

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

ATB *CLYDE S. VAN ENKEVORT* ACCIDENT \*

IN STRAITS OF MACKINAC, MICHIGAN \*

Accident No.: DCA18FM019

APRIL 1, 2018 \*

\*

\* \* \* \* \*

Interview of: MARK MATHER

Captain of ATB *Clyde S. VanEnkevort*

Monday,  
April 9, 2018

## APPEARANCES:

ADAM TUCKER, Marine Accident Investigator  
National Transportation Safety Board

LCDR [REDACTED], Investigating Officer  
United States Coast Guard

CW03 [REDACTED]  
United States Coast Guard

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Mark Mather:		
By LCDR [REDACTED]		13
By Unidentified Speaker		23
By Unidentified Speaker		33
By Unidentified Speaker		34
By Unidentified Speaker		44
By LCDR [REDACTED]		45
By Unidentified Speaker		46

I N T E R V I E W

(11:07 a.m.)

MR. TUCKER: Okay. So we'll -- 11:07 on April the 9th.

MR. MATHER: Ninth.

MR. TUCKER: All right. And we are recording, and for the recording, just so we can introduce everyone, so -- and I'm going to put the recorder right here.

MR. MATHER: I'll try to speak loud.

MR. TUCKER: Yep. That's fine. This is pretty good too, so --

## INTERVIEW OF MARK MATHER

MR. MATHER: Okay, I'm Mark Mather. I'm the captain of this ship. I've been asked to describe -- just recap the voyage from Duluth to Chicago.

I believe we left Duluth on March 30th. Transited -- uneventful transit across Lake Superior. We transited a pretty substantial ice field through Whitefish Bay on March 31st. I arrived at the Soo Locks, I believe -- I don't know if it was during the evening or not. It had to be late in the evening. I don't know if we had some traffic issues or whatnot.

But what I do recall is, after transiting the ice field down to the locks, that the Soo Traffic Control did not want me to proceed downriver. If I remember correctly, it was a lot of wind and snow. And the ice fields below the locks in the area of Mud Lake were shifting, and they weren't able to keep the tracks open,

1 and buoys were getting dragged off-station. So they asked me to  
2 stop. And so I requested and got permission to actually lock  
3 through the whole lock, and then I tied up below the lock at the  
4 lockmaster's direction on what they call the Southeast Pier, which  
5 is actually the approach wall, if you're outbound, for the  
6 MacArthur Lock.

7 So we tied up there for the evening. And in the morning,  
8 when the Coast Guard cutter *Mackinaw* got underway, we followed the  
9 *Mackinaw* down the river. We didn't encounter any ice now. This  
10 would have been April 1st, Easter morning. It was a nice day. We  
11 transited down the river behind the *Mackinaw*, and we got to the  
12 area called Nine Mile Point. We'd been in ice since we were at  
13 Six Mile Point, but it was fairly loose after following the  
14 icebreaker. And the *Mackinaw*, I believe, went down what's called  
15 the Middle Neebish Channel, which is normally the outbound traffic  
16 lane. And I proceeded down the West Neebish Channel.

17 And if memory serves me correct, I was the first commercial  
18 vessel -- no, that's not true. Because this -- my first trip, I  
19 was the first vessel down, but that was earlier in the year, so  
20 disregard what I said about being the first. But I transited the  
21 West Neebish Channel downbound, which is the normal downbound  
22 course. A Coast Guard 140 icebreaker had gone down ahead of us,  
23 had broken or made a pass through that before we arrived there.

24 We had an uneventful transit down the West Neebish Channel,  
25 but we did encounter a lot of sticky ice down below the area

1 called Rock Cut. In fact, the last half of Rock Cut I thought was  
2 going to be problematic for subsequent ships because it was  
3 getting to be like snow cone ice, chewed up from all the other  
4 ships transiting. But we made it through there fine and  
5 essentially made it the rest of the way down the river fairly  
6 easily. You know, a couple sticky places, but nothing too bad.

7 We were released or -- the icebreakers weren't working the  
8 lower end of the river past Lime Island, I think, which is still  
9 about an hour before you get to Lake Huron. So we hit some pretty  
10 substantial plate ice, but nothing that impeded our trip from the  
11 area from Lime Island to Sweets Point, which is just beyond DeTour  
12 -- or it's before DeTour. And the area from Sweets Point up to  
13 DeTour Reef Light was, I think, pretty much open water.

14 I was on the bridge the entire transit. When we reached the  
15 DeTour village, Frying Pan Island, in particular, the mate on  
16 watch, who was Rick Gering (ph.), ordered the watchman, the able-  
17 bodied seaman Tom Privo (ph.), to secure the anchors. A few  
18 minutes later, Mr. Privo indicated that the anchors were secure  
19 and he was dismissed from bow watch as we entered Lake Huron.

20 Again, it was Easter day, so generally the crew gets the day  
21 off as much as possible. So our watchmen, even though they're on-  
22 duty, had a radio, if needed, but they're pretty much -- remained  
23 on the tug for the rest of the day, as far as I was aware.

24 After transiting and we got out into Lake Huron, I went down  
25 below and left the second mate with the conn of the ship, and I

1 remained below until we got to the area known as Round Island  
2 Passage, which is by Mackinac Island. I went back up in the  
3 pilothouse for a couple reasons. I was concerned about ice around  
4 Mackinac Island. We were actually meeting a ship that I used to  
5 manage and have sailed on before; just kind of wanted to wave or  
6 say hi or whatever. And then just to go underneath the Mackinac  
7 Bridge, you know, in that area, it's kind of fun to go through  
8 there.

9       But the water in the vicinity of Round Island is fairly  
10 shallow compared to the surrounding areas, to the point where we  
11 check down when we go through there to keep the boat from  
12 squatting so that there's no chance of touching the bottom. It  
13 probably wasn't necessary to do so because we were kind of light-  
14 loaded due to -- the traffic restrictions had us only loading 27  
15 feet. But we were at 27-foot draft and there's about 30 feet of  
16 water there, low water. So we always slow down there, pull back  
17 and try to reduce the squat.

18       Went through the shallow area. I watched the depths on there  
19 just to -- basically to re-familiarize myself with where it starts  
20 to get shallow and where it starts to get deeper again. I pretty  
21 much concentrated on that. We started feeling the weather was --  
22 I don't -- the tug draws less water than the barge, and I was  
23 watching the tug sounder, and the shallowest water I saw under the  
24 tug was 16 feet, which for the barge would have been more like  
25 maybe 8 feet underneath the barge. So when it started getting

1 down to where there was 22 feet and growing underneath the barge,  
2 we went back to full speed.

3 We met -- we observed one of the Mackinac Island ferries  
4 trying to get to Mackinac Island, but the whole island was  
5 surrounded with broken plate ice that was pretty darn thick. This  
6 was blue ice. I estimated it was at least 18 inches thick,  
7 probably more in a lot of places. And the winds were only  
8 forecast to be southwest 10 to 20, but we were seeing a fairly  
9 steady 30 and higher as we were transiting between Round Island  
10 and the Mackinac Bridge. There were probably 6 to 8-foot waves  
11 rolling through the Straits, and there were several of what we  
12 call growlers, big chunks of ice that had been broken up in the  
13 waves but were floating in the Straits, nonetheless.

14 And I remember meeting the *Undaunted* on the east side of the  
15 bridge. I didn't talk with them. They'd given a security call  
16 and I didn't recognize the voice on the radio, so I figured I  
17 didn't know who was there, but -- they were just commenting on  
18 their cargo. They're an open deck barge. And I remember  
19 specifically saying this -- they were carrying something called  
20 bottom ash, which is what's left over from burning coal, and they  
21 use that in the cement-making process. So they had a load of that  
22 on there, and I remember specifically joking with the mate that  
23 they'd be lucky to have half their cargo on there if it doesn't  
24 blow away before they get to where they're going. But at least  
25 they have the wind behind them.



1           So as soon as we got -- I don't even think I stayed up until  
2 we were at -- I probably did, until we were just under the bridge.  
3 I went down below. It was roughly 5:30, and I went down to have  
4 dinner. And I didn't return to the bridge until the next  
5 afternoon. We did continue to experience higher than forecast  
6 winds and waves. When we -- the course from the bridge to Lansing  
7 Shoals is basically a westerly course for 41 miles. We got some  
8 protection from the waves from the islands, you know, Beaver  
9 Island, Hawk Island, Garden Island. But once we cleared Lansing  
10 Shoals Light and started a southwesterly course, the boat was  
11 working pretty hard. And I told the mate just to go straight into  
12 the waves till we got down to the, to a point where we got some  
13 protection from the Wisconsin shoreline before we headed down to  
14 Chicago from there. So that was that.

15           Next morning, the next day, I didn't go up to the bridge, I  
16 don't think, until maybe 2 o'clock in the afternoon. I did talk  
17 with the mates on the phone. I asked them about ice on the bow  
18 and, you know, what our ETA was for Chicago. And based on that  
19 and setting up our crew hours, I said, well, we better get the  
20 guys out to -- and break the ice off the bow. And so the mate  
21 told me, based on the ETA and so on and so forth, that he would  
22 start the guys at 10 a.m. to start breaking the ice on the bow.  
23 So that was the first mate.

24           Later that afternoon, I went up to the wheelhouse about 2  
25 o'clock in the afternoon. The weather had laid down and was, it

1 was -- turned out to be a pretty nice day, but we had weather  
2 forecast to come, so I was, you know, getting weather reports and  
3 trying to figure out whether or not we were going to be able to  
4 get out of Indiana Harbor. Because the forecast was northeast  
5 gales going more to the northwest, and then being at the bottom of  
6 the lake is the worst place to be, you know, in that situation.  
7 So I was concerned about the weather and getting down there.

8 At that time I noticed that we weren't making very good  
9 speed. I think we were making like 12.3, 12.4. Initially, I  
10 considered it having to do with the weather we had and the  
11 currents in the lake. Normally there's a -- you have a head  
12 current if you're going down the Wisconsin shore, but I still  
13 thought we should be going faster.

14 We had -- we'd been experiencing -- well, we rebuilt both the  
15 main engines on this boat during the winter layup. And when we  
16 went out on our initial voyage, we had a technician from the  
17 engine company on board, and we actually went outside Duluth into  
18 ice outside the harbor and sat there in the ice all afternoon and  
19 ran in the engines with increasing loads. And during that time,  
20 the engine tech told us that something was wrong, that the engines  
21 weren't carrying nearly the load that they should be. And that  
22 kind of concurred with the fact that, when this boat was new and  
23 when it was operated before, it used to run almost 14½, 15 miles  
24 an hour empty, and we weren't seeing anything better than 13.4  
25 empty. And so we were sure that there was an issue with the

1 controllable pitch propellers on here.

2       So we had made arrangements for a tech from Bird Propulsion  
3 to come and find out what was wrong. So he was waiting for us at  
4 Indiana Harbor to look at the propulsion system. And so I kind of  
5 wrote off our slow speed to the fact of the leftover weather and  
6 currents, and the fact that, you know, we'd been having some CP  
7 wheel issues.

8       So that evening, we got close to our destination down in  
9 Indiana Harbor. I was -- you know, they usually call me a half an  
10 hour before we get to the place where we start checking our speed  
11 and whatnot. Went up to the bridge. The mate ordered that the  
12 anchors be cleared for the harbor. This was after midnight, and  
13 I'm going to -- thinking now we're talking about the 3rd, April  
14 3rd, about 20 after midnight.

15       The AB, Tom Privo, went up to the bow to clear the anchors  
16 and he informed us when he got up there that the starboard anchor  
17 was in the water. I looked at the chart, and I didn't like the  
18 fact that the starboard anchor was in the water and we were only  
19 in charted about 36, 38 feet of water, and I'm drawing 27 feet and  
20 I'm going 12 miles an hour. So I immediately pulled the engines  
21 back to neutral and then started backing on both engines, trying  
22 to get her stopped.

23       I didn't back real hard or anything like that. The boat  
24 naturally or the boat -- I allowed the boat -- the boat wanted to  
25 turn right as I was backing, and I figured that was the best way

1 not to be on top of the anchor anyway, so I just backed the  
2 engines up about 40 percent and let the boat come to stop where  
3 she would, which was close to the entrance to Calumet Harbor.  
4 Where we actually came to a full stop was just south of the  
5 charted entrance lane, if you will, into Calumet Harbor.

6 I noted our latitude and longitude when we came to a stop. I  
7 ordered the AB to take up the anchor. I asked him how much -- I  
8 guess even before that -- no, I guess we couldn't tell how much  
9 anchor chain was out. When we started picking up the chain, I  
10 asked him to figure out how much chain was in the water, because  
11 we mark the chain with paint. And you may have seen, up there in  
12 the bulwark red and white. That's how we tell how much chain was  
13 out. And he started to pick up the anchor, and he hadn't picked  
14 up much anchor chain at all before he said there was 4 shots of  
15 chain in the water.

16 During the process, the initial attempt to pick up the  
17 anchor, we tripped a circuit breaker on the windlass, which to me  
18 was an indicate that there was an inordinate amount of strain on  
19 it. So I thought that maybe the anchor was fetched up on  
20 something on the bottom. I backed the boat up, put some more  
21 slack in the chain, we got a little sternway on, and I just let  
22 her coast slowly astern. And he started picking up the chain and  
23 reset the breakers. Picked up the chain. We didn't have any more  
24 difficulty lifting the chain, and when it came up, I was informed  
25 that the flukes were missing but the stock and pawl were still

1 attached.

2 And so we proceeded on to -- into Indiana Harbor and tied up  
3 at the dock. We had services scheduled and whatnot that we were  
4 already late for, so got tied up. I notified the office what had  
5 happened, and that was about the end of the voyage. We started  
6 unloading in Chicago about 2:30 in the morning ship's time.

7 BY LCDR [REDACTED]:

8 Q. Okay. In your opinion, whereabouts do you think the anchor  
9 came out at?

10 A. I don't have a clue.

11 Q. The engine trouble you described where the ship didn't appear  
12 to be keeping its speed up as much as you had figured it would --  
13 I think you said it was going 12.3 to 12.4 --

14 A. Yes.

15 Q. -- on the western shore of Lake Michigan?

16 A. Yes.

17 Q. Were you able to determine why the speed was not as much as  
18 you thought it would be?

19 A. I did not. Again, I attributed it to the CP wheel problem we  
20 were having. In fact, I had the mate actually pull the pitch back  
21 to zero and even put some astern pitch on it out in the open water  
22 and then go back ahead on it. Because that -- I didn't know if  
23 we'd had instances before, especially working in the ice where  
24 you're going ahead and astern, that seemed like sometimes when  
25 you're done that, you don't -- it doesn't go back to full pitch.

1 And I thought maybe that had something to do with it. So we tried  
2 that, and it didn't seem to make any differences that we know.

3 Q. So is this problem intermittent; sometimes it affects the  
4 ship, sometimes it doesn't? Or is it always there reducing the  
5 speed?

6 A. I would say that it had been more of an intermittent issue.  
7 But historically -- we've only operated this boat for a year. I  
8 was -- I've been captain on it since our company bought it. It  
9 seems like we've gradually been losing speed throughout the year.

10 Q. Okay. So at that time when you noticed the speed was 12.3 to  
11 12.4, what were you expecting the speed to be, if you thought that  
12 was a little slow?

13 A. I would have thought we would have made at least 13.2, 13.4.

14 Q. In the vicinity where this was, that area, do you happen to  
15 know roughly what the water depth there would be?

16 A. No. But I -- not right offhand.

17 Q. Is it --

18 A. Deep. Deep water. It was deep water.

19 Q. Okay. If the -- let's say the anchor chain when you found it  
20 had just a shy -- just a tad over four shots of anchor out down in  
21 Chicago. If in that location the anchor had four shots out, could  
22 that have -- could you attribute the reduction of the speed of the  
23 boat to that issue? Is that possible or not?

24 A. Well, in hindsight, I would say yes, it's possible. And I  
25 will say it would have been the farthest thing from my mind, given

1 the three systems we have on an anchor to ensure that we don't  
2 have any unintended release, that being the pawl, the devil's claw  
3 and the brake. I've had a license for 35 years, and I've never  
4 seen or heard of anybody having an unintended anchor drop.

5 CW03 [REDACTED]: Captain, I think you mentioned that you had  
6 that speed disparity issue right after leaving Duluth, though,  
7 didn't you?

8 MR. MATHER: No. I think we made typical speed across Lake  
9 Superior.

10 CW03 [REDACTED]: Okay.

11 MR. MATHER: But -- yeah. I don't recall being concerned  
12 about the speed. I just put it that way.

13 CW03 [REDACTED]: Yeah, yeah.

14 BY LCDR [REDACTED]:

15 Q. So when the anchor was found down, Tom Privo found it, he  
16 called back. Did anybody else go up there to examine the anchor;  
17 do you know?

18 A. I don't know for sure. I do not believe so, but I'm  
19 reluctant to say for certain because we were preparing to enter  
20 port and there were a lot of people up on the bow. So they -- you  
21 know, we start taking the hatch clamps off, getting the landing  
22 chair ready and that sort of thing, so -- I'm going to be --  
23 something is telling me that at some point somebody else joined  
24 him before the anchor was all the way up. Because it seems to me  
25 I recall somebody else on the radio telling me the flukes were

1 missing. So I couldn't tell you who it was or anything.

2 Q. Sure.

3 A. I think Tom Privo would be the better guy to answer that  
4 question.

5 Q. Okay.

6 A. Again, I was more concerned about trying to mark -- establish  
7 our position to try to recover the flukes and making sure it  
8 wasn't a hazard to navigation and making sure that we weren't  
9 getting into trouble in shallow water where we were at. I was up  
10 and I had the conn in the pilothouse at that point. So --

11 Q. And the condition when Tom went up there and sort of looked  
12 at what was going on and reported it back, did you talk to him  
13 later on about what he found up there?

14 A. Yes, I -- because I, more than anybody, wanted to know how  
15 the hell that could happen. And so yeah, I talked to Tom at some  
16 point after we got into port to find out how this may have  
17 happened. And then that's when he told me that the devil's claw  
18 and the pawl were unsecured.

19 Q. And when you say unsecured, do you mean to say that the  
20 ropes, pulley system to lift the claw up -- that the claw was  
21 lifted up and secured?

22 A. Yeah. Yeah. I remember asking him to clarify whether or not  
23 -- and he said the claw wasn't on the chain. I immediately said,  
24 all right, so does that mean it was hoisted up under the pulley  
25 system or had the thing just let go and been banging around on the



1 chain, what was going on? And he goes, no, it was on the pulley.

2 Q. Okay. Why would the claw be on the pulley at that time?

3 A. Because that could only be there when the anchor was to be  
4 cleared to be dropped. And like, through the river systems,  
5 rivers and ports, we -- the standard practice is to clear the  
6 anchors in case you need them in event of loss of steering or  
7 propulsion.

8 Q. Okay. So my understanding is that anchor, the starboard  
9 anchor system and the brake, all last year for the most part, that  
10 that brake pad was broken and the service -- or the starboard  
11 anchor was considered out of service, not in use.

12 A. I couldn't tell you -- it seemed to me like that failed in  
13 the fall. It failed when my relief captain was on board, so I  
14 have -- I couldn't tell you myself when that happened, but it  
15 seems to me that it was later in the year, and then it was out of  
16 service for the remainder of the season.

17 Q. Okay. And the brake was renewed over the winter shipyard  
18 period?

19 A. Yes.

20 Q. Okay. And was the starboard system -- after the shipyard  
21 period when the vessel entered service for the shipping season,  
22 was the starboard anchor system considered operational, you know,  
23 correct?

24 A. I was told by our fleet engineer and the chief engineer --  
25 that was one of my major concerns, and like one of the top

1 priorities on my winter worklist was to get that anchor -- that  
2 brake fixed on the starboard anchor. So when I reported aboard  
3 ship on or about at March 19th, that was one of the first things I  
4 asked about. And I was told it had been repaired and demonstrated  
5 -- they did a -- they tested it with the ABS, and that it was now  
6 working.

7 Q. Okay. So what we determined last week talking with  
8 crewmembers is that when the ship sailed out of Duluth at the  
9 beginning of the voyage -- the beginning of the shipping season on  
10 that first voyage, the starboard anchor was protruding from the  
11 hull when they looked down by about a foot or so, and that the  
12 devil's claw was under tension. It was engaged in the chain and  
13 it was under tension. So they assumed that the brake was still  
14 broken and essentially that starboard system was out of service.  
15 Were you aware of that?

16 A. No, and I take some exception to that. Because we were the  
17 first ship out of Duluth, and there were hundreds and thousands of  
18 pictures and videos posted. And since the last time you were  
19 here, I went on some of the boat nerd sites and looked at the  
20 video of us coming out of the harbor, and that chain -- anchor was  
21 not sticking out. So I take exception to that.

22 Q. Okay. Did the -- did any of the crewmembers, the two ABs or  
23 anybody else, did anybody tell you that they thought that  
24 starboard anchor system was broken this year?

25 A. No. That would have been a big deal for me.

1 Q. Yeah. Okay. Procedurally wise, when you're either preparing  
2 the anchors for restricted waterway navigation or securing them,  
3 you know, for sea, is it your policy that both anchors should be  
4 cleared and, you know, ready to go?

5 A. I don't know if you'll find a written policy in our manual  
6 for that, but it's common practice and -- I don't know what the  
7 right word is for industry standard, that both anchors are always  
8 cleared.

9 Q. As far as you're aware --

10 A. And that's my expectation as well. When I order the anchors  
11 cleared, I expect both my forward anchors to be cleared.

12 Q. Okay. Fair enough.

13 A. And I was under the impression that that was occurring as  
14 directed anytime I ordered it, so --

15 Q. Okay. So it never came to your attention that, when anybody  
16 in the wheelhouse said clear the anchors or secure the anchors,  
17 only the port one was being cleared or secured?

18 A. I don't think any -- certainly not me, and I don't believe  
19 either of my mates were aware that both anchors were not being  
20 cleared. But I don't -- I can't say that they weren't being  
21 cleared, because apparently they were being cleared.

22 Q. Yeah.

23 A. You know, I scratch my head. You know, again, this is all  
24 stuff that's come to light since you've talked to people and  
25 whatnot. So I'm getting this information after you got it, even.

1 You know, so needless to say, I'm pretty upset about it and I  
2 think I discussed it with you previously that, I don't know,  
3 there's disciplinary action being taken because of this.

4 Q. Okay.

5 A. It's not a decision that anybody gets to make but me.

6 Q. Right. Yeah. Since that claw was found, you know, in the  
7 raised position when the anchor was out, any idea -- I mean,  
8 obviously that's not an accident and somebody had to have lifted  
9 that up and tied it off. Any idea who, why or how?

10 A. That apparently is going to remain a mystery, because nobody  
11 -- nobody -- claims to have cleared that anchor. But obviously  
12 somebody did.

13 I have an opinion that I'm reluctant to even make on this,  
14 but I'm just going to throw it out there. I don't know. I  
15 probably shouldn't, but I think you've been told that those --  
16 that the ABs decided they weren't going to mess with that anchor  
17 because they had concerns about it. But I think, out of course of  
18 habit, maybe somebody forgot that they had decided they weren't  
19 going to do that and automatically cleared it. And then later  
20 thought, oh yeah, we're not using that, so I don't have to -- I  
21 have to secure it.

22 Q. Sure.

23 A. I can't justify it any other way. I'm as thirsty for an  
24 explanation on this as you are, probably. I just can't wrap --  
25 put my head around it.

1 Q. Sure. Okay.

2 A. I just --

3 Q. So my understanding from last time, seems like just about  
4 everybody that's on the boat was together last shipping season  
5 too. Like this crew is not --

6 A. Yeah.

7 Q. -- new to each other.

8 A. I didn't have any new crewmembers since then.

9 Q. So what's the, from your perspective, what's the attitude on  
10 the ship? Do people talk? If someone has a problem, do they  
11 approach you? I mean, you seem like you're an approachable person  
12 to me, but do you think there's any hesitancy? Or do you think  
13 the crew does a good job talking to each other if they need to --  
14 you know, for instance, if someone did tell us that anchor's  
15 broken, we don't use it this year, you know, why wouldn't they  
16 have told you or --

17 A. Right.

18 Q. -- you know, why wouldn't you not know that?

19 A. Right. Right. No, that -- it's not like there's any  
20 animosity between anybody on the boat to where somebody would say,  
21 screw it, I'm not going to tell him, anything like that. Normally  
22 if there's anything that's broken on the boat that needs to be  
23 fixed, I don't care if it's the ice machine or a winch, it gets  
24 taken care of with either the engineers or the barge engineers.  
25 All somebody has to do is bring it to their attention or bring it

1 to my attention and I make sure the appropriate people fix it.

2 So --

3 Q. The barge engineers, they sort of work for the chief  
4 engineer, right?

5 A. That's a recently new -- I think I explained to you before we  
6 have a new company and whatnot and we've kind of changed the  
7 structure of the hierarchy here. They fall under the supervision  
8 of the chief engineer. The title might be a bit of a misnomer.  
9 Actually what -- they've historically been called on here are  
10 conveyor men. And they're basically in charge of the unloading  
11 system on the boat. So they are calling them a barge engineer  
12 and --

13 Q. Kind of misleading a little bit?

14 A. A little bit. Historically they've always been conveyor men.  
15 And again, their responsibility is the cargo system.

16 Q. Let's suppose that either Tom Privo or the other AB that uses  
17 it -- who is that?

18 A. Tony Cronk (ph.)?

19 Q. Yeah. Tony. Yeah. Let's suppose that they did feel that  
20 that starboard system was broken and they both agreed to it.  
21 Would it be appropriate for them to report that to the barge  
22 engineer or would that be more under the purview of somebody else?

23 A. It would be more of somebody else. It would either be the  
24 chief engineer, one of the engineers on the tug or either of the  
25 mates or myself.

1 Q. Okay. So let's say they did tell the barge engineer that a  
2 piece of equipment is broken still or again. Would the barge  
3 engineer -- would it be his duty at all to actually take a look at  
4 that and try to fix it?

5 A. You're asking me to take a swing at what they would do. I'm  
6 reluctant to do that.

7 Q. Sure.

8 A. I would be surprised if they would offer to fix that  
9 themselves. They got enough work and it's really not their  
10 responsibility. I guess your best bet would be to ask the  
11 conveyer men, if that happened to them, what would they think, who  
12 would they refer it to. I'm sure they would refer it to the  
13 engineers.

14 LCDR [REDACTED]: Do you have any?

15 UNIDENTIFIED SPEAKER: Yeah.

16 BY UNIDENTIFIED SPEAKER:

17 Q. A few follow-up questions for you, Captain. First one is you  
18 mentioned the speed, the speed variance and all that stuff. You  
19 mentioned miles per hour. I just want to clarify. Is it miles  
20 per hour or knots?

21 A. We use miles per hour on the lakes.

22 Q. Okay. I just wanted to clarify that. And you mentioned as  
23 well that this is a -- this boat is new to the company. When did  
24 it come into service for the company?

25 A. We purchased it last June, June of 2017. We actually began

1 operating it in the end of March. But I know something -- I don't  
2 know, I don't know if we got to trial it to -- or whatever or -- I  
3 don't know. But I know something happened June 1st where we  
4 actually sat in port and had to wait till like midnight to leave  
5 on June 1st or something for the final. But that's neither here  
6 nor there for any of us. It's just --

7 Q. Okay. But you mentioned -- sorry -- June 2017?

8 A. This crew has been basically on this boat since the end of  
9 March of 2017.

10 Q. Okay. Right.

11 A. With a few exceptions. There are -- some of the deckhands  
12 you'll talk to later today came along later in the year. But  
13 barge engineers, the chief engineer -- the chief engineer had  
14 actually worked on this boat for the prior owner, so he's got more  
15 time on this boat than anybody.

16 UNIDENTIFIED SPEAKER: And just for the record, the barge and  
17 the boat were in the transaction, or just the barge?

18 MR. MATHER: Both. Both units.

19 UNIDENTIFIED SPEAKER: Came together. Okay.

20 BY UNIDENTIFIED SPEAKER:

21 Q. And you mentioned all the crew as well, while we're on the  
22 subject of the crew -- so that everyone kind of stays together on  
23 the same, on the same rotation. What kind of rotations do you do?  
24 Are they 2 months, 3 months, 4 months?

25 A. Most of the men on the boat work 4 weeks on, 2 weeks off, and



1 then 28/14, 30/15. Somewhere in that general, that's what we --  
2 most of the guys try to do. I have a -- my relief captain and I  
3 work on a different shift. We work 3 weeks on, 3 weeks off.

4 Q. Oh, okay. All right.

5 A. So we kind of job share.

6 Q. Again with the crew, so in the area of interest where this  
7 happened, what type of watch structure do you have -- was in place  
8 at that time?

9 A. Well, it's different for different departments. The mates  
10 work 6 hours on, 6 hours off. The tug engineers work 12 hours on,  
11 12 hours off; they work noon to midnight, midnight to noon.  
12 Everybody else works basically -- I'm going to say dayshift, but  
13 work as needed. For example, the conveyor men work when we have  
14 to unload the boat or load the boat. And the first mate sets the  
15 work schedule for the deckhands and -- again, they work normally  
16 an 8-hour day, unless we're loading or unloading, and then it can  
17 be as much as 12 hours.

18 Q. Okay. So during that transit to Mackinac, I understand that  
19 you were in the pilothouse and there was a mate as well. That was  
20 a second mate, I believe?

21 A. For which portion? Which --

22 Q. The April 1st.

23 A. Okay. Well, depends on the time. The first mate would be on  
24 duty from 6 in the morning till noon, and from 6 in the evening to  
25 midnight. And the second mate works the other two back-watches,

1 the 12 to 6, twice a day. Does that make any sense to you?

2 Q. Yeah.

3 A. Okay.

4 Q. And there's also a lookout or an AB on duty with that person  
5 at all times?

6 A. Yes. The ABs currently -- if we have three ABs, they work  
7 for -- I think they work a different watch. But since we have two  
8 ABs on now, they're working 6 and 6 as well, and they are -- work  
9 with the same mate. So Tony Cronk is -- works the watch with the  
10 first mate, Jeff Odolski (ph.), and Tommy Privo, the AB, works  
11 with the second mate, so Rick Gering.

12 Q. And when they're on watch, are they in the pilothouse with  
13 the mate or are they forward in the lookout post?

14 A. It depends on if we're in the open lake. They're always  
15 forward, up forward in the rivers and entering port. They  
16 wouldn't be in the crow's nest entering port so much as they're  
17 preparing the forward end for mooring, getting lines ready, maybe  
18 the landing chair if it's that type of dock. And like, coming  
19 into port and coming to the dock, they're up there taking the  
20 distances off and whatever is needed for the docking. They're  
21 running the winches and stuff, so -- but in open lake watch, they  
22 could be out on deck painting. They could be slicing wires. I  
23 don't know, it's just -- they do --

24 Q. Typical AB stuff.

25 A. Yeah.

1 Q. So back to having the anchors prepped and cleared during that  
2 time. Is that person the AB or is there somebody additional  
3 that's up there?

4 A. The AB clears and secures the anchors.

5 Q. Okay. And they are the ones who are expected to, if the call  
6 goes out, let go as well?

7 A. That is correct. Under normal anchoring circumstances, if we  
8 know we have to anchor for weather or the traffic directs us to go  
9 to anchor, we generally have two people up there. Somebody else  
10 will be up there with him. The only reason that he would ever  
11 drop an anchor alone would be in an emergency and he's the closest  
12 one to --

13 Q. Right.

14 A. For safety and -- you know, I've been on a lot of boats where  
15 you got to have one guy releasing the brake and the other guy  
16 hitting the brake down with a sledgehammer to get the anchor --

17 Q. Right.

18 A. Or you know, so it's -- we prefer to have two people up there  
19 under normal anchoring circumstances. And retrieving the anchor  
20 as well.

21 Q. So I understand you came on board on March 19th of this year?  
22 In the ballpark?

23 A. Yeah.

24 Q. During your time on board, had that starboard anchor ever  
25 been used?

1 A. Only for demonstration purposes, to the best of my knowledge.  
2 For the ABS.

3 Q. Okay. So during your time on board, it hadn't been used?

4 A. That is correct. We didn't anchor -- we have not had to go  
5 to anchor up till -- at all this year. Hadn't used either anchor  
6 at any point during the season until after this incident.

7 Q. All right. And you were not on board during the time when  
8 the demonstration took place, I understand.

9 A. That is correct.

10 Q. Got you. Was that your reliever that was on board?

11 A. This was -- we were in layup for the winter, so there wasn't  
12 a captain on board.

13 Q. And Captain, do you know if there's like any type of planned  
14 maintenance system in place for the inspection or checking of the  
15 anchors on any type of routine?

16 A. There's very little maintenance required, other than some  
17 grease fittings on it, to the best of my knowledge. The chief  
18 engineer has manuals and stuff for the equipment on here and we  
19 rely upon him for that information.

20 Q. Okay. So there's no required, like, test or dropping the  
21 anchor at a certain frequency that you're aware of?

22 A. Generally no.

23 Q. Okay. And understanding that the vessel was in layup and  
24 this repair took place to the anchor at that time, you mentioned  
25 as well that that was a priority of yours, and it was inspected by

1 ABS. Question is, was that repair conducted by vessel personnel  
2 or shipyard personnel or did the maker of the -- who did the  
3 repair to the anchor, I guess?

4 A. I was told that it was our fleet engineer and our chief  
5 engineer were the primary responsible parties for that, whom I  
6 have a great deal of confidence in.

7 Q. Okay. So there were no third parties involved except for --

8 A. I couldn't tell you.

9 Q. Okay. We'll follow up on that. Just to confirm, so your  
10 average speed -- your max speed light condition you said was 13.2,  
11 13.4 miles per hour?

12 A. That was about the best that she could do, which was, again,  
13 I felt wasn't, was not -- well, my relief captain also sailed on  
14 this boat for the former owner, and he sailed on it when it was  
15 fairly new and maybe a couple years old. And he was the one  
16 saying that this boat should have been going faster, should be  
17 going faster. But he's subordinate to me now, so I mean, it took  
18 me complaining about it to -- and especially when the MaK techs  
19 say these engines aren't working as hard as they should be, I --  
20 that kind of prompted management to get somebody to look at it.

21 Q. Yeah. And while we're on propulsion, so I understand  
22 controllable pitch and two screws?

23 A. Yes.

24 Q. Both inward or --

25 A. They are outward.

1 Q. Outward. Okay. And when the -- so I understand the tech  
2 actually came on board in Chicago?

3 A. Yes.

4 Q. And did he identify a problem or did he tell you what was the  
5 issue?

6 A. Yeah. Just enough information -- all I know is he made us go  
7 faster and I was happy.

8 Q. Okay. We can check with the chief engineer. There's  
9 probably a --

10 A. Yeah. I don't know how they determine this or whatnot, but  
11 especially on the starboard propeller, we weren't getting the full  
12 pitch. I know now -- I believe what they told me is now the port  
13 propeller pitch is set at 88 centimeters, millimeters, whatever.  
14 That's 88 and starboard is now on 90, which is more than it was  
15 before.

16 Q. Okay. Yeah.

17 A. I don't -- it's not degrees. Must be --

18 Q. So after that fix, of course, with the anchor up, what kind  
19 of speeds were you getting then?

20 A. Oh, yeah. We were making 15.1 for like 3 hours straight.

21 Q. Oh wow. Okay.

22 A. Yeah. It was a slow process. I mean, the tech that they  
23 sent wasn't -- he was like -- apparently our system is a little  
24 more unique than anything he's experienced before, so he had to do  
25 some studying up on our manuals to figure out some things on it.

1 Q. Yeah. Just back to the anchor now. Are you aware of how  
2 much -- what's the weight of the anchor, or what the weight of the  
3 anchor should be?

4 A. Not right off.

5 Q. Okay. And how many shots are on that chain? Is it five or  
6 six?

7 A. It'd be six.

8 Q. Six. Okay. I assume you don't have a stern anchor on the  
9 boat?

10 A. No. Actually I have an anchor on the stern of the tug, but  
11 it's freestanding, not connected with anything.

12 Q. Okay. All right. All right. So you mentioned -- when was  
13 this boat built?

14 A. I believe the tug was completed in 2011 and the barge was  
15 completed in 2012.

16 Q. So they're new.

17 A. Newest one on the Great Lakes.

18 Q. Oh. Again, you were on -- probably I can ask the chief  
19 engineer or someone, but during the demonstration, do you know if  
20 that demonstration of this starboard anchor with the ABS, did that  
21 take place alongside the dock or was it like a sea trial?

22 A. It was at the dock.

23 Q. It was at the dock. Okay. Do you know if it was like a full  
24 drop or if it was like --

25 A. (Indiscernible).

1 Q. Okay. We spoke of the crew, and I just wanted to know is  
2 there any -- has there been any issues or any morale issues,  
3 interpersonal issues that you're aware of? Any challenges, I  
4 guess.

5 A. Not this season, no. We had some last year, but nobody  
6 remotely involved with the anchoring, so --

7 Q. Okay. Yeah. You know what I'm getting at. Yeah. Let's  
8 see. So you mentioned the layup worklist and the reports that  
9 went to the company and all that. Is there like a documentation  
10 -- is there a process to get that to the company, or is it just  
11 more of a phone call, email --

12 A. It's generally a process that takes place in the fall and  
13 allows the management to plan for setting priorities. And there's  
14 a lot of things we would love to see that aren't necessary to the  
15 operation of the boat, and depending on, you know, budgets, that  
16 kind of decides what gets done and where. And so that's not up to  
17 me to decide what actually gets done, but I know that the deck  
18 department submits their wish list and the engineers do theirs,  
19 and the company decides after that what's going to get done and  
20 what doesn't.

21 Q. Okay. So I guess what I'm trying to get at is now, for  
22 example, there is a problem with the anchor. We know that. It's  
23 missing flukes. Is there a system in place for getting that into  
24 shore-based management --

25 A. Yes.



1 Q. -- so that the company can close the loop on it?

2 A. Yeah, I mean -- of course, this is -- you know, phone calls  
3 and the -- I want to say the necessity or the -- you know, this is  
4 a serious piece of equipment. You know, I don't have to add it to  
5 a wish list or anything. It's a priority for the company.

6 Q. Yeah.

7 A. And we have a purchasing person that, to my understanding, is  
8 trying to relocate another anchor for us to get installed.

9 Q. Okay.

10 UNIDENTIFIED SPEAKER: I've got to take a minute to catch up  
11 with my notes, but if you guys have any follow-ups, then --

12 BY UNIDENTIFIED SPEAKER:

13 Q. Captain, I just wondered if you could clarify for me, when  
14 you talked about the anchors being cleared, that means that the  
15 devil's claw is up, hoisted up into the pulley --

16 A. Yeah.

17 Q. -- and it's ready to be deployed quickly?

18 A. Yeah. Yeah. The wildcat is not engaged. The only thing  
19 holding the anchors up when they're cleared is the brake.

20 Q. The brake. Okay. That's what I thought. I just wanted to  
21 clarify that. Now, so when you're going through the Straits of  
22 Mackinac, both anchors typically would be cleared?

23 A. No.

24 Q. They wouldn't?

25 A. They would be secured.

1 Q. They would be secured at that point. Okay.

2 A. It's open water secured (indiscernible).

3 Q. Open water is when they would be cleared.

4 A. Yep.

5 Q. Okay.

6 A. No, open water, they would be secured. Restricted waters are  
7 the only time they are typically cleared.

8 Q. Okay.

9 BY UNIDENTIFIED SPEAKER:

10 Q. Since we came on board on Friday -- I mean, I'm sure it's  
11 been on people's minds, you know, that we were going to be hearing  
12 from you folks, but have you -- you know, I mean, has anybody  
13 talked about it or any finger pointing or any of that sort of  
14 stuff going on?

15 A. The two ABs are just at a loss. They just can't explain and  
16 they have no -- they're at a loss to explain why things were found  
17 as they were and why it happened. And I -- there's been no better  
18 resolution now than there was then.

19 Q. Sure. Okay.

20 A. And everybody felt that they did their job, except, you know,  
21 other than Tommy Privo admitting that he did not check to make  
22 sure that the devil's claw and the pawl were on the starboard  
23 anchor when we left the river at DeTour. Again, I'm sure he told  
24 you, or at least what he's telling me is that since he didn't  
25 think that he or Anthony were clearing that anchor, there was no

1 reason for him to check it.

2 Q. Yeah, the explanation -- the way I would sum it up is that in  
3 their mind -- because I mentioned it was sticking out a foot or  
4 what have you, in their mind, it's broken, so they secure it  
5 before the first voyage even took place. And since the two of  
6 them are the only people apparently that would deploy the anchor  
7 on an ordinary basis, would be the two bow watchmen, that if they  
8 both know it's broken and they both know the anchor was secured,  
9 then, you know, why would you need to check it again?

10 A. Well, I think you would need to clarify with them exactly at  
11 which stage that they thought it was coming out. Because I'm  
12 certain neither one of them thinks we left port with it sticking  
13 out or in the claw. But I know -- and trying to get Mr. Privo to  
14 enlighten me as to why these guys decided they were going to not  
15 follow orders or at least not use an anchor without our knowledge,  
16 was that at some point Tommy felt that that anchor had slipped out  
17 and that the devil's claw was tight, and they chose to leave it  
18 like that.

19 And then they have a conspiracy theory or whatever. The  
20 reason they think that somebody had to come up there, physically  
21 engage the wildcat, raise the anchor up to get the devil's claw  
22 off and then left it like that. And it just, it just seems  
23 preposterous to me, so --

24 Q. The barge engineers, there's Dan Zibb (ph.)?

25 A. Yep.

1 Q. And --

2 A. Jacob Vordich (ph.).

3 Q. Yeah, Jacob Vordich. Have you ever had any issues with Jake  
4 Vordich before?

5 A. No. Never.

6 Q. If you had to sum up his work ethic and abilities and stuff,  
7 what -- how would you describe him?

8 A. Excellent. Excellent employee. For a young man -- he's  
9 young. He's a very hard worker, very conscientious. Pretty sharp  
10 for the length of time he's been sailing.

11 Q. Okay. You know, when I look at issues, whether it's this  
12 casualty or, you know, any other one, I -- you know, if there's  
13 any gaps that I don't -- I can't get evidence to, you know,  
14 support the gap in the story, I tend to fall back on, well, what's  
15 the most likely explanation of what happened here? And then try  
16 to game that out.

17 And when I take into consideration what we were told in the  
18 last visit and what I understand of the issue from, you know, all  
19 the different people we talked to and the condition of the anchor  
20 up there, kind of the most likely story in my mind is that the two  
21 bow watchmen, they both are under the impression that the  
22 starboard anchor is broken. They tell Jake that starboard anchor  
23 is broken. But somewhere along the lines, you know, at your level  
24 and the other mates as well -- and I guess they weren't informed  
25 either. So somehow that information didn't get to all the right

1 people.

2       And the only explanation that I really can come up with --  
3 and this is not a factual statement. Again, it's just kind of a  
4 theory without proof at the moment. If Jake is the barge  
5 engineer, he was -- I wouldn't say he's, like, done maintenance on  
6 the anchor. I think he told us last time that a couple of times  
7 last year he put some grease on it or something of that nature.  
8 But they told him -- the two barge watchmen tell Jake that's  
9 broken. Is it remotely possible that Jake feels that he should at  
10 least look at it and, in doing so maybe disengages the claw so he  
11 can, you know, properly look at this thing and then -- I don't  
12 know. It's Easter Sunday, if it was that day that he looked at it  
13 even. Possibly has, you know, Easter meal on the mind or, you  
14 know, distracted with the rest of the day off or some such, you  
15 know, distraction, and innocently just forgot to put the claw back  
16 into place?

17       And I can't imagine how -- from what we were talking about  
18 last time when the other gentleman was with me, I can't imagine  
19 anybody would just maliciously raise the claw and deploy the  
20 anchor. So the most likely scenario in my mind is that someone  
21 just through the duties of their job, they take the claw up and  
22 they innocently forgot to put it back down again. And just  
23 unfortunately, this particular, you know, bout of forgetfulness,  
24 although it seems like an innocent enough act, just happened to  
25 have major consequences, that's all.

1 A. Okay. You're asking me to comment on what you just said? Is  
2 there a question there?

3 Q. Yeah.

4 A. Okay. This mention of Jake Vordich having any knowledge the  
5 brake or windlass anchor not working properly is complete news to  
6 me. Since you've been here or since all this came about, that --  
7 his name has never been associated with that anchor to me. The  
8 only thing I've been told since then is that Tommy claims that he  
9 told the pilothouse that he thought the anchor was slipping. But  
10 neither myself nor either mate, who I would presume to be the  
11 pilothouse, recall ever receiving that information.

12 And I'll tell you right now, if it would have been me -- if I  
13 had heard that information, I would have taken steps to  
14 immediately make sure that that was rectified, because again, that  
15 was a concern for me, a major concern. We're only required to  
16 have one anchor, but I sure wouldn't want to drop the port anchor  
17 if I was meeting a ship in the river and lose propulsion or  
18 steering and have to drop the port anchor, because that's going to  
19 run me right into the oncoming ship.

20 And so I don't know where, again, Jake is being associated  
21 with that. I haven't talked to Jake about this, but you guys  
22 have. So Jake could be -- if Jake has told you that he was  
23 approached by somebody and did or did not do work on it, it's news  
24 to me, but I would be happy -- I would be grateful if you could  
25 run that down for me. Because again, the only reference I've

1 heard to anybody being aware that that wasn't working right was  
2 Tommy's claim that he notified the pilothouse. And by that, I'm  
3 assuming he maybe said something on the walkie-talkie. But none  
4 of us in the wheelhouse had any clue that that starboard anchor  
5 wasn't operational and ready for use.

6 Q. Okay. Just curious. You mentioned that walkie-talkie story.  
7 Is it VHF or UHF that you guys are using?

8 A. VHF.

9 Q. VHF. What channel?

10 A. Typically 79 Alpha.

11 Q. Okay. Sorry, I didn't -- or I probably cut you off. I  
12 apologize.

13 A. I guess I was going to say, you know, you offered your  
14 thoughts as to what may have happened. I already offered mine,  
15 that I think out of habit they cleared both anchors, forgetting  
16 that they were not going to clear the starboard anchor, and then  
17 didn't secure it because they -- but again, that's -- I just can't  
18 explain it. It's just incredible to me.

19 Q. And the river transit for Easter morning, would that have  
20 been -- that would have been Tom Privo going into the upper river,  
21 then in the middle it would have been Tony Cronk, and then at the  
22 end of the river, which I think was from noon to 2, that would  
23 have been back to Tom again? Does that sound right?

24 A. It's going to be -- that's another good question, is who  
25 actually cleared the anchors at Gros Cap, which is the upper end

1 of the river. Because that was pretty close to a shift change. I  
2 believe -- I'd have to check the logbook for the time we were at  
3 Gros Cap. Because normally, we would clear the anchors by the  
4 time -- at Gros Cap. I'm pretty sure Tom Privo was on at Gros Cap  
5 because we wound up getting stuck in the ice shortly after we got  
6 past Gros Cap. And I was letting Jeff Odolski take a swing at  
7 doing some ice maneuvering, try to get us unstuck and  
8 (indiscernible).

9 Q. Just kind of a different question, I guess. I spoke with  
10 Dave Groh. I guess he's the vice president of --

11 A. He's the president.

12 Q. Oh, he is the president. Oh, okay. All right. I spoke with  
13 him on Saturday night. Kind of like what I told you on Friday  
14 morning when we showed up, like, why we were there. But my  
15 thought -- the phone call happened with Dave Groh was that -- I  
16 don't think he really understood up till that point in time, like,  
17 why is the Coast Guard making a big fuss out of a missing anchor  
18 fluke. And I explained to him the possibility that using the  
19 daytime stamp, like I mentioned, on those sensors and the AIS  
20 track of the boat, they mirror up pretty well with both the  
21 location and the time. And then you know, we come on the boat  
22 just to see the lock and, lo and behold, there's, you know, an  
23 anchor missing.

24 A. Right.

25 Q. So I told him, you know, our purpose is to rule this boat in



1 or out, you know, as a potential causative factor of that whole  
2 incident there. I guess, from the company's perspective, from  
3 your perspective, like what's the company saying about this issue,  
4 if anything? Has there been any discussion about that?

5 A. Not a lot, other than, you know, the company has just  
6 directed me to provide you with as many facts as we can provide  
7 and to let you guys do your job. Of course, nobody on the boat  
8 wants to be responsible for an environmental issue in the Straits.  
9 I'm hoping, you know, that's not the case, but I can't -- and not  
10 knowing when the anchor went in the water, I can't say yay or nay.  
11 And again, I can only tell you guys what I know, and that's -- I'm  
12 doing the best to tell you everything I know and --

13 Q. Do you think the crew, in particular Tom Privo and Tony Cronk  
14 and for that matter Jake Vordich, do you think the crew  
15 understands? Because when I came on the boat, you know, I opened  
16 up with you, like, that's why we're here: to rule the boat in or  
17 out.

18 A. Right. Yeah.

19 Q. In talking with the rest of the crew, I didn't give that  
20 level of explanation of why we're interviewing them. I suppose,  
21 looking back, in some of the questions it may have come out for  
22 some folks, but I didn't necessarily explain it bluntly like that.  
23 Do you think that they understand at this point in time, like,  
24 gee, maybe the anchor did that damage and caused that issue?

25 A. I don't think anybody wants to believe that we did that. But

1 they're seeing the Coast Guard news releases. And the fact that  
2 you're on board and whatnot, they're not idiots, so there'd be  
3 concern. I know -- I think Tommy has been almost physically ill,  
4 worried about, could I have been responsible for that? I know the  
5 man on watch through there, Rick, he's almost physically ill  
6 thinking that what if we did this, you know?

7 We live here. We enjoy the waters. We kind of pride  
8 ourselves into -- you know, we recreate as well as work on it.  
9 And, you know, a lot of times we're some of the staunchest  
10 supporters of, you know, clean water. And so, yeah. And again, I  
11 just don't, I don't want it to be us. I hope it wasn't because of  
12 us, but -- well, you know, I guess there's enough data out there  
13 to prove either yay or nay. I mean, we've given you our  
14 coordinates when we crossed through the cable area. It seems like  
15 -- there seems to be some discrepancy, when you and I talked  
16 before, about the depth of water where I think that this happened.  
17 It sure seems like my course -- my track line through there is in  
18 a lot deeper water. Again I -- was there four -- did four shots  
19 of chain -- the four shots of chain came out. Why didn't all six  
20 shots come out? And did it all come out at once or pay out  
21 slowly?

22 I met another ship shortly before the bridge. You'd think --  
23 I don't know that for a fact, but you'd think, if you were just  
24 looking at somebody else there, if you notice an anchor chain  
25 splashing in the water, laying around, they would have said

1 something. In fact, I actually called that company and asked if  
2 anybody on the boat had taken any pictures of us since you've been  
3 here. And unfortunately, they -- not the case. Because, you  
4 know, you and I talked before about trying to find webcam,  
5 anything, you know.

6 Q. Yeah.

7 A. You know --

8 Q. What was the other ship that you met in the Straits? Do you  
9 remember?

10 A. The *Undaunted*.

11 Q. Oh, yeah. That's the one you were saying you were going to  
12 wait (indiscernible) --

13 A. (Indiscernible) that ship, yeah.

14 Q. So you did actually get to reach out to them after the fact  
15 and say, hey, did you see an anchor --

16 A. Well, I actually talked -- or I saw actually on Facebook he  
17 had posted pictures. I didn't even know this fellow was on the  
18 boat. He's normally the first mate on the car ferry *Badger*, but  
19 apparently he was trying -- he was on as an observer to get his  
20 towing endorsement. So he was just doing a ride-along and he had  
21 taken some pictures of Mackinac Island. And I'm like, hey, hey,  
22 here they are. You know? Tell me you took some pictures of me,  
23 you know, your old buddy out here. And he said, no, I didn't.  
24 What? How do you not, how do you not do that, you know?

25 And you know, since it was around the supper hour, normally

1 they serve 5, 5:30 to 6, 6:30 on boats. But I don't know if  
2 anybody else on that boat -- I didn't pursue it any farther to  
3 see, you know, if anybody else on that boat took pictures of it.  
4 But again, it was a holiday and most boats are on pretty light  
5 duty for that kind of thing. And the weather was bad, so we --  
6 people wouldn't have been out on deck, kind of thing.

7 UNIDENTIFIED SPEAKER: There are no security cameras on the  
8 bridge itself then or --

9 UNIDENTIFIED SPEAKER: They do have security cameras, but I  
10 don't think that they showed -- I haven't seen that footage.  
11 Again, got tied up with this, and there's other folks back at the  
12 Soo that are, you know, dealing with the various facets. So, I  
13 mean, hopefully we can all meet the end of this week and put our  
14 stuff together to try to figure out what we can figure out.

15 BY UNIDENTIFIED SPEAKER:

16 Q. Just out of curiosity, what was your depth that you said you  
17 -- the vessel -- the dry run you guys had, what was the depth of  
18 the water where you guys experienced (indiscernible) --

19 A. It was over 200 feet of water.

20 Q. Over the, over the cable crossing?

21 A. Yeah.

22 Q. It's a dumb question, but -- I'm a blue water guy. But is  
23 there a lot of tidal activity in that area? Or any type of --

24 A. Well, we don't call it tidal, but wind does affect current  
25 and water levels. And on that day in particular, we had heavy,

1 strong southwest winds which were pushing all the water from the  
2 whole length of Lake Michigan up to the Straits. And so there was  
3 generally quite a bit of current in the Straits that day, yeah.

4 UNIDENTIFIED SPEAKER: Typically you describe that as the  
5 bathtub effect. If you tilt the tub, it's shallow in one end and  
6 deep at the other.

7 UNIDENTIFIED SPEAKER: (Indiscernible).

8 MR. MATHER: Should be something then. I took a picture of  
9 our track line, and I had -- people have this, but essentially  
10 here's Mackinac Bridge. The red line is our line.

11 BY LCDR [REDACTED]:

12 Q. Okay, yep. That's your history or is that your --

13 A. Yeah.

14 Q. -- intended track?

15 A. That was our history, the red line. The green line is our  
16 intended track; red line's our history. This is the end of the  
17 cable area. So I'm saying, unless this is really shallow there,  
18 but you know, 213 there and 224 there. That's why I said what I  
19 said.

20 Q. 224, that's that depth, and there too. Okay. Yeah. Okay.  
21 I don't know -- I know that they've thrown out the number 127  
22 feet. But like I said, there's three cables that were damaged:  
23 2, 5 and 6. And I don't know if that 127 is good for all of the  
24 cables, because there's a pretty big chunk of distance between  
25 those. But that's -- again, that's data that I still have to, you

1 know, cull through, you know, later on after, after they've been  
2 here, so --

3 A. Did you happen, when you were down Friday, did you take any  
4 pictures of the bow and the anchor and stuff, you know, just --

5 Q. Yes. Friday night? Yeah.

6 A. Yeah. Because I hadn't had a chance to till I got up here  
7 when I was taking -- I took some pictures yesterday. And I think  
8 it's pretty obvious, you can see where the paint's scraped up the  
9 hull right there. It sure looks like that anchor chain was  
10 dangling, was more this way than down. I struggle to understand  
11 how at that speed the anchor would have got down 200 feet down  
12 below. I don't know. Be interesting to see.

13 Q. Yeah.

14 A. In deep water, have the ship put down four shots of an anchor  
15 and crank her up and see how far she's really going. I would  
16 think that there would be a lot of resistance to where she would  
17 want to ride up.

18 BY UNIDENTIFIED SPEAKER:

19 Q. Do you have an ECDIS system on board or any chart plotter or  
20 anything like that?

21 A. We have a chart plotter and -- from the company -- it's made  
22 by a company called Rose Point. But it's their coastal explorer  
23 version.

24 Q. Okay.

25 A. It doesn't have quite as many features as Rose Point

1 (indiscernible).

2 Q. Do you -- has there been any data extraction from that yet?

3 A. Yeah, that's already been sent to the office, and they're  
4 prepared to provide you with that.

5 Q. Okay. I was wondering if we could probably arrange with  
6 maybe one of the mates or yourself, whoever's really good with --  
7 savvy with the system to do a playback through that particular  
8 area of interest for us just -- and again, you know, all data  
9 aside, we'll look at that sector later, but I just kind of want to  
10 get a visual as well of that particular area.

11 A. I don't know if any of us are astute enough to actually play  
12 something, like a movie of us going through there.

13 Q. It should have the -- well, I'm used to the other -- the Rose  
14 Point that you typically find on towboats. But there should be a  
15 playback function, I think, to --

16 A. All right. If anybody, it's Jeff. He's our --

17 Q. Jeff.

18 A. -- best guy on it. He's the one I had download the voyage  
19 and send in to headquarters, so --

20 Q. Any other type of recording or sensing systems on this vessel  
21 that we may not --

22 A. Not that I'm aware of.

23 Q. Okay. And my only -- my last question is -- Captain, is  
24 there anything that we failed to ask you or that you think that --  
25 you know, I know it's been a couple days to kind of digest this

1 now, but anything that you feel might be able to help us?

2 A. If you had asked me when we first sat down today, I would  
3 have said yes. But I think, between all of us here this  
4 afternoon, I think everything that I feel comfortable or know to  
5 be true has been provided. And again, feel free to contact me if  
6 you need to in the future.

7 Q. Certainly. We appreciate that.

8 A. [REDACTED] got all my contact info. I'll get you one of my cards  
9 before you leave.

10 Q. Sure.

11 UNIDENTIFIED SPEAKER: (Indiscernible).

12 UNIDENTIFIED SPEAKER: Yeah.

13 (Whereupon, the interview was concluded.)

14

15

16

17

18

19

20

21

22

23

24

25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           ATB *CLYDE S. VAN ENKEVORT* ACCIDENT  
                                  IN STRAITS OF MACKINAC, MICHIGAN  
                                  APRIL 1, 2018  
                                  Interview of Mark Mather

ACCIDENT NO.:               DCA18FM019

PLACE:

DATE:                        April 9, 2018

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Eileen Gonzalez  
Transcriber