



# National Transportation Safety Board

## Marine Accident Brief

### Flooding and Sinking of Fishing Vessel *Capt. David*

<b>Accident no.</b>	DCA16PM026
<b>Vessel name</b>	<i>Capt. David</i>
<b>Accident type</b>	Flooding and sinking
<b>Location</b>	Atlantic Ocean, about 40 miles* east of Oregon Inlet, North Carolina 35°44.2' N, 74°42.5' W
<b>Date</b>	February 15, 2016
<b>Time</b>	About 1440 eastern standard time (coordinated universal time – 5 hours)
<b>Injuries</b>	None
<b>Property damage</b>	Loss of vessel and catch, \$68,000 est.
<b>Environmental damage</b>	None reported
<b>Weather</b>	Broken to overcast cloud cover, fog with visibility of about 1.5 miles, south-southwest winds 20–30 knots with gusts to 35 knots, air temperature about 54°F, water temperature about 50°F, seas 8–10 feet
<b>Waterway information</b>	Atlantic Ocean along the western edge of the Gulf Stream above the continental shelf

On February 15, 2016, about 1440, the uninspected fishing vessel *Capt. David* became disabled and began flooding about 40 miles off Oregon Inlet, North Carolina, while attempting to assist another disabled fishing vessel in developing gale conditions. The US Coast Guard responded by dispatching a shore-based motor lifeboat to assist both fishing vessels. The US Navy dock landing ship USS *Carter Hall* was operating nearby the stricken vessels and launched its small boat to provide assistance as well. Upon the arrival of the Navy boat at the *Capt. David*'s location, there was physical contact between the vessels and flooding increased on the *Capt. David*. At the urging of the Navy crew, the fishing vessel's crew abandoned their vessel into the Navy boat about 1615. The fishing vessel later sank, likely the next morning. The crew of the other disabled fishing vessel declined rescue by the Navy boat and the vessel was towed back to Oregon Inlet by the Coast Guard motor lifeboat several hours later. There were no injuries and no pollution was reported.



Bow and stern views of the *Capt. David* prior to the accident (Photos by *Capt. David* owner)

\* Unless otherwise noted, all miles in this report are nautical miles (1.15 statute miles).

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### Accident Events

About 1700 on Sunday, February 14, the evening before the accident, the captain of the 36-foot-long uninspected fishing vessel *Capt. David* drove his crew of two deckhands from Hampton, Virginia, to Moon Tillet fishing docks in Wanchese, North Carolina, where the boat was located. They arrived about 2130, checked the boat, and then slept for about 2 hours.

Just before midnight, the *Capt. David* departed its berth, heading outbound through Oregon Inlet to fish for tuna in the western Atlantic Ocean. In company with the *Capt. David* was the *Miss Kaylee*, a similar sized and equipped uninspected fishing vessel. The captain of the *Capt. David* stated that the two boats often transited and worked the same fishing grounds in part for safety reasons, saying, “If something happened to his boat, my boat’s there and vice versa.” Both fishing boats were single-engine.

The *Capt. David* captain had been working aboard small commercial vessels in the fishing industry from North Carolina to Massachusetts for about 11 years, with 5 years’ experience as the captain of his own boat. The captain of the *Miss Kaylee* had about 10 years’ experience fishing offshore of North Carolina and was familiar with the *Capt. David*, as he was its previous owner.

The boats’ captains planned to troll about 32 miles offshore along the 600-fathom line near the edge of the continental shelf. The *Capt. David* captain and a deckhand stated that they had not intended to remain overnight on the ocean on Monday night. The deckhand added that the plan was “always” to go back in to Wanchese and assess the weather before another trip.

The mate took the helm for the transit out while the captain slept until about 0500 on Monday morning, whereupon the captain took the helm as they arrived at the fishing grounds. The captain stated there were about six other boats fishing the area.

The *Capt. David* and *Miss Kaylee* became separated as each vessel worked its favored fishing spot. About 1230 that day, the *Capt. David* landed a bluefin tuna. After processing and packing the fish on ice, the crew reset their fishing lines. Although they continued to fish, the captain set a course toward shore due to increasingly heavy winds and seas. The captain of the *Capt. David* stated that he had expected the weather to pick up through the night before diminishing the next morning.

In fact, at 1530 the previous day, the National Weather Service (NWS) had issued an “Urgent - Marine Weather Message” warning of increasing winds and building seas coming out of the south toward the region of the fishing grounds offshore of Oregon Inlet.<sup>1</sup> The message alerted mariners to possible gales and stated that a Small Craft Advisory was in effect from 1000 Monday (February 15) to 1600 Thursday (February 18) south of Oregon Inlet, and from 1300 Monday to

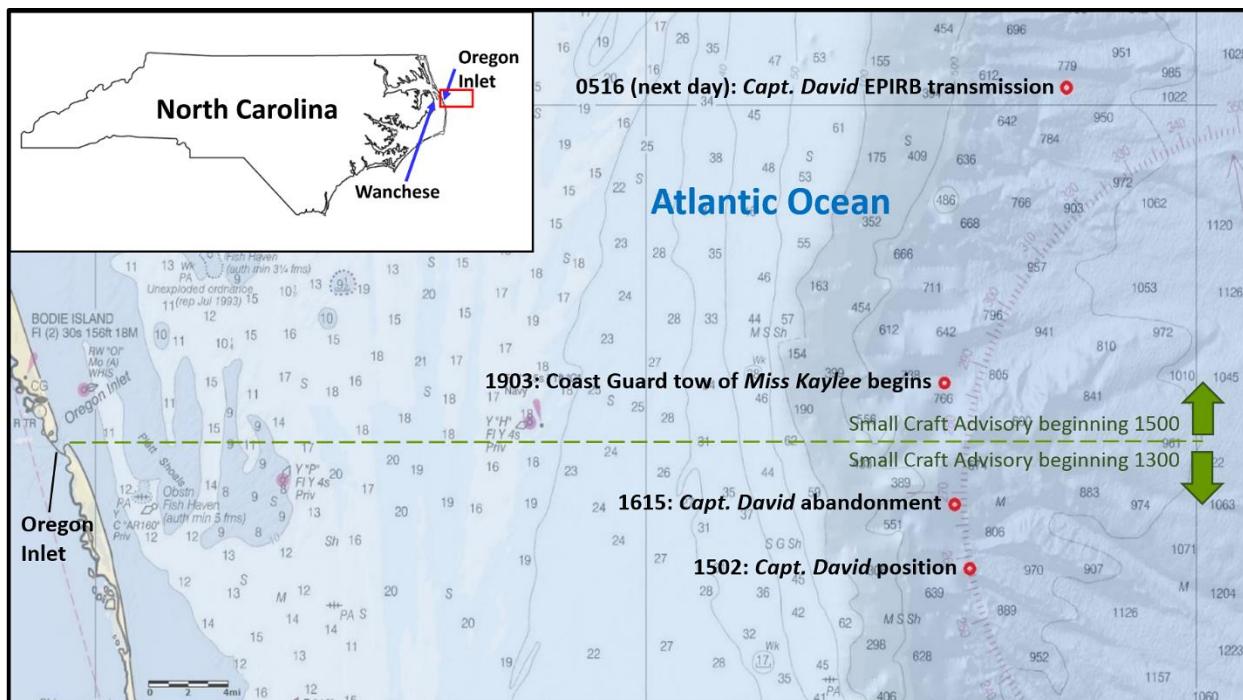
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<sup>1</sup> “Urgent - Marine Weather Message, south of Currituck Beach Light to Oregon Inlet out 20 nautical miles [from coast],” NWS Newport/Morehead City, NC, 1530 eastern standard time Sunday, February 14, 2016.

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0100 Friday (February 19) north of the inlet.<sup>2</sup> The Monday morning NWS Marine Weather Message, broadcast at 0709, listed Small Craft Advisories beginning at 1300 south of Oregon Inlet and at 1500 north of the inlet. The message included gale warnings beginning at 1700, with wind gusts up to 40 knots and 10–15-foot seas south of the inlet and wind gusts up to 35 knots and 6–11-foot seas north of the inlet. Additionally, the NWS Offshore Waters Forecast for the accident area, broadcast at 0419 on Monday, issued a storm warning and predicted seas building in the afternoon to 7 feet and winds increasing to 25–30 knots, with conditions worsening to 8–13-foot seas with 25–35-knot winds into the night.<sup>3</sup>

A short time after the *Capt. David* reset its lines, about 1330, the *Miss Kaylee* crew contacted the *Capt. David* to report an engine casualty. They requested assistance because they were adrift in the Gulf Stream. According to the *Capt. David* captain, he was about 20 miles from Oregon Inlet at the time, so his crew stopped fishing and the vessel proceeded further offshore to the *Miss Kaylee*, about 18 miles away to the northeast.



**Electronic chart of the Atlantic Ocean off Oregon Inlet, with selected known positions and times of *Capt. David* and *Miss Kaylee* during the accident. The Small Craft Advisories shown are from the 0709 Monday NWS Marine Weather Message broadcast.**

When the two vessels met about 1400, the vessel captains decided that the *Capt. David* would take the *Miss Kaylee* under tow. According to the captain of the *Capt. David*, the approximately 60-foot-long tow arrangement consisted of the *Capt. David*'s 5/8-inch anchor line doubled from port and starboard stern cleats in a loop attached to the *Miss Kaylee*'s 5/8 inch anchor

<sup>2</sup> According to the NWS website glossary, “There is no precise definition of a small craft. Any vessel that may be adversely affected by Small Craft Advisory criteria should be considered a small craft. Other considerations include the experience of the vessel operator, and the type, overall size, and sea worthiness of the vessel.”

<sup>3</sup> “Offshore Waters Forecast, Currituck Beach Light to Cape Hatteras to 100 nautical miles offshore,” NWS Ocean Prediction Center, Washington, DC, 0419 eastern standard time Monday, February 15, 2016.

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line. The tow commenced and proceeded at about 5 knots' speed toward Oregon Inlet. About 40 minutes later, the tow line parted. The sudden shedding of the tow load caused the *Capt. David*'s engine to increase rpm, and during the captain's attempt to reduce speed and come back around to reset the tow, the throttle cable disconnected from its engine side mount, leaving the engine at full throttle. Unable to control the engine remotely, the crew opened the engine box to investigate the throttle control problem.

In the engine compartment, the crew found water rapidly entering the bilge, which they later traced to a leaking engine-mounted heat exchanger. With no means to stop the leak at the engine, the crew shut the engine cooling seawater inlet valve, also known as the seacock, to stop the ingress of water. However, with no engine cooling water available, the captain had to stop the engine locally to avoid overheating it. The captain told investigators that he then started the two fixed battery-powered bilge pumps (3200 and 3700 gallons-per-hour capacity, respectively) to pump out the vessel and used a portable generator to charge his two installed batteries. He stated that after shutting the seacock they were no longer taking on additional water, but both the *Miss Kaylee* and the *Capt. David* were dead in the water with no propulsion.

About 1443, while the *Capt. David* crew were working to stop the flooding, the captain of the *Miss Kaylee* contacted Coast Guard Station Oregon Inlet via VHF radio to request assistance. The captain stated that the situation "might become an emergency" and that they "might be in desperate need of a tow; it's getting rough out here." Another fishing vessel, the *Offshore Outlaw*, relayed the two vessels' location to the Coast Guard and added, "It's probably going to be an emergency situation." The captain of the *Capt. David* told investigators that he also spoke with the Coast Guard via VHF radio about this time and gave them his location and drift rate. He recalled to investigators that his drift was 1.8 knots to the northeast. He further told investigators that he believed the Coast Guard was sending out a vessel to tow both boats in tandem back to Oregon Inlet.

As forecast, the weather continued to deteriorate throughout the afternoon. The *Offshore Outlaw* captain radioed the Coast Guard stating, "I'd turn around and go back [to help the stricken vessels], but it's getting pretty bad. I'm having trouble making way myself towards the inlet. I just don't think it would be safe for me. The further you go out, the rougher it gets. It's getting pretty bad."

At 1458, the US Navy dock landing ship USS *Carter Hall* notified the Coast Guard that it was operating about 2 miles from the fishing vessels, had heard their communications, and was proceeding toward their location to investigate. Due to low visibility, the *Carter Hall* was sounding its fog signal.

A dock landing ship is designed to carry US Marine Corps personnel and equipment and support their deployment ashore. The ship is equipped with a well deck that, when submerged, allows it to launch smaller watercraft that transport Marines and equipment to the beach. The ship is also equipped with several small boats to support its mission, any of which can be used as the ship's "ready lifeboat"—the designated boat used to respond to emergencies.

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**USS Carter Hall (LSD-50) under way. (Photo by MC2 Corbin J. Shea, US Navy)**

On the afternoon of the accident, the ready lifeboat was the 36-foot- (11-meter-) long motor patrol launch, or 11MPL, also called a Landing Craft Personnel (Large), or LCPL. The ship's crew often referred to the boat as "the PL." The PL had a small cabin with seating forward, an open cockpit midship, and an open deck aft. An inboard diesel engine drove the propeller, with a rudder aft of the propeller for steering. The hull was constructed of glass-reinforced plastic (fiberglass) and had a softer integrated fender at the gunwale and upper portion of the bow stem. This material was not as large nor as soft as the air-filled rubber fendering typical of a rigid-hulled inflatable boat (RHIB), which the *Carter Hall* also carried. The commanding officer stated that the RHIB was more difficult to safely launch, however, and procedures prohibited launching in winds above 30 knots.

According to VHF radio recordings, the *Carter Hall* was in communication with the *Capt. David* and the *Miss Kaylee* by 1500. The recorded conversation indicated that both fishing vessels were taking on water, pumping bilges, and were dead in the water.

The *Carter Hall* radioed the Coast Guard, provided a situation report, and stated they were "putting together a Rescue and Assistance (R&A) detail." A Navy R&A detail is a small team of damage control experts equipped with gear necessary to aid a vessel in distress. For a flooding emergency, this gear may include pumps and other dewatering equipment.

At 1505, after the report from the *Carter Hall*, the Coast Guard issued a Pan-Pan international urgent safety signal, informing all vessels in the area of "fishing vessels *Miss Kaylee* and *Capt. David* disabled and taking on water."

The *Carter Hall* commanding officer told investigators that, when the ship arrived on scene at 1514, the fishing vessels did not appear on radar and could not be seen visually. Thus, the Navy ship requested that the *Miss Kaylee* fire a flare to help locate the fishing vessels. A minute later, the *Capt. David* and the *Carter Hall* visually sighted each other, and VHF radio recordings indicate that the *Carter Hall* communicated with the *Capt. David* regarding the status of their flooding,

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bilge pumping, and the amount of hose needed to reach to the bottom of their bilge. The *Capt. David* captain responded, “No water on deck, but the bilge is filling up. I got the pump running right now.” When asked about the amount of water in the bilge, the captain stated “maybe three inches to six inches on the floor.” Although the *Capt. David* captain later told investigators that his crew had the flooding under control, investigators did not find evidence that this was ever communicated to the *Carter Hall* or the Coast Guard via radio.

The *Carter Hall* commanding officer and PL crew stated that the PL crew initially included the R&A team, but just before launching the R&A team was directed to “stand down” due to the severity of the wind and waves. The PL coxswain, a senior petty officer responsible for piloting the boat, stated he understood the final mission to be “rescue only,” which he described as taking the crews from the stricken vessels aboard the PL as they abandoned ship. The boat officer, who was overall in charge of the PL and responsible for safety and mission execution, also stated that the mission was redirected to be a rescue only, which he understood to mean that they were to retrieve the crews from the fishing vessels and return them to the ship. Prior to launching from the ship, the boat officer discussed with the PL crew the plan for the boat-to-boat transfer once on scene. He told investigators that it was to be a “bump-and-go” due to the large sea state and risk associated with being tied off to a sinking vessel. He described a bump-and-go as a quickly executed alongside maneuver.

About 1524, the *Carter Hall* began the launch of the PL to lend assistance to the stricken boats. The 5-person crew consisted of the boat officer, the coxswain, a deckhand, an engineer, and a search and rescue swimmer. At 1546, the boat was in the water and away, but, according to the crew, launch difficulties resulted in damage to the boat davit and some fiberglass on the forward exterior of the PL cabin.



Navy 11MPL small boat being launched from *Carter Hall*, about 1530, prior to transiting to stricken fishing vessels *Capt. David* and *Miss Kaylee*. (Photo by USS *Carter Hall* crew)

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VHF recordings show that at 1558 the *Carter Hall* communicated to the Coast Guard that “we are going out to *Miss Kaylee* and *Capt. David* and inform them that we are not prepared to conduct a tow. We are, in fact, prepared to conduct a rescue.” This was a change from earlier VHF radio transmissions between the *Carter Hall* and the Coast Guard, where the crew indicated that they intended for the PL to assess the condition of the fishing boats upon contact and provide them with assistance in dewatering.

The Coast Guard acknowledged the report and, at 1603, informed the *Carter Hall* that a motor lifeboat was en route with an estimated time of arrival of 1 hour and 40 minutes (about 1743). The Coast Guard then requested that the *Carter Hall* remain on scene and assist as necessary.

At 1559, the *Carter Hall* reached out to the *Capt. David* by radio to inform them that PL could conduct a rescue but not a tow. However, the crew of the *Capt. David* did not respond to this transmission or further attempts to contact the vessel. A minute later, the *Carter Hall* communicated the same to the *Miss Kaylee*. The fishing vessel’s captain acknowledged the communication but responded, “I’m not leaving my boat.” He further stated that he wanted to be towed.

The PL boat officer said that due to the large seas they could not see the fishing vessels but instead navigated to them using the installed compass and information communicated from the *Carter Hall*. The PL reached the *Capt. David* first, shortly before 1600. The *Capt. David* crew were in the cabin and came out to talk with the PL crew. The coxswain initially circled PL around the fishing vessel, keeping the Navy boat close enough to maintain a conversation shouted over the ambient engine and wind noise. Interviews indicated that communication was difficult and that most of the conversation occurred between the PL boat officer and the captain of the *Capt. David*. The captain told the boat officer that the Coast Guard was coming out to tow them, or alternatively, he wanted the PL to tow them. In return, the boat officer repeatedly stated that “nobody” was coming out to tow them, the PL could not tow them, and the Navy boat was there only to take them aboard and return to the *Carter Hall*.

There was also discussion regarding the flooding on the *Capt. David*. The boat officer stated that, after talking with the captain, he believed the *Capt. David* was taking on water at a rate beyond its pumping capacity, and the vessel and its crew were in imminent danger. Conversely, the fishing boat captain and a deckhand told investigators that flooding was stopped and under control at that time. Statements from both crews show that the boat officer strongly advised the *Capt. David* crew to abandon their vessel. The *Capt. David* captain initially resisted, as he did not want his vessel left adrift.

Both the PL and *Capt. David* crews told investigators that, during the approximately 20 minutes that the boats were engaged, the Navy boat’s bow made contact with the *Capt. David* at least three times. According to the coxswain, the contact was “normal boat-to-boat” contact and not sufficient to cause damage. Similarly, the remaining PL crew described contact and scrapes, but no major damage. However, all three members of the *Capt. David* crew told investigators that the initial contact by the PL’s bow was forceful enough to crack a forward window on the fishing boat’s port side. There was some additional contact, with the last contact being between the bow of the PL and the starboard stern of the fishing vessel. The crew of the *Capt. David* stated that the final stern contact was the most severe and damaged the hull of their vessel, resulting in immediate

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and substantial flooding. Upon evaluating the flooding, the captain decided to abandon his vessel to the PL.

The coxswain of the PL timed the motion of the boats in the swell to effect the transfer. The fishing vessel crew jumped from the *Capt. David* to the Navy boat, gunwale to gunwale. They did not don personal flotation devices (PFDs) prior to the transfer, nor were they instructed to do so by the PL crew. The last crewmember to cross had difficulty reaching the PL and hung partially over the side after he landed on the PL. The Navy boat crew pulled him the rest of the way aboard.

After the three fishermen were aboard the PL, they were directed below to the cuddy cabin. The PL then moved to the *Miss Kaylee*, which the coxswain stated was about 1.5 miles away. The boat officer told investigators that, upon pulling alongside the *Miss Kaylee* about 1623, he informed the *Miss Kaylee* crew that he had the *Capt. David* crew aboard and requested they come aboard as well. He said the *Miss Kaylee* crew declined and told him that the Coast Guard was coming to tow them. The captain of the *Miss Kaylee* told investigators that the PL crew informed him nobody was coming out to tow them and that the Navy boat was their only opportunity for rescue. The *Miss Kaylee* captain responded to the PL crew that he had communicated with the Coast Guard and confirmed that a boat was on the way. He then went in his cabin, shut the door, and refused to communicate further with the PL crew. The boat officer said that he had communication difficulties while attempting to relay this information to the *Carter Hall*, but he was eventually given permission from the commanding officer to return to the ship. The ship's logs indicate that the *Carter Hall* was not aware that the PL had the three *Capt. David* crewmembers on board at the time.

The boat officer told investigators that he requested a well deck recovery because of the large sea state and the damage to the PL davit incurred during launching. The PL arrived back at the *Carter Hall* about 1711, entering the well deck through the stern. After the PL was tied off, the well deck was drained, and the PL rested on the deck with supporting fendering.

The *Miss Kaylee* continued to report flooding and dewatering as the sun set at 1744. The Coast Guard 47-foot motor lifeboat reached the *Miss Kaylee* about 1915 and began towing it to Oregon Inlet. At the request of the Coast Guard and to effect the transfer of the *Capt. David* crew to a larger Coast Guard vessel, the *Carter Hall* shadowed the tow overnight. On Tuesday morning, the attempt to transfer the *Capt. David* crew to a Coast Guard vessel had to be aborted due to rough conditions. The *Capt. David* crew was heliocoptered ashore by the Coast Guard early the same afternoon.

Both the PL and *Capt. David* crews last saw the *Capt. David* afloat, and both the *Miss Kaylee* and *Carter Hall* lost visual contact with the vessel during the rescue of the crew. The vessel was never held on radar. Thus, investigators could not conclusively determine when the *Capt. David* sank. However, the *Capt. David* captain stated the vessel was equipped with a float-free liferaft atop the cabin and an emergency position indicating radio beacon (EPIRB).<sup>4</sup> The

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<sup>4</sup>An EPIRB alerts search and rescue services in an emergency by transmitting a coded message on the 406 MHz distress frequency via satellite and Earth stations to the nearest rescue coordination center. The device can be activated manually or automatically when submerged and deployed from the vessel.

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raft was not found, but an EPIRB transmission at 0516 on Tuesday, February 16, gave a position about 17 miles north-northeast of the *Capt. David*'s position at abandonment.



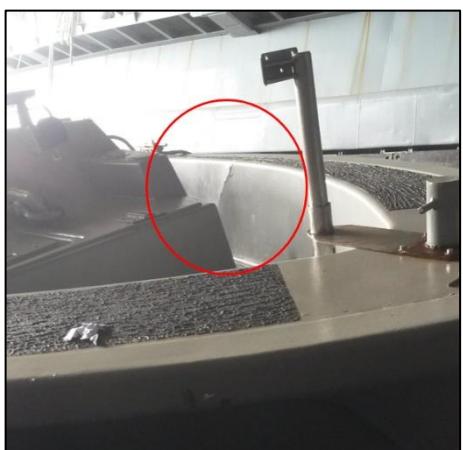
PL secured in drained well deck of *Carter Hall* after recovery. (Photo by USS *Carter Hall* crew)

## Analysis

### *Capt. David* Flooding and Damage

The *Capt. David* was not salvaged after the accident. Therefore, investigators could not examine the vessel to determine any sources of flooding (other than the reported cooling water leak), the status of equipment such as the generator and bilge pumps, or any damage caused by contact with the Navy PL. Descriptions of the damage to the *Capt. David* differed between the crews of the fishing vessel and PL, but neither description could be verified.

### Navy Boat Damage



Severe hull crack on MPL11 port inboard wall, circled in red.

On February 25, investigators examined the PL at the Naval Station Norfolk (Virginia) Boat Shop, where the boat had been delivered upon the *Carter Hall*'s arrival to the area. Investigators looked for evidence of contact with the *Capt. David*, particularly on the bow and starboard side of the bow where interviews indicated that the boat had contact with the fishing vessel's stern.

Severe damage—a continuous fiberglass hull crack running from the outboard gunwale edge down to the inboard deck—was noted on the port side of the bow cockpit. Investigators were provided video footage of the PL re-entering the well deck upon return to the *Carter Hall* that showed the PL's port side impact against the ship's steel well deck bulkhead, accompanied by an audible bang. Interviews

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of the boat crew indicate this heavy contact was the event that caused the portside hull damage, which subsequently required the PL to be removed from service for repair.

The examination also noted several inches of recent fiberglass damage along the turn of the bilge near the starboard stern. Neither the Navy crew nor the *Capt. David* crew reported contact between the PL's stern and the fishing vessel. Thus, investigators determined that the stern damage to the PL was most likely from the vessel settling down hard onto the well deck of the *Carter Hall* post-recovery.



**Postaccident inspection of the PL showed a scratch, some scuffing, small patches of paint loss, and some darker material transfer on stem (left). Padded foam, integrated onto the hull, protects the upper portion of the stem and gunwales. The gunwale and topside of bow area of the PL (right) had no visible signs of severe damage.**

Additional exterior damage was limited to scuffing along the gunwales, small patches of paint loss, paint cracking, and a few deeper gouges along the sides below the gunwales that penetrated the paint coating but did not damage the fiberglass hull.

During the transit to the *Carter Hall* after the abandonment, the *Capt. David* crew described water entering down into the PL cuddy cabin from a “pipe” (brackets and a support beam) in the overhead; however, all PL crewmembers indicated that the only water they were aware of in the PL was from the sea spray pooling on the decks. Investigators did not find evidence of damage to the hull or structure around the brackets and support beam.

The examination of the PL hull did not resolve the discrepancy between the descriptions of the severity of the contact provided by the crews of both vessels. The examination found damage that could be attributed to the well deck wall impact, the well deck bottom contact, and the davit hook hitting the bow during launch. However, no clear evidence of bow damage from contact with the *Capt. David* was observed. The absence of severe damage in the bow area may be explained by noting that, although the build material (fiberglass) and displacement of both vessels were similar, a vessel’s stem and bow area is built stronger and therefore more likely to damage a less reinforced area when contacting another hull.

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### Navy Boat Crew

The Navy's Naval Search and Rescue (SAR) Standardization Program instruction states that the Navy maintains a SAR capability and the capability is an inherent responsibility of all operating forces.<sup>5</sup> Regarding the rescue boat crew, the instruction states, "Ships shall perform a minimum of two rescue boat recovery exercises annually." According to the PL boat officer, the ship last performed a recovery exercise 2–3 months prior to the accident.

The collateral duty of boat officer was assigned to a Lieutenant serving as the Safety Officer aboard the *Carter Hall*. The boat officer had about 10 years of on-the-job training in small boats and had experience coming alongside vessels and conducting personnel transfers. However, he had not performed those evolutions in as large a sea state as on the day of the accident. He said that the sea state was beyond the *Carter Hall*'s safety threshold, but operations were necessary due to the emergency nature of the mission.

According to the boat officer, the coxswain was the most experienced small boat driver on the *Carter Hall*. The coxswain was a graduate of the Navy's coxswain school and had over 10 years' experience piloting small boats. The coxswain had been assigned to the *Carter Hall* for 5 months, during which he had driven the PL about 14 times. When asked by investigators if he would have preferred the *Carter Hall*'s 11-meter RHIB, which has air-filled cushioning around the bow and sides, he stated, "not really," as the RHIB was lighter than the PL and therefore a less stable platform.

Based on interviews and information reviewed during the investigation, investigators determined that PL crewmembers selected by the commanding officer were suitable for the rescue mission.

### Radio Communications

Radio communications from the *Capt. David*, the *Miss Kaylee*, and the *Offshore Outlaw* indicated that the *Capt. David* was continuing to take on water throughout the afternoon leading up to the accident. Furthermore, the *Miss Kaylee* and the *Offshore Outlaw* noted that the situation presented a potential emergency. All radio communications from the *Capt. David* ceased at 1550, and there was no evidence that the Navy or the Coast Guard was informed that the *Capt. David* had the flooding under control.

The boat officer stated that the PL's installed bridge-to-bridge radio antenna was broken, and he and the coxswain told investigators that, due to ambient wind noise, communications with the *Carter Hall* over the VHF hand-held radio were difficult and intermittent. If functional, the installed boat radio and antenna likely would have increased communications range as compared to the handheld VHF. The boat officer stated in his interview that until he returned to the *Carter Hall*, he was unaware that a Coast Guard vessel was under way to assist or tow the fishing vessels. To his understanding, the PL was the only option for the fishermen, and, at the time, he felt the *Miss Kaylee* crew were foolish to remain on their vessel with nobody coming to assist.

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<sup>5</sup> Chief of Naval Operations, *Naval Search and Rescue Standardization Program*, OPNAV Instruction 3130.63 (Washington DC: US Department of the Navy, 2010).

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Operating remotely, without reliable communications with the *Carter Hall* and no information regarding the Coast Guard boat deployed to the area, the boat officer was acting with only the knowledge that the *Capt. David* was continuing to take on water. Furthermore, the boat officer recognized that impending nightfall and deteriorating weather conditions were increasing the risk to both the fishing vessel and Navy boat crews. Thus, his determination that the *Capt. David* crew were in imminent danger was reasonable, and his decision to come alongside the *Capt. David* and urge the crew to abandon the vessel, per the rescue plan at launching, was sound.

### Weather

At 1530 on Sunday afternoon, February 14 (well before the *Capt. David* departed Wanchese), NWS marine weather messages for the vessel's planned transit area and offshore fishing grounds warned of increasing seas and waves as a developing frontal system approached. The forecast for the transit area included a possible Small Craft Advisory starting 1000 Monday and developing gale conditions. The offshore forecast (which extended beyond 20 miles to the fishing grounds) also had a storm warning expected for Monday evening. The 0709 Monday NWS marine message, issued while the *Capt. David* was still en route to the grounds on the morning of the accident, stated a Small Craft Advisory would be in effect starting 1300 south of Oregon Inlet.

As part of their urgent marine weather messages, NWS messages included the following regarding Small Craft Advisories:

#### Precautionary/Preparedness Actions . . .

A Small Craft Advisory means that wind speeds of 25 to 33 knots and/or seas of 6 feet or greater are expected to produce hazardous conditions to small craft. Inexperienced mariners . . . especially those operating smaller vessels should avoid navigating in these conditions.

As a 36-foot fishing vessel, the *Capt. David* would generally be considered a small craft for which this NWS warning was issued.

Based on the crew's statements that they planned to be out for the day and the captain's statement that he was aware of the deteriorating weather, his decision to fish and transit up to the onset of severe weather left limited room for error and presented an increased risk to his vessel and crew.

The commanding officer of the *Carter Hall* and the PL crew were aware of the forecasted increase in winds and sea state. The marine weather message about the time the PL was on scene had gale force winds presently developing, peaking on Tuesday morning along with 15–18-foot seas. Given these worsening conditions, which exceeded the *Carter Hall*'s safety threshold for small boat operations, the decision to launch the PL was not without risk. The commanding officer's decision to alter the mission from rescue and assistance to rescue (lifesaving) only was prudent, as was the PL crew's decision to rescue the *Capt. David*'s crew from their disabled vessel.

Along with the deteriorating weather, the poor communications and the uncertain seaworthiness of the *Capt. David* presented challenging circumstances that led to the abandonment

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of the fishing vessel. Ultimately, the crew of the *Capt. David* were transferred safely ashore with no injuries to the crews of the *Capt. David* or the PL.

### **Probable Cause**

The National Transportation Safety Board determines that the probable cause of the flooding and sinking of fishing vessel *Capt. David* was an engine cooling water leak that disabled the vessel during a forecasted Small Craft Advisory and developing gale conditions.

#### **Heavy Weather**

Mariners should exercise caution when heavy weather is forecasted, particularly while operating small and/or single-engine vessels. Increasing winds and sea states can precede storm fronts, and an emergency during these conditions risks endangering the crew and rescue response personnel. When heavy weather is predicted, mariners should consider delaying getting under way or an early return to port once under way. Additionally, it is prudent to carry a tow line suited for the size and displacement of the vessel.

#### **Safety During Personnel Transfers at Sea**

Prior to transferring from the *Capt. David* to the Navy boat, the fishing boat crew did not don personal flotation devices (PFDs), nor were they instructed to do so by the Navy boat crew. During the transfer, a crewmember mistimed his jump and nearly fell into the water. Based on the rough conditions and cold water, recovery of the crewmember in the water would have been difficult. Subsequent to the accident, the Navy group commander reviewed shipboard guidance to ensure procedures include donning PFDs prior to at-sea boat transfers. Even in the best conditions, individuals transferring between vessels at sea should always wear PFDs.

## **BY THE NATIONAL TRANSPORTATION SAFETY BOARD**

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Member

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Member

**T. BELLA DINH-ZARR**  
Member

**Adopted: April 25, 2017**

## Flooding and Sinking of Fishing Vessel *Capt. David*

### Vessel Particulars

Vessel	<i>Capt. David</i>	USN 11MPL9210
<b>Owner/operator</b>	Duzich Trawlers Inc./ Private citizen (Virginia)	US Navy
<b>Port of registry</b>	Hampton, Virginia	Not applicable
<b>Flag</b>	United States	United States
<b>Type</b>	Fishing vessel	Landing craft, personnel
<b>Year built</b>	1979	1994
<b>Official number (US)</b>	614289	Not applicable
<b>Construction</b>	Glass-reinforced plastic	Glass-reinforced plastic
<b>Builder/make</b>	Chesapeake Work Boat Co.	Peterson Builder, Inc
<b>Length, OA</b>	36 ft (11 m)	35.9 ft (11 m)
<b>Draft, full load</b>	4.5 ft (1.4 m)	3.6 ft (1.1 m)
<b>Beam</b>	10 ft (3.1 m)	12 ft (3.7 m)
<b>Hoisting weight</b>	22,000 lbs (9,979 kg)	19,842 lbs (9,000 kg)
<b>Displacement, full load</b>	Unknown	20,944 lbs (9,500 kg)
<b>Engine power, manufacturer</b>	450-hp (336 kW) Detroit Diesel, Model 671	455-hp (339 kW) Detroit Diesel, Model 6V92TA
<b>Propulsion configuration</b>	Inboard engine, fixed-pitch propeller with single rudder	Inboard engine, fixed-pitch propeller with single rudder
<b>Persons on board</b>	3	5 outbound, 8 returning

**NTSB investigators worked closely with our counterparts from Coast Guard Sector North Carolina throughout this investigation.**

For more details about this accident, visit [www.ntsb.gov](http://www.ntsb.gov) and search for NTSB accident ID DCA16PM026.

The NTSB has authority to investigate and establish the probable cause of any major marine casualty or any marine casualty involving both public and nonpublic vessels under Title 49 *United States Code*, 1131. This report is based on factual information either gathered by NTSB investigators or provided by the Coast Guard from its investigation of the accident.

The NTSB does not assign fault or blame for a marine casualty; rather, as specified by NTSB regulation, “[NTSB] investigations are fact-finding proceedings with no formal issues and no adverse parties . . . and are not conducted for the purpose of determining the rights or liabilities of any person.” Title 49 *Code of Federal Regulations*, 831.4.

Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by conducting investigations and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report. Title 49 *United States Code*, 1154(b).