a gentlemen's agreement. But the Americans
18 are supposed to do 81.9 percent of the jobs, do all the
19 billing, do all the dispatching. And then the Canadians are
20 supposed to provide 18.9 percent of the services. And then
21 there's -- at the end, there's supposed to be a revenue
22 share.

23 Like many things, a lot of decisions that we're still
24 dealing with were made in the '60s and '70s. When that
25 agreement was made in District 3, the U.S. and Canadian

1 dollar were more on par, and there was a requirement for
2 U.S. and Canadian rates to be identical. They are no longer
3 identical. The currencies are no longer on par.

4 And I -- I get a little frustrated because -- if
5 there's a ship delayed in Districts 1 or 2, and it's a
6 Canadian flag job, everyone knows to call and discuss it
7 with the GLPA. If there's a ship delayed in District 3, and
8 it's because -- and I'll let Chris talk about this, because
9 he can explain it much better than me.

10 For whatever reason, the job was assigned to a Canadian
11 registered pilot, and that pilot decides that they're not
12 going to be available that day, then do I let the ship sit
13 and put out an email saying, "The ship was assigned to a
14 Canadian registered pilot and it's going to wait for a
15 Canadian registered pilot"? Or does he look at the next
16 person on the tour de rôle, send him there? Or what he's
17 been doing a lot this year, and what he stated, does he call
18 someone in off of rest?

19 So, you know, when I'm talking about these best
20 practices, you know, in Districts 1 and 2, we have flag. In
21 Districts 1 and 2, Captain Boyce and his group dispatch the
22 American pilots. The GLPA dispatches the Canadian pilots.

23 In District 2, Captain Gallagher and his pilots
24 dispatch Americans, and the GLPA dispatches the Canadian
25 pilots.

1 In District 3, it's kind of all thrown on Chris'
2 shoulders. And I -- I don't really tolerate delays if
3 there's a rested pilot. I mean, the law says that the
4 pilots must be available. So I interpret that to mean, if
5 you are rested and a ship is at anchor and it belongs to us,
6 then you need to go to work.

7 And then, you know, billing. John Boyce does his
8 billing. The GLPA bills for the Canadian pilots.
9 District 2, Danny Gallagher does their billing. The GLPA
10 does theirs.

11 But now we're in District 3, and -- and I've been
12 talking about this with the lawyers, because, you know, do
13 we really even have the authority to issue a bill on behalf
14 of the Canadian Government, because they're Canadian
15 Government employees? It's not -- you know, I -- some of
16 this discussion might be a little different if they were
17 structured more like, you know, independent companies like,
18 you know, we are on the American side with, you know,
19 American non-government employees operating everything,
20 so...

21 And then -- because we've been around long enough, the
22 taxes that are assessed by the Canadian pilots, you know, on
23 the river and Districts 1 and 2 and through the canal, he
24 doesn't assess those. He doesn't collect in Canadian
25 dollars.

1 And in Districts 1 and 2, they provide logistical
2 support for American pilots, and the GLPA provides
3 logistical support for the Canadian pilots.

4 I don't know why or how, but it's come to my attention,
5 that in District 3, that Chris Edyvean and his group, is
6 providing that logistical support to Canadian Government
7 employees.

8 You know, other than, you know, wanting to sit down and
9 include, you know, cruise-ship traffic and just say, "Hey,
10 this is how things operate in 2023 or '24 --" you know, I'm
11 sure this is going to be a long, drawn-out process to
12 modernize it. You know, I think it's high time that, you
13 know, the things that work so well in Districts 1 and 2,
14 that we put into practice in District 3.

15 And I think it's -- you know, it -- if the Canadian
16 pilots are employees of the Canadian Government, I think
17 it's incumbent upon the Canadian Government to bill for
18 them, provide their logistical support, deal with their
19 expenses, and, you know, all those things. Because it --

20 MR. BILL YAWKEY: Travel.

21 MR. TODD HAVILAND: And travel. And, I mean, the
22 other -- was it a couple years ago the dispatchers went on
23 strike. I mean, Danny used to dispatch the Canadian pilots.
24 But the dispatchers went on strike in Cornwall. You guys
25 helped out a little bit with some of their dispatching, and

1 you know, in a pinch, you know, the GLPA, you know, helps
2 out in dispatching.

3 But I don't understand why a Canadian pilot can't or
4 doesn't or won't provide, you know, that pilotage service
5 based on a dispatch, and then send that bill to the GLPA.
6 Because, you know, it -- he's just a small -- you know, a
7 small company. He's got 22 partners. And I -- I just kind
8 of feel like it's --

9 ADFO FRANCIS LEVESQUE: Sounds like they're getting it
10 for free.

11 MR. TODD HAVILAND: You know, something is amiss, you
12 know, with arrangement.

13 ADFO FRANCIS LEVESQUE: Why would they pay?

14 MR. TODD HAVILAND: But -- and I know, you know, Steve
15 and I have talked at great lengths. I don't know where
16 Chad Allen is, but he's talked at great lengths with me. I
17 talked a little bit with Raphael and, you know, I -- I think
18 it's best to hear from them on, like, you know, what the
19 people, who rely upon pilotage to move their cargoes and
20 move their ships in and out of ports, some of the structural
21 things that they would like to see considered with this
22 document.

23 I just want to make sure everyone understands that, at
24 the end of the day, you know, it's going to be someone from
25 the Coast Guard and some Canadian, you know, Government

1 officials dealing with this. But I -- I do think it's
2 important that we're transparent about how things are moving
3 forward. And I really am interested to know, you know, what
4 the industry, you know, feels is necessary with some of the
5 changes or if they're just happy with the status quo.

6 CHAIR DAN GALLAGHER: Thank you.

7 MR. TODD HAVILAND: I think Raphael would like to
8 speak.

9 CHAIR DAN GALLAGHER: Raphael.

10 MR. RAPHAEL GAGNON: Raphael Gagnon, FedNav.

11 So, indeed, we've talked about that in the past. If --
12 yeah, as we can see to the screen right now, the Memorandum
13 dates back from 2013. Things have changed since then,
14 training patterns, volumes, et cetera. So I think for the
15 whole system to remain efficient, it is important to look at
16 it from the perspective of the industry. And from my point
17 of view, we really hate to see a ship be -- being stopped
18 into the system when there would be another -- another pilot
19 that would be available, whether in another district,
20 whether across the border.

21 So maybe it's a utopia that we're thinking of. But I'm
22 sure there would be ways to make the system a bit more
23 flexible depending on -- on the volumes as they -- as they
24 ship and to allow for movements from both sides of the
25 border whenever there's a ship that is in need. So in a

1 nutshell, that's -- that's it.

2 Now, how -- how the different parties are going to sit
3 together and make it happen, who's going to sign it, I think
4 is -- is another discussion. But I would really love to see
5 a company come to -- to fruition and thinking how this can
6 be optimized. Thank you.

7 CHAIR DAN GALLAGHER: Any comments from the members?
8 Mr. Crowley.

9 MEMBER JOHN CROWLEY: John Crowley. I -- to share with
10 the Director, you probably know this, that -- yeah, I
11 don't -- I don't think you necessarily have to be
12 constrained to a government-to-government team. There are
13 often provisions for -- for ex -- special expertise coming
14 from industries that are the subject of international
15 agreements that can -- can help out in that. So I'd just
16 encourage you to -- to look for that. It's probably hard to
17 configure everything from this table, but -- but somebody is
18 out there, I'm sure, that, again, once that process has
19 started, kicking it off is the key in confining the
20 proponents on each side to agree to move forward.

21 CHAIR DAN GALLAGHER: Chris.

22 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
23 Lakes Pilots. As Director Haviland pointed out, in
24 District 3, the Americans have the five pilot boats, 20
25 vehicles, and we do the billing and dispatching. If that

1 was going to change and the GLPA was going to handle those
2 functions and have those logistical assets, I'd be more
3 curious to hear what -- what they have to say, what their
4 plan would be, what their timetable would be because --
5 because we have everything.

6 And if -- if it was a change, they would have to have
7 that -- those -- that infrastructure and -- and -- and
8 dispatching availability and -- and I'd be curious to hear
9 from them.

10 MR. TODD HAVILAND: Danny.

11 CHAIR DAN GALLAGHER: Todd.

12 MR. TODD HAVILAND: Todd Haviland. Good afternoon,
13 Paul.

14 (Laughter.)

15 MR. TODD HAVILAND: I don't think pilot boat service is
16 really an issue. I mean, those are big assets. The point
17 that I'm more getting at -- and whoever wants to speak, this
18 is a -- a public meeting.

19 You know, their employer, in my opinion, needs to deal
20 with those issues. They provide car service all throughout
21 the rest of the system for the pilots from Port Huron all
22 the way out. And I just -- I don't understand how you got
23 strapped with that.

24 And, you know, Robert Lemire and I, when he was CEO of
25 the GLPA, were talking about these issues. He retired. His

1 successor, at times, seemed very interested in the MOU, and
2 at other times, didn't.

3 But, you know, twofold -- I'm really interested in, you
4 know, how those who are affected, you know, why the MOU,
5 with these ship delays or -- you know, really feel about
6 what things should look like moving forward. And, again,
7 you know, whatever anyone else wants to talk about regarding
8 these services, I'd love to hear from them.

9 And I know Steve has some strong opinions.

10 CHAIR DAN GALLAGHER: Mr. Fisher.

11 MR. STEVE FISHER: Steve Fisher, Great Lakes Ports
12 Association. I'd mostly repeat what Raphael said. I -- I
13 think from the perspective of the ports, we want -- we don't
14 want delays. I don't think anybody here wants delays. And
15 if there's an American pilot available, but a Canadian pilot
16 is the next -- is the -- his vessel has been flagged, I --
17 we think there should be a system whereby American pilots
18 can step in, take the ship, keep commerce moving.

19 And if it's a matter of keeping the percentages just
20 right, that can be with dealt with at a later time.

21 But one of the things I wanted to do, just listening to
22 this conversation is, is ask Chris: Do you know the history
23 on how you ended up in charge of everything in -- in
24 District 3? Do you know what that history is?

25 MEMBER CHRIS EDYVEAN: It's -- it's been this way since

1 long before I was here. That's all I'll comment.

2 CHAIR DAN GALLAGHER: Any other questions from the
3 public?

4 (No response.)

5 CHAIR DAN GALLAGHER: The Committee, any --

6 MEMBER PAUL LAMARRE: Yeah, I've got a comment, Dan.

7 CHAIR DAN GALLAGHER: Paul.

8 MEMBER PAUL LAMARRE: Paul LaMarre.

9 Todd, with -- with this MOU, isn't this representative
10 of some larger issues that we have with U.S. and Canadian
11 pilotage or the Associations and decisions that are being
12 made?

13 I'm thinking about a particular instance earlier this
14 summer where U.S. pilots were removed from a vessel, which
15 was totally inappropriate. And, I mean, we have some
16 foundational core issues here --

17 MR. TODD HAVILAND: Uh-huh.

18 MEMBER PAUL LAMARRE: -- that they're not going to be
19 solved at this meeting today, but are highly problematic.
20 And it's, right now, a flawed system.

21 MR. TODD HAVILAND: Todd Haviland. I agree.

22 You know, to answer some of Steve's questions, you
23 know, and when I first started working in pilotage,
24 Robert Lemire was trying to figure out a way to divest the
25 GLPA of District 3. And but for Thunder Bay and sovereignty

1 issues, he left two Canadian registered pilots -- he called
2 it "Pilotage on Demand," at Thunder Bay, and the Americans
3 took care of, you know, the rest of the district.

4 And it used to bother me that they would refer to it in
5 Montreal as "The American District." And the only time they
6 would refer to it as "The American District" is when -- when
7 they wanted to talk to me about the thousands and thousands
8 of hours of delay that were being incurred in District 3.

9 Some history that, you know, maybe not everyone is
10 privy to. But there was a thought that if the -- the four
11 pilotage authorities in Canada were combined into one, that
12 maybe Robert Lemire would be the CEO of those. There wasn't
13 a strong play or a lot of support to combine all four, but
14 there was some support to maybe combine the Laurentian and
15 the GLPA.

16 And then, you know, Robert came to me and he's like,
17 "Would it be okay if we started servicing, you know, other
18 portions of the lake -- of the lakes?"

19 And I was like, "Sure. I mean, I -- I have no
20 financial interest in this. If you want the pilots to get
21 trained and..." He started training them. I -- it was with
22 Bob Krause primarily and -- and John Swartout, when they
23 were presidents of Western Great Lakes Pilots. Then they
24 expanded that a little bit. And that's about the same time
25 that we were asked if they could do their own dispatching in

1 District 2.

2 And I -- you know, I -- I'm just supposed to worry
3 about, you know, how everyone follows the law, you know, the
4 American laws and the American regulations. And the
5 Canadian Pilotage Authority wants to do more things, you
6 know, that they're supposed to be doing anyway. I didn't
7 feel I had grounds to -- to oppose it.

8 But, you know, now we seem to have a system to where
9 people are asking me to order pilots on a ship so a guy
10 doesn't have to go to work on Saturday or because someone,
11 you know, wants to spend Thanksgiving and Christmas and
12 New Year's at home. And I would be opposed to that kind of
13 system.

14 But if we need to -- and I think this is to
15 John Crowley's point and to Raphael. If we need to look
16 at -- you know, pilotage is a finite resource. Here's where
17 we need to assign the resources in order to maximize, you
18 know, our ability to continue to move traffic. And then
19 after that, if we also need to start looking at, "Well,
20 maybe some of these percentages need to change." You know,
21 if...

22 I remember in 2014, when we could not, I mean, for the
23 life of us, recruit or retain pilots, you know, if
24 Robert Lemire had come to me and said, "Hey, we want more of
25 the percentage," I would have happily given it to him.

1 Thankfully, you know, through a lot of hard work of the
2 people in this room, we fixed that recruitment and retention
3 issue.

4 For, you know, conditions beyond the control of the
5 GLPA, they're having challenges with recruitment and
6 retention. And I just don't know, you know, how long we
7 should allow this to fester.

8 Because I think Paul LaMarre said it best, if -- if the
9 Great Lakes has a reputation, or develops a reputation that
10 foreign commerce is going to get delayed because we can't
11 provide pilots and we can't provide pilotage service, the
12 ships will find -- well, I shouldn't say the ships. The
13 cargoes will find different ways to leave the system. And
14 what I've observed in my time is that the ships follow the
15 cargo.

16 And I think, you know, you've seen since the ports have
17 invested in certain things, other cargoes are available, and
18 then, you know, here comes the ships to the cargoes.

19 And, you know, really, it's not a crisis, but I'm not
20 sure that we want to let it get to the point to where it is
21 a crisis that -- you know, the Great Lakes isn't perfect,
22 the Great Lakes Pilotage isn't perfect, but it's pretty darn
23 good and we've got a solid reputation.

24 And I -- I'm just worried that if this is continued to
25 allow to, like, bubble and bubble and bubble, the end result

1 is going to be is that those cargoes are going to leave, and
2 people are going to say, you know, moving their stuff in and
3 out of the Great Lakes, just -- you know, it's just not
4 worth the hassle.

5 MEMBER PAUL LAMARRE: What is the avenue for bringing
6 this to a head?

7 MR. TODD HAVILAND: I've requested a number of meetings
8 with my Canadian counterparts. You know, Kevin can attest
9 to the number of times we've asked transport candidates to
10 sit down. I -- and I'm not trying to be, you know, snarkier
11 than I usually am. But I don't care if I've got to sit down
12 with the janitor to talk about this stuff. I really don't
13 care who signs it. I just -- we've got a problem. Everyone
14 realizes it's a problem. And I think there are a lot of
15 very simple, straightforward solutions.

16 Even if they're an interim solution, you know, we do
17 this until, you know, some things can go back on, you
18 know -- back online or -- but, you know...

19 MEMBER PAUL LAMARRE: So -- Paul LaMarre. If we were
20 to engage, say, Senator Peters, who is the Chairman of the
21 Senate Homeland Security Committee, to approach a Canadian
22 counterpart to get Transport Canada to the table with the
23 appropriate personnel, would that be helpful?

24 MR. TODD HAVILAND: I believe it would be helpful.

25 MEMBER PAUL LAMARRE: All right. Then let's talk

1 outside of this and get that tuned up.

2 CHAIR DAN GALLAGHER: Okay. Any more questions from
3 the public?

4 (No response.)

5 CHAIR DAN GALLAGHER: Anything from the Committee?
6 Well, hang on a minute. Christian.

7 MR. CHRISTIAN OULETTE: Christian Ouellet, GLPA. I was
8 not supposed to come to the mic to do any comment, but I
9 take good note of what has been said today, reported to the
10 interim here. As you know, we are in a transition period
11 for the -- for this position of the GLPA. And in a way,
12 it's going to be brought to him this week. Thank you.

13 CHAIR DAN GALLAGHER: Thank you. Anything else from
14 the Committee?

15 (No response.)

16 CHAIR DAN GALLAGHER: Okay. We'll move on to the next
17 topic. Our next topic is the Winter Navigation. For the
18 past few years, the Motor Vessel Everbright and the Canadian
19 domestic fleet have routinely employed U.S. registered
20 pilots in Lake Erie, Lake Huron, and Lake Michigan. Motor
21 Vessel Everbright delivers asphalt and home heating oil to
22 remote ports throughout the winter.

23 The Canadian Domestic Fleet continues to trade between
24 Canada and American ports on those same lakes throughout the
25 winter months when the locks are closed for maintenance.

1 Captain Edyvean and I will lead the discussion
2 regarding winter navigation.

3 Chris.

4 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
5 Lakes Pilots. Last winter we had the Algonova was running
6 steady into our district. We didn't have any problems. The
7 ice was mild, so we didn't have to request any double
8 pilotage or anything like that. I mean, that could
9 obviously change if we have an intense winter. I don't
10 really know what the forecast or the appetite is this year
11 for a winter navigation. But, I mean, other than that, I --
12 everything was fine.

13 CHAIR DAN GALLAGHER: Thank you.

14 The Everbright, which we -- there's about five, six
15 docks in our district that it goes to all the time. We --
16 I -- to the last rate last year, I sent in a comment that we
17 would like to see the -- the revenue and expenses taken out
18 of the equation for income and everything because it's a --
19 it's work that we have.

20 We don't want to add additional pilots because it would
21 give you a -- it will give you more of a -- the workload and
22 everything. We don't want to add additional pilots just for
23 that revenue, because they could disappear tomorrow.

24 Last year, we had less trips last year than we had the
25 previous couple years. It seems like they sat a little bit

1 from time to time, but still a substantial amount of
2 assignments.

3 And I think if you, like -- like Raphael had said that,
4 you know, really the -- the domestic -- not the domestic
5 fleet, but they -- they would rather not pay for something
6 that only a couple of them are using in the wintertime.

7 Somebody said, "Charge them a premium." Well, I don't
8 know how you do that. I don't know if it would be fair.
9 And then the first ship come in, do we charge them a
10 premium?

11 The system we have is not bad. But I think if you just
12 pull out the revenue and the expenses and then the -- the
13 year-round cust -- I mean, regular customers throughout the
14 year wouldn't be subsidizing the winter people.

15 MEMBER JOHN CROWLEY: John Crowley. I think that would
16 address my members' concerns with that -- that kind of
17 understanding.

18 CHAIR DAN GALLAGHER: Mr. Yawkey.

19 MR. BILL YAWKEY: Bill Yawkey with the Longshoremen.

20 One thing is for sure to talk about taking off, the
21 buoys are up. You should have two pilots on a ship
22 navigating the Great Lakes with all navigation closed and
23 the buoys are up. That's my only thing that I heard that I
24 would change here.

25 CHAIR DAN GALLAGHER: We -- we do have two pilots in

1 the winter.

2 MR. BILL YAWKEY: Oh.

3 CHAIR DAN GALLAGHER: So we -- what we usually do is --
4 because it's going from Sarnia to Detroit, and then right
5 back to Sarnia, you know, we -- you know, there's four docks
6 in Detroit that they go to, and then Monroe, Michigan, also
7 We usually have one American and one Canadian on, so we
8 split the work up that way. Because it -- that way, we're
9 not putting two guys on and two guys -- you know, when we're
10 going into Canada and the U.S., so...

11 MR. BILL YAWKEY: Right.

12 CHAIR DAN GALLAGHER: I think it's a pretty simple
13 thing.

14 I don't know, Todd, if we need a recommendation
15 or -- okay.

16 MR. TODD HAVILAND: Good afternoon, Todd Haviland,
17 U.S. Coast Guard.

18 Part of this was just to let people know that you're
19 still getting employed in the winter, even though the system
20 is supposed to be closed. This last winter was a lighter
21 winter with -- you know, there have been winters where
22 you've had just as much work in the wintertime as you did
23 throughout the shipping season and that's primarily from the
24 Canadian domestic fleet. And I don't know if you want to
25 explain any of that or...

1 CHAIR DAN GALLAGHER: Yes. We -- and actually, the --
2 Canadian pilots, they -- in District 2, you know, when
3 they're running over to Nanticoke, they said last year it
4 wasn't that bad. But previous couple years, I mean, it
5 was -- they were full-time. I mean, there was a number of
6 ships, so it can get busy. It depends, you know, who's --
7 who's running and who has a license and whether they're
8 taking pilots or not.

9 But, you know, the Canadian pilots can say it better
10 than me. But I know they -- they were stretched even just
11 trying to get people to do the assignments and -- so...

12 But I think if we eliminated the revenue and expenses
13 out of that, it would save everyone. It wouldn't -- you
14 know, we wouldn't -- it wouldn't be a calculation of pilot
15 numbers. Because, you know, we've got enough pilots to do
16 it in the wintertime. There's -- you know, we just take a
17 rotation, so that's not as bad as a whole year, so...

18 Okay. Any other questions on that?

19 (No response.)

20 CHAIR DAN GALLAGHER: All right. We'll move to the
21 next topic. Oh, sorry.

22 MR. RAPHAEL GAGNON: Raphael Gagnon, FedNav.

23 Just for the record, we're in favor of the user payer.
24 Thank you.

25 CHAIR DAN GALLAGHER: Okay. So we want to give us a

1 bonus for doing that in the winter; is that it?

2 MEMBER JOHN BAKER: A second. You can pay us.

3 MR. TODD HAVILAND: You get to come to this meeting,
4 don't you?

5 MEMBER JOHN BAKER: Yes.

6 CHAIR DAN GALLAGHER: Okay. The next topic is Daylight
7 Navigation Only and Double Pilotage. During the opening and
8 closing of the shipping season, the Director imposes
9 daylight navigation only on the St. Marys River and double
10 pilots in various designated waters.

11 Additionally, there are a handful of ports that are
12 restricted to daylight-only navigation throughout the
13 shipping season.

14 I will recognize Mr. Todd Haviland at this time.

15 MR. TODD HAVILAND: Good afternoon, Todd Haviland.

16 The reason that I brought this topic up is twofold.
17 Number one, I just want everyone to understand that I'm the
18 person that makes this decision through the regs. It's not
19 some collective agreement. It's not a union contract. It's
20 not the pilots, you know, making this decision. If the
21 pilots put two pilots on a ship without my permission, they
22 can only charge for one.

23 But I think there's some confusion that, you know,
24 somehow they're making this decision, and I just want
25 everyone to know that I'm the person that makes this

1 decision on a case-by-case basis. And, you know, at the
2 closing of the shipping season, when the ice is starting to
3 form and the buoys are getting removed and the weather is
4 getting bad, I don't really see that the conditions are
5 going to get better, and that's why, "I'll say from now
6 until the end of the season..." and then we'll look at, you
7 know, what's going on at the opening of the season to see,
8 you know, what kind of double pilotage we do.

9 But, you know, I always get this question, you know,
10 "Why is the St. Marys River closed at nighttime?" Well --
11 and I'll let Captain Edyvean talk about it.

12 But around Neebish Bay, you've got a six- to
13 nine-minute transit where the channel is only 90 meter wide.
14 And if it's dark and the ship doesn't have good spotlights,
15 I've asked. Twenty pilots won't go onboard that ship and
16 move it, so it's just best to do it, you know, in the day
17 while it's safe.

18 And, you know, the other thing I'd like to remind
19 people is not that this makes it right, but it -- we've been
20 doing this the same way for decades. So I -- I'm always
21 surprised when someone comes to me like this is the first
22 time they've heard of, like, daytime navigation or double
23 pilotage.

24 Throughout the shipping season, there are just a
25 handful of ports. And I asked the Port Director from

1 Green Bay if he would come, but he's a little frustrated
2 because his is one of the ports that is daytime-only.

3 CHAIR DAN GALLAGHER: Uh-huh.

4 MR. TODD HAVILAND: And -- and it's because it's so
5 dark at the -- the entry. And, you know, I don't make my
6 decisions based on best-case scenario. Because if it's the
7 best-case scenario, I know that ship is going to get in and
8 out and it's going to be fine. But if it's super dark and
9 there's a glitch and now all of the sudden the ships are on
10 the ground and we've closed the channel, was it really worth
11 those few hours of not waiting for it to come in?

12 And, you know, the pilots, you know, especially in
13 District 3, or when they're leaving Danny's district, you
14 know, let them know so they adjust their speed so when they
15 show up, you know, they'll -- they'll show up at -- in the
16 morning instead of at night and, you know, go a little
17 slower.

18 And then, you know, there are a handful of ports where
19 we'll put two pilots on board. But most of the time -- you
20 know, this will make Paul happy -- you know, the pilots are
21 working with the local tug operator to do that. And, you
22 know, a lot of these ports don't get a lot of traffic in and
23 out of them. But, you know, based on their configuration
24 and the environmentals, that's why the decisions are made.
25 It's -- it's made for safety. So we're not trying to

1 penalize -- you know, I'm not trying to penalize anyone.

2 And, you know, before the Port Director speaks, I would
3 like to ask the three pilot presidents just to go through --
4 I think there's one or two ports in each one of their
5 districts where we have some, you know, restrictions like
6 this. And I think it's best for them to tell it. And then
7 if there are questions, you know, we can answer more
8 specifics as to why.

9 CHAIR DAN GALLAGHER: John.

10 VICE-CHAIR JOHN BOYCE: This is John Boyce with
11 District 1. Yeah, in our district, the -- the one daylight
12 port is Oshawa. And the port has made some strides in -- in
13 the last few years to improve. But it -- one, it's dark.
14 Two, they've had a dredging issue there for a number of
15 years. And part of it is bedrock that they're blasting out.
16 They've done some dredging. It shoaled back in, dredging
17 and shoaling back in. And it just hasn't become, we'll say,
18 stable enough.

19 They have started adding lights to it, opening things
20 up, so it's getting better. And I wouldn't be surprised if
21 in the not-too-distant future, it's no longer a daylight
22 port.

23 But for now, there's just a number of impediments
24 that -- that don't make it worth trying to go in at night.

25 You know, another issue there is -- is tug availability

1 is -- is fairly poor. So you don't have tugs that can
2 really wrestle the ship in. You're -- you're victim to
3 shallow water pushing you around and it's -- it's easier to
4 go in during the day.

5 CHAIR DAN GALLAGHER: Dan Gallagher, District 2.

6 We have several ports daylight-only. Toledo is one of
7 them up to the elevators. If we have a smaller ship that's
8 going up there, smaller beam, we'll -- and it's a nice and
9 clear night, we will take them up there. We -- we will go
10 into Toledo, you know, up into the -- before the first
11 railroad bridge. But anything up to the elevator, we
12 restrict to daylight-only. It's just too dark up there
13 trying to see what the -- and the background lighting, it --
14 it's just terrible.

15 And then we got the Rouge River is another one we
16 restrict to daylight. If we have some of the small tug,
17 we -- you know, we've gone in there before. You know, and
18 then got a couple that we don't really go in too much.
19 Moraine, Ohio, we restrict that to daylight. The
20 Trenton Channel, we restrict that to daylight. But, again,
21 we haven't had ships in there in probably five, six years,
22 so it's not a -- it's not a big issue, so...

23 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
24 Lakes Pilots. We have a number of daylight-only ports, but
25 most of them are obscure ports that might only be applicable

1 to the occasional cruise ship or a very rare load, so I'll
2 address the two major ports, St. Marys River and Green Bay.

3 St. Marys River, when they pull the buoys out in -- in
4 the early winter, it becomes a -- a very difficult transit.
5 And to complicate that even further, once the ice starts
6 forming, we have even more problems because the ice will
7 push the winter marks off station. You'll have shifting
8 ice -- ice sheets during the middle of the night.

9 And probably most important thing to remember is the
10 icebreakers typically don't work at night. So, you know,
11 the Coast Guard icebreakers are a -- that's a daytime
12 operation. And if we were to engage in a nighttime transit
13 in -- in ice and something happened, we wouldn't have any
14 help, so that -- that's the St. Marys River.

15 As far as Green Bay, Green Bay is -- is one of our most
16 challenging ports. And, you know, speaking as a pilot for
17 nine years and -- and I've been on -- I've been going to
18 Green Bay for 32 years, all the way back since I was a
19 deckhand and I -- I've seen some things happen there to
20 different people throughout the years. And it's a very
21 challenging port for a lot of reasons.

22 And the current can spike without much notice. The
23 water levels can fluctuate. You have air draft
24 considerations.

25 The same thing in the wintertime with the ice. If

1 Green Bay ices up and -- and you need icebreaker assist,
2 you're not going to get that in the middle of the night.

3 But -- but the main thing about the Green Bay and the
4 daylight-only is -- is it's dark. And from -- you know, the
5 beginning of the channel isn't so bad. But once you get
6 down in there around Grassy Island, it gets --

7 CHAIR DAN GALLAGHER: Grassy Island.

8 MEMBER CHRIS EDYVEAN: -- it gets very dark and -- and
9 the channel is hard to see and -- and there's not enough
10 lighted buoys and -- and it's -- it's not -- not a good
11 situation. And especially if you are going on continuing
12 through the -- the bridges.

13 One thing that -- that many that aren't mariners don't
14 realize is there's a huge difference between piloting a
15 saltwater ship and being an officer or a captain on a laker.
16 And -- and one of the things is the equipment. A laker has
17 spotlights. The captain can just reach up and -- and shine
18 the spotlight as he's going through the bridges or going
19 through a dark corner in a -- in a channel.

20 And saltwater ships are typically not equipped with --
21 with that kind of gear, nor are they used to using it if
22 they -- if they did.

23 Another part is the crew. If you're on a laker and
24 you're working with the same crew day in and day out, and
25 they're calling distances, going through a bridge or -- or

1 even lining up a channel, you can trust them. You don't
2 have that trust on a foreign ship. You don't have the
3 proper communications with a foreign crew. You don't
4 intimately know the equipment like you would if it was your
5 own vessel that you were a captain on and you were operating
6 it day in, day out, week out, and week out.

7 So the challenge is they pile up on you in a hurry.
8 And in a challenging port like Green Bay, that's why it's a
9 daylight-only port. That's all.

10 CHAIR DAN GALLAGHER: Thank you, Chris.

11 Any comments from the public?

12 MEMBER PAUL LAMARRE: I do.

13 CHAIR DAN GALLAGHER: Oh, sorry.

14 MEMBER PAUL LAMARRE: No problem. Paul LaMarre.

15 Monroe, of course, is daylight-only navigation. And I
16 can tell you as a port operator, that's something we're
17 actually thankful for. In all honesty, not only is it for
18 the safety of the vessel and the waterway, it's for the
19 safety of our crews working on the dock with, as you said,
20 crews that aren't familiar with your port. It's one thing
21 with the domestic vessels that we handle and it's the same
22 operation day in and day out.

23 But you have a lot of variables with current, ice,
24 wind, darkness, et cetera, that you're really -- to a
25 certain extent, there's more opportunity for somebody

1 getting hurt.

2 The complexity of usually having a tug on a tow line
3 with a salty, et cetera, so it's something that I would
4 actually, for the foreign vessels, be opposed to changing.
5 And -- and we appreciate that -- that Todd maintains that.

6 CHAIR DAN GALLAGHER: Thank you.

7 Anyone else in the Committee?

8 John.

9 MEMBER JOHN CROWLEY: I just feel compelled to say
10 something. John Crowley. I guess my only quick comment
11 is -- and I -- I was kind of brought up kind of straight
12 today and my thinking -- some of my thinking, because
13 listening around the room, I'm not sure who Todd would be
14 talking about that doesn't understand the circumstances of
15 winter and nighttime and -- and so on and so forth, except
16 I'm probably one of those guys and who -- who -- you know,
17 we sailed in the winter. We sailed at night. But the
18 Coast Guard did, too.

19 And -- and as one of my former brothers reminded me
20 today, they don't do that anymore. And they didn't do that
21 when I was running the district. So I go, "Okay, good
22 point, point one."

23 I said, "But you talk about the buoys." And the --
24 everything I always heard, as a buoy tender sailor, was,
25 "The buoys are never on station anyway. We can never count

1 on them."

2 And -- and I go, "Okay. You know, this is just a
3 lose-lose kind of conversation."

4 And so I guess I'm saying, I've probably been one of
5 those guys, and some of my guys that have been around long
6 enough to remember nighttime and winter and -- and there are
7 a couple that have been around since before I -- I sailed,
8 all have the same stories.

9 And so I -- I think that for my purpose, part of what
10 I'm going to come around to is that the wrong line is, "It's
11 always been that way." A better line is, "Here are the real
12 factors that have been pretty well accounted for here
13 today."

14 If you can adjust them, if you can deal with them, then
15 maybe we got a different issue. But these are the factors
16 and -- and it's a -- it's a world that has changed in terms
17 of attention to safety, attention to professionalism in a
18 good and beneficial way. And I just encourage us to
19 recognize that it -- no, it hasn't always been done this
20 way, but it's a good way to do it.

21 And so that's a little bit of a confession and a little
22 bit of preaching, I guess. Thank you.

23 CHAIR DAN GALLAGHER: Anyone else on the Committee?

24 (No response.)

25 CHAIR DAN GALLAGHER: Public?

1 MR. DEAN HAEN: Good afternoon, Dean Haen,
2 Port Director at Green Bay. So I just wanted to, one, thank
3 you. Coming here, I'm learning a lot that I -- I didn't
4 know, so it's nice to be here.

5 But I did want to go on the record and just talk about,
6 you know, Green Bay. We're trying to grow our international
7 business. We've got cruise ships that we're working on.
8 And with regard to daylight restrictions, I understand
9 that -- that Green Bay is challenging.

10 But my interest is, "How do we reduce those barriers?
11 How do we -- how do we move forward? Why does the
12 Coast Guard not have our buoys lit?" You know, if that --
13 if that's a help.

14 And then really what it gets down to with -- with these
15 barriers is, you know, defining routine, I think. If we
16 could define routine, maybe we could shave off some of these
17 vessels from being daylight-restricted. Not just having a
18 blanket daylight restriction, but how could we remove some
19 from -- from that listing?

20 And that could be, for instance, familiarity with the
21 vessels. So you -- you have the same crew. You know the
22 equipment. I'm talking to the pilots, knowing the equipment
23 and the same crew.

24 Like we've had the AlgoCanada and the Algonova coming
25 in 15 times for one vessel, 12 for the other in the last two

1 years. That's good frequency. That's -- that's routine.
2 But maybe it needs -- as I was talking to Captain Chris,
3 maybe it needs better lighting, but...

4 You know, so how do we tackle these things so we can
5 maybe get some of these vessels to be considered routine
6 where they don't need the daylight restrictions?

7 So that -- that's what I'm interested in. And I -- I
8 want to work with the Coast Guard. I want to have some
9 meetings and just see if we can -- is there a method to --
10 to defining "routine" and maybe those vessels are allowed to
11 be piloted in.

12 Any questions or comments? Chris or anyone?

13 MEMBER CHRIS EDYVEAN: Chris Edyvean, Western Great
14 Lakes Pilots.

15 Absolutely, Dean, we'd -- we'd be willing to sit down
16 and talk about those Canadian tankers. Keeping in mind,
17 though, just because a tanker was there 15 times, it could
18 have had 15 different pilots, so the individual familiar --
19 familiarity with the ship might not be there. But, you
20 know, they are -- they have a Canadian crew and they had
21 proper lighting and we could be on there to verify that --
22 I'm just giving a hypothetical situation.

23 If we could verify that they have proper lighting, we
24 would definitely -- we could definitely entertain this, you
25 know, discussion about that -- that type of ship.

1 MR. DEAN HAEN: Yeah. And that's -- that's what I'm
2 looking for is just, "How can we move forward to try to
3 reduce some of these costs and -- and barriers to the -- the
4 system in Green Bay as we try to grow the port?" Thank you.

5 MR. TODD HAVILAND: Todd Haviland, U.S. Coast Guard.
6 Good afternoon, Paul.

7 I just want to let everyone know that when I issue
8 these orders, you know, sometimes I'll hear from the pilot
9 president, you know, in a timely manner, "It was a clear
10 night, full moon, the bow thruster was working, the ship had
11 its spotlights working and, you know, we went in at night,"
12 and that's fine.

13 I -- I sometimes think that, you know, I -- I like what
14 Chris said. You know, I view everything through the lens of
15 safety. These guys are master mariners, but I don't want
16 them to act like Evil Knievel on the Great Lakes. And
17 really, if they don't think something is safe to do, I don't
18 want them to do it.

19 But when, you know, they look at a situation and the
20 conditions are right, you know, they'll go in at night.
21 It's -- it's a lot easier, I think, to let people know --
22 you know, most of the time, the nighttime is going to
23 restrict your ability to enter this port and -- than to try
24 to give them some false hope that they're going to be able
25 to enter a port at night when it's really not that safe.

1 CHAIR DAN GALLAGHER: Anyone else from the Committee?
2 No?

3 VICE-CHAIR JOHN BOYCE: Just to -- just to add on to
4 what Todd said. I know in -- in Oshawa, at times we've had
5 small ships or, you know, with a couple of -- one particular
6 company has a bunch of ice lights and they can light up
7 everything around them like it's daylight. Yeah, you go in
8 with that.

9 Occasionally, it's, you know, full moon, clear as a
10 bell out, but you wait till morning and it's going to be
11 blowing 40 knots. Oh, it makes more sense to go in at
12 night.

13 You know, maybe on Lake Ontario, you get one or two of
14 the real good tugs that are going to be available then
15 and -- and, you know, it's a clear night, it makes sense.

16 But to also dovetail in, the -- the expectation or the
17 by far normal circumstances, you -- all the things aren't
18 going to line up for you and it's going to end up being
19 nighttime. So it's almost, I think, better to plan on it
20 being nighttime and if -- if the situation presents itself,
21 then you -- then you go at night anyways.

22 But to your point, too, I know we've talked with --
23 with Oshawa a number of times and what they can work on
24 and -- and start mitigating the challenges. And I don't
25 think there would be any problem with that, you know, up --

1 up there either.

2 DFO KEVIN KIEFER: John Boyce.

3 CHAIR DAN GALLAGHER: John Boyce.

4 VICE-CHAIR JOHN BOYCE: Oh, yeah, John Boyce, that's
5 me.

6 (Laughter.)

7 CHAIR DAN GALLAGHER: Okay. Any more comments?

8 (No response.)

9 CHAIR DAN GALLAGHER: Any from the public?

10 (No response.)

11 CHAIR DAN GALLAGHER: Okay. We'll move on to the next
12 topic.

13 Okay. Our next topic is Pilots Providing ETA to Change
14 Points. Mr. Chad Allen from the Shipping Federation of
15 Canada will present on this topic.

16 Chad.

17 UNIDENTIFIED MALE SPEAKER: He left.

18 CHAIR DAN GALLAGHER: Chad left?

19 UNIDENTIFIED MALE SPEAKER: He's in the hallway on
20 another call.

21 CHAIR DAN GALLAGHER: Oh, all right.

22 MR. TODD HAVILAND: Okay. I'll try to fill in a little
23 bit.

24 Good afternoon, Todd Haviland, U.S. Coast Guard.

25 I asked Chad to discuss this. On a call recently, I

1 was at a meeting with the Shipping Federation over in
2 Montreal. And one of the members was stating that he was
3 frustrated that the pilots are not providing ETA to the
4 change points. That's the estimated time of arrival.

5 I wasn't really sure what his expectation was because I
6 know you guys communicate amongst each other, and that's why
7 I was hoping, you know, Chad would kind of fill in exactly,
8 you know, what was going on.

9 But I'm sure if I've heard about it, the pilot
10 presidents have heard about it. Do you have an idea of what
11 this discussion point is while I go look for Chad?

12 DFO KEVIN KIEFER: So for the interest of the public,
13 can you explain change points, Todd?

14 MR. TODD HAVILAND: Sure.

15 DFO KEVIN KIEFER: Yeah, just a little more general.
16 Thank you.

17 MR. TODD HAVILAND: So the U.S. regulations have points
18 in the regulations where pilots are required to change. And
19 on a lot of these -- and they tend to be where designated
20 waters meet undesignated waters. So we've got a change
21 point at Snell Lock, a change point at Iroquois Lock, a
22 change point at Cape Vincent, going through the
23 Welland Canal. Then we'll have another change point at
24 Detroit, Port Huron, Detour, and then it used to be
25 Whitefish Bay or Gros Cap, now it's Buoy 33. So those are

1 the required change points where a pilot is required to
2 change and put a new pilot on.

3 And, typically, as I understand it, when one pilot gets
4 off, the expectation of the shippers is to have another
5 pilot available so that it could be an uninterrupted
6 transit.

7 Let me step out and I'll see if Chad can come in.

8 CHAIR DAN GALLAGHER: Okay. Anything that the
9 Committee would like to add to it? Any questions/comments?

10 MEMBER JOHN CROWLEY: I'll just add that I had heard
11 that that had been an issue, but I can't understand -- I
12 can't add to the flavor of why or what the issue exactly
13 was. So, I mean...

14 CHAIR DAN GALLAGHER: The CFRs state that it's the
15 ship's responsibility to give a proper notification.

16 VICE-CHAIR JOHN BOYCE: Right.

17 CHAIR DAN GALLAGHER: It's first-come, first-served
18 based on that proper notification. In our case, it -- you
19 know, it's 12 hour's notice with a four-hour confirmation.

20 What we used to do, that's when we had the dispatch, we
21 would -- we would pretty much handle it. Now that we don't
22 have dispatch, we don't have control of it. And what we
23 don't want is we don't want to be accused of -- number one,
24 I can't order for my -- you know, Canadians in the
25 Welland Canal, the Canadians have to order for us. So it --

1 you know, they're not even aboard it. So it's got to be
2 prior to getting into the canal.

3 The problem is if we start ordering, and we order for
4 noon, and it happens to be 1300 for some reason, you know,
5 we just don't want to be accused of trying to delay
6 something to make money.

7 VICE-CHAIR JOHN BOYCE: Right.

8 CHAIR DAN GALLAGHER: It will be billed by the hour.
9 We always give advice to the captains, you know, everybody
10 does. But, again, we've had a couple incidents I think
11 where one of them is coming up this year is, it's in the
12 Welland Canal. They came in. They had -- they were
13 overdraft -- okay. I'll let --

14 Yeah. Go ahead, Chad.

15 MR. CHAD ALLEN: Sure. Hi. Good afternoon.
16 Chad Allen, Shipping Federation of Canada.

17 So, thank you, Mr. Chair, for allowing me to present
18 this issue for discussion. I think Todd maybe already kind
19 of outlined it.

20 But our members, the international ship owners,
21 operators, and marine agents have raised this issue as an
22 irritant probably for -- for a few years, so -- and that is
23 it's the ship's responsibility to provide the appropriate
24 notice for the upcoming change point while a pilot is
25 already onboard. Which means that the foreign vessel

1 master, or the vessel's agent, has to place the order for
2 the next pilot. We believe this comes from the literal --
3 literal interpretation of Regulation 401.320, which says (As
4 read): "Pilotage services will be provided on a first-come,
5 first-served basis to vessels giving proper notice."

6 We ask the Committee to discuss making a recommendation
7 to clearly bring this function back to the pilot who has the
8 conduct of the vessel. When a pilot boards a vessel and
9 assumes the conduct, part of that role is the bridge
10 communication.

11 And, basically, a pilot is hired for two things, expert
12 ship handling and local knowledge. And reporting ETAs to
13 change points is part of this local knowledge that our
14 members are paying for.

15 Now, the pilot is aware of the current traffic and
16 environmental scenarios. They know the ETA, and more
17 importantly, they know when and who to place the order to,
18 to ensure that the next pilot is dispatched in a timely
19 manner and, thus, is best suited to handle these
20 communications.

21 The global standard is that pilots do handle these
22 communications. The master already has enough work to do
23 and is not expecting to undertake these communications once
24 the pilot is onboard. This is not in every district. So
25 consistency from a foreign master transiting the lakes is

1 important from our perspective.

2 So thank you for the opportunity and we would ask the
3 Committee to discuss making it the role of the pilot to
4 handle -- handle the communications for upcoming pilot
5 change points. Thank you.

6 CHAIR DAN GALLAGHER: Thank you.

7 Any other comments from the public before we go back to
8 the committee?

9 (No response.)

10 CHAIR DAN GALLAGHER: Any comments from the Committee?
11 Nothing?

12 (No response.)

13 CHAIR DAN GALLAGHER: Okay. We'll move on to the next
14 topic. Our next topic is Public Comments. At this time,
15 I'll open the floor for public comments. Please state your
16 name and affiliation clearly as this is all part of the
17 public record. Commenters will have up to five minutes to
18 present their material to the Committee.

19 If you have any -- anybody from the public that would
20 like to present anything? Okay. Nothing?

21 (No response.)

22 CHAIR DAN GALLAGHER: Okay. Anything from the
23 Committee?

24 (No response.)

25 CHAIR DAN GALLAGHER: All right. Mr. Kiefer.

1 Oh, Paul. Excuse me.

2 MEMBER PAUL LAMARRE: I just -- I just wanted to let
3 everybody know that myself and Mr. Rohn brought a copy of
4 Know Your Ships for everybody here. So it's a very popular
5 publication, of course, at the Soo. I've got a whole case
6 of them up here. So anybody who wants one, please grab one
7 on the way out.

8 CHAIR DAN GALLAGHER: All right. Mr. Kiefer.

9 DFO KEVIN KIEFER: Great. Thank you,
10 Captain Gallagher.

11 Thank you all for attending the Great Lakes Pilotage
12 Advisory Committee meeting today. And thanks to
13 Captain Chris Edyvean and -- of the Western Great Lakes
14 Pilots Association and Lake Superior State University for
15 hosting us.

16 Thanks, also, to all the GLPAC members for their
17 continued dedication. And thanks to the Coast Guard staff
18 for your support.

19 As stated in my opening remarks, the public meeting is
20 being recorded for permanent record. In addition, official
21 minutes will be prepared and will appear on the CG-WWM-2's
22 website within 90 days of this meeting.

23 Thank you all and safe travels. This meeting is
24 adjourned.

25

CERTIFICATION

I, Jennifer Payne Kaelin, a Certified Shorthand Reporter within and for the State of Oklahoma, do hereby certify that I was present at the GLPAC Meeting had September 7, 2023; that I recorded in stenotype notes all of said meeting; and that I thereafter transcribed my notes so taken and reduced same to typewritten form; and that foregoing transcript of proceedings is full, true, correct and complete, to the best of my skill and ability.

I further certify that I am not an attorney for nor relative of any of said parties or otherwise interested in the outcome or event of said action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 6th day of October, 2023.

Jennifer Payne Kaelin, CSR#1748
Official Court Reporter

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