



# AGENCY MEETING: MARCH 4

\*\*\*ALL TIMES LISTED ARE CENTRAL STANDARD (CST) TIME\*\*\*

1:00 p.m. –  
1:05 p.m.

## **Introductions and Welcome**

*Ms. Lynn Muench, The American Waterways Operators*

1:05 p.m. –  
1:10 p.m.

## **Regional Chair Remarks**

*Mr. Adam Binsfeld, Brennan Marine, Inc.*

1:10 p.m. –  
1:35 p.m.

## **Rear Admiral John Nadeau**

Remarks by RADM John Nadeau, Commander, Eighth Coast Guard District, followed by Q&A.

1:35 p.m. –  
2:00 p.m.

## **Subchapter M Discussion**

*CAPT Tracy Phillips, Chief of Prevention, Eighth Coast Guard District*

*Mr. Z. David DeLoach, DeLoach Marine Services*

*Mr. Patrick Smith, American Commercial Barge Line LLC*

*Ms. Caitlyn Stewart, The American Waterways Operators*

*Moderator: Mr. Mark Wright, The American Waterways Operators*

A discussion on Subchapter M implementation, challenges, and perspectives.

2:00 p.m. –  
2:25 p.m.

## **State of the Industry Panel**

*Mr. James Fowler, Cooper/T. Smith Corporation*

*Mr. Bill Hanson, Great Lakes Dredge & Dock Company*

*Mr. Damon Judd, Marquette Transportation Company, Inc.*

*Mr. Clark Todd, Blessey Marine Services, Inc.*

*Moderator: Ms. Lynn Muench, The American Waterway Operators*

A panel featuring industry leaders discussing challenges and opportunities facing the towing industry in 2021 and beyond.

2:25 p.m. –  
3:00 p.m.

## **Coast Guard Sector Commander Panel**

*CAPT Donald Montoro, Commander, Sector Lake Michigan*

*CAPT Amy Beach, Commander, Sector Ohio Valley*

*CAPT Richard M. Scott, Commander, Sector Upper Mississippi River*

*CAPT Will Watson, Commander, Sector New Orleans*

*CAPT Ladonn Allen, Commander, Sector Mobile*

*CAPT Jason Smith, Commander, Sector Houston-Galveston*

*Moderator: Justin Lampert, The American Waterways Operators*

A panel featuring Coast Guard Sector Commanders discussing a variety of issues and challenges impacting the the Eighth and Ninth districts.



**Rear Admiral John P. Nadeau**  
**Eighth District Commander (D8)**  
**U.S. Coast Guard**

Rear Admiral John Nadeau serves as the Commander, Eighth Coast Guard District and is responsible for Coast Guard operations spanning 26 states, including the Gulf of Mexico coastline from Florida to Mexico, the adjacent offshore waters and outer continental shelf, and the inland waterways of the Mississippi, Ohio, Missouri, Illinois and Tennessee River systems.

His previous assignment was as the Assistant Commandant for Prevention Policy, where he was responsible for oversight and program management for all Coast Guard commercial vessel inspections, marine casualty investigations, navigation services, commercial regulations and standards, recreational boating safety, port and facilities safety and security, waterways management, merchant mariner credentialing, vessel documentation, and port state control.

His first flag officer assignment was as the Assistant Commandant for Capability. In this role, he was charged with identifying and providing service-wide capabilities, and developing standards for staffing, training, equipping, sustaining, maintaining, and employing forces to meet all U.S. Coast Guard mission requirements.

Specializing in Marine Safety, Security, and Environmental Protection for the majority of his career, he served as the Commanding Officer of the Coast Guard Marine Safety Center in Washington, DC and Marine Safety Unit Wilmington, North Carolina. Other tours include Chief of Inspections at Marine Safety Office Corpus Christi, Texas; Senior Investigating Officer at Activities Baltimore, Maryland; and Chief of the Office of Design and Engineering Standards at U.S. Coast Guard Headquarters.

A native of Saco, Maine, Rear Admiral Nadeau graduated from the U.S. Coast Guard Academy with a Bachelor of Science degree in Naval Architecture & Marine Engineering and obtained advanced degrees in Mechanical Engineering and Naval Architecture & Marine Engineering from the University of Michigan. He earned a Master of Arts degree in Homeland Security and Defense from the Naval Postgraduate School, is licensed as a Professional Engineer in Virginia, and an alumnus of Harvard's National Preparedness Leadership Initiative. He and his wife, Karen, have three children – JT, Jacob, and Nicole.

His personal awards include the Legion of Merit, Meritorious Service Medal, the Coast Guard Commendation Medal, the Coast Guard Achievement Medal, the Army Achievement Medal, and the Transportation 9/11 Medal.

## **James Fowler, Cooper/T.Smith Corporation**



James C. Fowler serves as Managing Director of Marine and Stevedoring Operations for Cooper Marine & Timberlands Corporation and Executive Vice President for Blakeley BoatWorks.

Cooper Marine & Timberland's (CMT) operations are powered by 20 towing vessels, more than 400 hopper barges, and one of the country's largest fleet of dry bulk gantry and floating derrick cranes. The company's marine footprint includes the Tennessee-Tombigbee River system,

Ohio River, Gulf Intracoastal Waterway, Illinois River, Arkansas River, Cumberland River, Black Warrior River, Tennessee River, Tombigbee River, Mobile River, and Mississippi River. CMT's world-class stevedoring operations include two deep-draft bulk cargo terminals in the Port of Mobile and numerous inland marine terminals throughout the states of Alabama and Mississippi.

Situated on 26 acres in heart of the Port of Mobile and with capacity to simultaneously service up to 15 towing vessels and barges, Blakeley BoatWorks (BBW) is a full-service shipyard specializing in small vessel repair, barge repair, and new vessel construction. Equipped with a 1,900-ton floating dry dock, 660-ton travel lift, and four covered fabrication shops, BBW is the state of Alabama's premier towing vessel shipyard.

Previously, Mr. Fowler served as Vice President for Information Technology and Assistant Vice President at Cooper/T. Smith Corporation, one of America's largest privately held international maritime firms. Prior to returning to his home state of Alabama, Mr. Fowler served as Operations Manager for Crescent Towing in New Orleans, Louisiana and as a manager of stevedoring and maintenance operations at Cooper Consolidated in Darrow, Louisiana.

Mr. Fowler earned his Master of Business Administration with a specialization in finance from the A.B. Freeman School of Business at Tulane University. He obtained a Bachelor of Science degree from the Culverhouse College of Commerce and Business Administration at The University of Alabama, where he also served as the president of the Student Government Association and student representative to The University of Alabama System Board of Trustees.

Mr. Fowler is the Vice Chairman of the Mobile Airport Authority and currently serves on the boards of directors for the American Waterway Operators, Reese's Senior Bowl, Propeller Club of Mobile, and the city of Mobile Industrial Development Board. Mr. Fowler previously served as board member for the Mobile Area Chamber of Commerce and as Secretary of the Mobile Chapter of The University of Alabama National Alumni Association. He is active in the Rotary Club of Mobile, Coastal 150 (Coastal Alabama Partnership), and Order of Fuse (Fuse Project). He serves on numerous alumni advisory boards at The University of Alabama, including the Board of Visitors for the Culverhouse School of Business and Administration. He and his wife Meg reside in Mobile, Alabama and are members of Covenant Presbyterian Church.

## **Bill Hanson, Great Lakes Dredge & Dock Company**

William H. Hanson is the Senior Vice President – Government Relations & Business Development. A 40-year veteran of the dredging and maritime construction industry, Bill Hanson has been with GLDD for 29 years and a Vice President since 2004. In 2013, he opened GLDD’s first office in Washington DC. Mr. Hanson began his career with the US Army Corps of Engineers in Galveston and Los Angeles, and then worked for Connolly Pacific of Long Beach, California before joining GLDD in 1988. At GLDD, he served in management roles in the North Atlantic and Southern Divisions as well as managing Latin America for 12 years. Mr. Hanson serves on several Federal Advisory committees as well as on boards of groups with national and regional interest to GLDD, and several academic advisory boards related to ocean and coastal engineering. Mr. Hanson is a 1979 Ocean Engineering graduate of Texas A&M, where he was named a distinguished alumni in 2013.



## **Damon Judd, Marquette Transportation Company, Inc.**

Mr. Judd was named President & CEO of Marquette in June 2020. Mr. Judd had served as President of Marquette since April 2017 and prior to that served as Executive Vice President starting in October 2015. Mr. Judd also served as a member of Marquette’s Board of Directors from March 2007 through September 2013. From 2004 through 2013, Mr. Judd was a private equity professional with KRG Capital Partners where he held various titles and was promoted to Managing Director in 2012. Prior to joining KRG, Mr. Judd was an Associate at The Cypress Group and also worked as an Analyst at J.P. Morgan in its Industrials M&A Group. Mr. Judd earned his Masters of Business Administration from Harvard Business School and a Bachelor of Arts Degree with a double major in Economics and Political Science from Yale University.



## **Clark Todd, Blessey Marine Services, Inc.**



Clark Todd, the middle son in a family of three boys, was born and raised in Lufkin, Texas. While growing up, he spent much of his spare time on the athletic fields enjoying competitive sports. When he was not practicing or playing competitive sports, he was in the woods hunting and fishing in his native East Texas and on his family’s farm near Lufkin. Clark chose not to pursue a professional baseball career after being drafted out of high school by the Chicago Cubs in the 1997 Major League Baseball Amateur draft. Instead, he took his athletic and academic abilities to the University of Texas at Austin where he played baseball for the Longhorns and graduated in 2001 with a BS degree in Business Communications with an emphasis in finance. Clark feels he made the right decision to pursue his college studies which allowed him

to start his business career with Blessey Marine Services in 2001. While working with Blessey, Clark furthered his academic pursuits by earning his MBA from Southeastern Louisiana University in 2006.

Clark was named President and Chief Operating Officer of Blessey Marine Services in 2005. He is one of the youngest executives in the industry and with the support and guidance of Walter Blessey, Owner and CEO of Blessey Marine, he intends on working hard to maintain the core values that have allowed the company to become an industry leader. It is Clark's belief that Blessey Marine is not just a company that he works for, it is a family of dedicated individuals with a common goal, whose mission he will help to accomplish. He and his wife, Laura Blessey Todd, have three children, Cooper (12), Caroline (9) and Cate (7). Along with his duties as corporate president and father, Clark still makes time to coach his kids in their respective sports. He also enjoys outdoor sports, hunting, cooking and volunteering as a family within the community.

Clark currently serves as Immediate Past Chairman of the Board for Junior Achievement of New Orleans. In addition, he serves as an Executive Board member and current Treasurer of the American Waterways Operators, Board Member for National Waterways Foundation, The US Chamber of Commerce's Energy and Transportation committee, and Executive Director of the Estes Family Foundation.

# AWO ANTITRUST POLICY

## INTRODUCTION

It is the policy of AWO to comply with all applicable federal and state antitrust laws. The fundamental objective of the antitrust laws is to protect and promote free and fair competition. AWO understands and supports the public policies embodied in these laws. Through the adoption and issuance of the AWO Antitrust Policy, AWO affirms its commitment to abide by the spirit and the letter of all antitrust laws, and all members of AWO are required to do so as well in connection with their participation in AWO activities.

## ANTITRUST RESTRICTIONS

U.S. antitrust laws prohibit agreements or understandings between two or more individuals or entities to unreasonably restrain business activity, such as by regulating prices or quantities of goods or services, allocating customers or territories, or hindering or limiting a competitor or potential competitor's operations. The criminal penalties for violating the antitrust laws are severe: corporations and other organizations may be fined up to \$10,000,000 per offense, and individuals face fines of up to \$350,000 and/or up to three years in jail. In addition, private parties injured by antitrust violations may sue for treble damages.

While there are numerous kinds of behaviors which can violate the antitrust laws, the general concept is two or more competitors at least tacitly agreeing to act together in an anti-competitive manner. Particularly condemned by the antitrust laws are the following:

**Price-Fixing** - Any agreement among competitors to raise, lower or stabilize prices, charges, or fees is unlawful, even if the agreed-upon amount is reasonable, and even if the agreement is never put into effect. Details like credit terms, discounts, and warranties are elements of price. Even an invitation to enter into such an agreement is a violation.

**Allocating Customer or Dividing Territory** - Customer, territorial, or market allocation involves an agreement among competitors to divide the market in such a way as to allow each party to serve its share of the market without competition from the others. Bid rigging is a form of this prohibited behavior.

**Group Boycotts** - A collective refusal to deal with some third party, sometimes called a "group boycott," raises serious antitrust concerns. It is dangerous for one company to agree with another company that neither one will do business with a particular supplier or customer, or that they will do business only with certain suppliers or customers or only on certain terms and conditions. Invitations to engage in boycotts are equally illegal.

## AWO MEETINGS

To avoid even the appearance of questionable activity, as well as to guard against inadvertent misconduct, AWO meetings should observe the following guidelines and procedures to the extent practical:

- A written agenda should be prepared and followed.
- Accurate minutes of every meeting will be prepared, sent to the participants, and approved at the next succeeding meeting.
- In case of doubt about the propriety or a topic of discussion, AWO staff or counsel should be consulted.
- If a member has a reservation concerning remarks or discussion at an AWO meeting, that reservation should be stated.

## **ADVOCACY**

Certain kinds of advocacy efforts are an important exception to the antitrust laws. Under the *Noerr-Pennington* doctrine, joint action by trade associations or groups of competitors to influence government policy generally does not violate the antitrust laws; these activities are protected under the First Amendment to the U.S. Constitution. This doctrine covers legislative activity, litigation in the courts, and proceedings before administrative bodies.

## **DISTRIBUTION OF THIS POLICY**

All officers, directors, committee chairs and vice chairs, and employees of AWO will receive a copy of this Policy. This Policy will also be included in AWO meeting materials, and will be available to all members on the AWO website.