

1 United States Coast Guard  
2 Marine Board of Investigation  
3 Formal Hearing  
4 Fishing Vessel Destination

5  
6 Henry M. Jackson Federal Building  
7 U.S. Coast Guard Thirteenth District  
8 915 Second Avenue  
9 Seattle, Washington 98174  
10 August 7, 2017 - August 17, 2017

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12 REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS  
13 (VOLUME I of IX)

14  
15 DATE TAKEN: Monday, August 7, 2017  
16 TIME: 9:00 a.m. - 3:15 p.m.

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21  
22 REPORTED BY:  
23 Jeannie A. Milio, RPR  
24 Official Court Reporter  
25 Administrative Law Judge Office  
Baltimore, Maryland 21202-4022

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## P R O C E E D I N G S

## OPENING STATEMENT

1 CDR MULLER: Good morning ladies and  
2 gentlemen. This hearing will come to order. Today is  
3 August 7, 2017 and the time is 9:00. We are at the  
4 U.S. Coast Guard Thirteenth District, Seattle,  
5 Washington.

6 I am Commander Scott Muller, United States  
7 Coast Guard, Chief of The Inspections and  
8 Investigations Division, Fifth Coast Guard District,  
9 Portsmouth, Virginia. I'm the Chairman of the Coast  
10 Guard Marine Board of Investigation and the Presiding  
11 Officer over these proceedings. The Commandant of the  
12 United States Coast Guard has convened this board  
13 under the authority of Title 46 United States Code,  
14 Section 6301 and Title 46, Code of Federal  
15 Regulations, Part 4, to investigate the circumstances  
16 surrounding the sinking of the fishing vessel  
17 Destination, with the loss of six lives, on  
18 February 11th, 2017 approximately three miles north of  
19 St. George Island, Alaska.

20 We would like to take this opportunity to  
21 express our condolences to the family and friends of  
22 the six crew members who were lost at sea.

23 Other than myself, the members of this board

1 include Mr. James Gillette.

2           The legal counsel for this board is  
3 Commander Tamara Wallen.

4           The recorder is Lieutenant Commander Pedro  
5 Mendoza.

6           Coast Guard technical advisors to this board  
7 are Mr. Scott Giard and Lieutenant Commander Randy  
8 Preston.

9           Our admin assistant is YN1 Calvert.

10           The board's Media Liaison is Ms. Alana  
11 Miller.

12           Upon completion of the investigation, this  
13 Marine Board will submit its report of findings,  
14 conclusions and recommendations to the Commandant of  
15 the United States Coast Guard.

16           The National Transportation Safety Board is  
17 participating in this hearing. Mr. Michael Karr,  
18 Investigator in Charge of the NTSB's Fishing Vessel  
19 Destination investigation is seated to my left.

20           The NTSB is also charged with the  
21 responsibility of determining the cause or probable  
22 cause of a major casualty under the provisions of  
23 section 304(a)(1)(E) of the Independent Safety Board  
24 Act of 1974.

25           For this reason, NTSB representative will

1 participate fully in this hearing. NTSB may make  
2 recommendations about the scope of the hearings, call  
3 and examine witnesses, and submit or request  
4 additional evidence.

5 I would like to request the cooperation of  
6 all persons present to minimize any disruptive  
7 influence on the proceedings in general and on the  
8 witnesses in particular. Witnesses are appearing  
9 before the Board to provide valuable information that  
10 will assist this investigation. We request that all  
11 members of the public be courteous to the witnesses  
12 and respect their right to privacy.

13 I ask that you silence all cell phones at  
14 this time, and please exit the hearing room to make or  
15 receive phone calls. With the exception of one pool  
16 camera, photography, including television cameras will  
17 only be permitted during this opening statement and  
18 during recess periods. The members of the press are  
19 welcome. An area has been set aside for your use  
20 during the proceedings. The news media may question  
21 witnesses concerning the testimony they have provided  
22 here, but only after I have released them from these  
23 proceedings. I ask that any such interviews be  
24 conducted outside this room.

25 The investigation will determine as closely

1 as possible:

2 \* The factors that contributed to the  
3 incident in order to develop recommendations aimed at  
4 preventing similar casualties;

5 \* Whether there is evidence that any act of  
6 misconduct, inattention to duty, negligence or willful  
7 violation of the law on the part of any licensed or  
8 certificated person contributed to the casualty; and

9 \* Whether there is evidence that any Coast  
10 Guard personnel or any representative or employee of  
11 any other government agency or any other person caused  
12 or contributed to the casualty.

13 This Marine Board has planned for at least  
14 one hearing session. The purpose of this hearing is  
15 to collect factual information. The Marine Board will  
16 use the factual information when developing its report  
17 of findings, conclusions and recommendations.

18 This session will focus on:

19 \* The vessel's construction, stability and  
20 maintenance history

21 \* The vessel's regulatory compliance and  
22 safety examinations

23 \* Crew member duties and qualifications

24 \* Pre-accident events, operations and voyage  
25 track



1           \* Environmental factors, including  
2 forecasted and prevailing weather and sea state

3           \* The Coast Guard's Search and Rescue  
4 operations

5           \* Industry and Regulatory Safety Programs

6           \* Survey Imagery of the sunken vessel

7           The Coast Guard has designated one Party In  
8 Interest to this investigation. In Coast Guard Marine  
9 Casualty Investigations, a Party In Interest is an  
10 individual, organization, or other entity that, under  
11 the existing evidence or because of his or her  
12 position may have been responsible for or contributed  
13 to the casualty. A Party In Interest may also be an  
14 individual, organization or other entity having a  
15 direct interest in the investigation and demonstrating  
16 the potential for contributing significantly to the  
17 investigation or otherwise enhancing the safety of  
18 life and property at sea through participation as  
19 Party In Interest. All Parties In Interest have a  
20 statutory right to employ counsel to represent them,  
21 to cross-examine witnesses and to have witnesses  
22 called on their behalf.

23           Witnesses who are not designated as Parties  
24 In Interest may be assisted by counsel for the purpose  
25 of advising them concerning their rights; however,

1 such counsel are not permitted to examine or  
2 cross-examine other witnesses or otherwise participate  
3 in the investigation.

4           The Marine Board has previously designated  
5 Mr. David Wilson as a Party In Interest. I ask that  
6 counsel announce their appearance on behalf of their  
7 client.

8           MS. SPIVAK: Svetlana Spivak on behalf of  
9 Party In Interest, David Wilson.

10           CDR MULLER: Thank you, Ms. Spivak.

11           The Marine Board will place all witnesses  
12 under oath. When testifying under oath, a witness is  
13 subject to the federal laws and penalties for perjury  
14 for making false statements under Title 18, United  
15 States Code, section 1001. Penalties include a fine  
16 up to \$250,000-dollar or imprisonment up to five years  
17 or both.

18           The sources of information into which this  
19 investigation will inquire are many and varied. Since  
20 the date of the casualty, the NTSB and Coast Guard  
21 have conducted substantial evidence collection  
22 activities, and some of that previously collected  
23 evidence will be considered during these hearings.  
24 Should any person have or believe he or she has  
25 information not brought forward, but which might be of

1 direct significance, that person is urged to bring  
2 that information to my attention by emailing  
3 FVDestination@uscg.mil.

4 Mr. Michael Karr will now say a few words on  
5 behalf of the NTSB.

6 MR. KARR: Good morning. I'm Michael Karr.  
7 I'm the Investigator-In-Charge for the National  
8 Transportation Safety Board for this investigation.  
9 The Safety Board is an independent federal agency  
10 which under the Independent Safety Board Act of 1974  
11 is required to determine the cause or probable cause  
12 of this accident, to issue a report of facts,  
13 conditions and circumstances related to the accident,  
14 and to make recommendations for measures to prevent  
15 similar accidents.

16 The Safety Board has joined this hearing to  
17 avoid duplicating the development of facts.  
18 Nevertheless, I do wish to point out that this does  
19 not preclude the Safety Board from developing  
20 additional information separately from this proceeding  
21 if that becomes necessary.

22 At the conclusion of this hearing, the  
23 Safety Board will analyze the facts of this accident,  
24 and determine the probable cause independently of the  
25 Coast Guard. At a future date a separate report of

1 the Safety Board's findings will be issued that will  
2 include our official determination of the probable  
3 cause of the accident. If appropriate, the Safety  
4 Board will issue recommendations to correct safety  
5 problems discovered during this investigation. And we  
6 may make these, some of these recommendations, in  
7 advance of our final report. Thank you.

8 LCDR MENDOZA: The Marine Board will now  
9 take the oath.

10 Place stand and raise your right hand.

11 (Recorder swears in the Board.)

12 LCDR MENDOZA: Please be seated.

13 CDR MULLER: This concludes the opening  
14 statement. At this time I would like to ask that all  
15 present stand for a moment of silence in respect to  
16 those persons who have been lost at sea as a result of  
17 this casualty.

18 (Moment of silence.)

19 CDR MULLER: Thank you. We will now take a  
20 15-minute recess before presenting a factual exhibit  
21 and calling the first witness, Mr. David Wilson.  
22 Owner of the Fishing Vessel Destination.

23 The Board is now in recess.

24 (Brief recess.)

25 Presentation of Exhibit by Alana Miller

1 MS. MILLER: Thank you for joining us and  
2 welcome to the United States Coast Guard Commandant's  
3 Marine Board of Investigation Formal Hearing held here  
4 in Seattle, Washington.

5 Over the next two weeks, this hearing will  
6 investigate the sinking of the fishing vessel  
7 Destination with the loss of six lives on  
8 February 11th, 2017 approximately three nautical miles  
9 north of St. George Island, Alaska.

10 This hearing is conducted with the full  
11 participation of the National Transportation Safety  
12 Board.

13 On February 11th, 2017 at approximately  
14 6:15 a.m. Alaska time. The Command Center for the  
15 Coast Guard District 17 received a 406 MHz EPIRB  
16 Distress Alert transmitting in the vicinity of St.  
17 George Island in the Bering Sea. Coast Guard watch  
18 standers identified the EPIRD as register to the  
19 fishing vessel Destination and confirmed with the  
20 vessel owner that the vessel was scheduled to transit  
21 the area with six crew members. Attempts to hail the  
22 vessel were unsuccessful. D17 launched search and  
23 rescue efforts including aircraft and cutters.

24 By mid-day Coast Guard aircrews and a good  
25 Samaritan vessel located a debris field in the general

1 area of the EPIRB alert. Collected debris included  
2 the transmitting EPIRB, a life ring from the vessel,  
3 Buoys, tarps, and an oil sheen.

4 After three days of search and rescue  
5 operations the Coast Guard suspended active searches  
6 for the Destination. No trace of the life raft or  
7 crew were found.

8 Sector Anchorage initiated a preliminary  
9 marine casualty investigation and informed Coast Guard  
10 headquarters on 17 February 2017 the Coast Guard  
11 Commandant convened a Marine Board of Investigation  
12 into the loss of the fishing vessel Destination.

13 The Destination was a U.S. flag steel hull  
14 commercial fishing vessel operated by fishing vessel  
15 Destination, Incorporated. The vessel was originally  
16 constructed in 1981 as a eighty-one foot vessel called  
17 the Compass Rose, and later lengthened and widened in  
18 1993 to its existing length of 98.6 feet.

19 As a commercial fishing vessel, the  
20 Destination was subject to Coast Guard regulation 46  
21 C.F.R. Subchapter C requirements for commercial  
22 fishing industry vessels. Commercial fishing vessels  
23 are not required to be inspected by the Coast Guard  
24 for issuance of a Certificate of Inspection. However,  
25 these vessels were encouraged to voluntarily complete

1 Coast Guard Dockside Safety Exams and receive a Safety  
2 Decal. Per the Coast Guard Authorization Act of 2010  
3 and the Coast Guard and Maritime Transportation Act of  
4 2012 after October 2015 commercial fishing vessels  
5 operating beyond three nautical miles from shore are  
6 required to complete these dockside Safety Exams.

7 Since 1995, the Destination held a valid  
8 Coast Guard Safety Decal, consistently completing a  
9 voluntary dockside Safety Exam every two years.

10 As a self-propelled, seagoing documented  
11 vessel of less than 200 gross tons, the Destination  
12 was not required to be under the command of a Coast  
13 Guard licensed master.

14 This profile view of the Destination shows  
15 the general arrangement depicting the vessel's three  
16 holds that can be filled with sea water to hold its  
17 catch, as well as bait, freezers for bait, ballast  
18 tanks, cargo/gear, and fuel, lube and fresh water  
19 tanks.

20 In February the fishing vessel Destination  
21 completed Cod fishing, and while in Sand Point,  
22 converted its crab pots for Opilio season.

23 On February 8th at 10:00 a.m., the  
24 Destination departed Sand Point with approximately 200  
25 crab pots onboard. Later that evening the Destination

1 arrived in King Cove at 7:00 p.m. While there, the  
2 crew loaded 3,000 pounds of sardine bait from Peter  
3 Pan Seafoods, and also completed an ADF&G Opilio  
4 Certification exam for the 200 pots onboard, the  
5 vessel departed King Cove at 10:00 p.m. enroute to  
6 Dutch Harbor.

7           On February 9, at 7:00 p.m., the Destination  
8 arrived into Dutch Harbor and moored at the  
9 Kloosterbor Facility to load 7,000 pounds of squid  
10 bait. At 7:30 the vessel shifted berths to nearby  
11 Trident Seafoods facility, and then later departed at  
12 11:15 p.m. enroute to St. Paul.

13           During the voyage to St. Paul, it appears on  
14 two separate occasions, the Destination jogged into  
15 the seas, meaning it headed into the wind and slowed  
16 down. The first occasion was on 10 February at  
17 1:30 p.m. to 1:50 p.m. and the second was later that  
18 same evening from 10:10 p.m. to 10:50. At  
19 approximately 5:00 a.m. on February 11, the  
20 Destination crossed onto the western sides of St.  
21 George Island.

22           This picture was taken by a crew member of a  
23 vessel moored next to the Destination shortly after  
24 Destination moored at the Kloosterbor facility in  
25 Dutch Harbor.



1           The second picture was also taken by a crew  
2 member of a vessel moored next to the Destination  
3 shortly after it moored at the Kloosterbor facility in  
4 Dutch Harbor.

5           AIS track line of the Destination as it  
6 passed along the western side of St. George is  
7 depicted on this graphic during the morning of  
8 February 11th.

9           At 6:14, the fishing vessel Destination's  
10 AIS stops transmitting.

11           This line depicts the preliminary weather  
12 forecast data for February 9th, 2017 showing heavy  
13 freezing spray and a small craft advisory.

14           PAPB reported winds from the northeast at 23  
15 knots with peak gusts to 34 knots, light snow and a  
16 temperature of  $-8^{\circ}$  C, and a broken cloud ceiling at  
17 2,000 feet above ground level. The closest official  
18 marine site reported water temperatures of  $-.6^{\circ}$  C to  
19  $-.7^{\circ}$  C. And closest wave data site (Buoy 46073)  
20 reported waves coming from the northeast with  
21 significant wave heights between 3.7 and 4.6 meters or  
22 10 to 12 feet.

23           Thank you for your attention.

24           CDR MULLER: Thank you, Mrs. Miller.

25           Just for the record, that was MBI

1 Exhibit 001.

2 We will now hear testimony from Mr. David  
3 Wilson, owner of the fishing vessel Destination.

4 Mr. Wilson, please come forward to the  
5 witness table and Lieutenant Commander Mendoza will  
6 administer your oath and ask you some preliminary  
7 questions.

8 LCDR MENDOZA: Please raise your right hand.

9 DAVID WILSON,

10 A witness produced on call of the Coast  
11 Guard, having first been duly sworn, was examined and  
12 testified as follows:

13 THE WITNESS: I do.

14 LCDR MENDOZA: Please be seated.

15 Please state your full name and spell your  
16 last name for the record.

17 THE WITNESS: David Wilson, and W-I-L-S-O-N.

18 LCDR MENDOZA: Please identify your counsel.

19 THE WITNESS: Svetlana.

20 MS. SPIVAK: Svetlana Spivak with Holmes,  
21 Weddle, Barcott.

22 LCDR MENDOZA: State your current employment  
23 and position title.

24 THE WITNESS: Say that again.

25 LCDR MENDOZA: State your current employment

1 and position title, sir.

2 THE WITNESS: I'm employed by F/V  
3 Destination, Inc. as manager and owner.

4 LCDR MENDOZA: Please tell us about your  
5 general responsibilities in your current position.

6 THE WITNESS: My responsibilities are, you  
7 know, first the environment. I've never been in a  
8 situation like this. But as manager I do, like I say,  
9 first of all safety was one of the things, you know,  
10 make sure life rafts, the COD was current on the boat,  
11 federal fishing permits, state fishing permits and a  
12 lot of inspecting the paperwork.

13 LCDR MENDOZA: Please share any prior  
14 relevant work history you have in this field.

15 THE WITNESS: What? Say that again, please.

16 LCDR MENDOZA: Please share any prior  
17 relevant work history.

18 THE WITNESS: Any history as this?

19 LCDR MENDOZA: In this field.

20 MS. WALLEN: In the fishing industry.

21 THE WITNESS: In the investigative type  
22 field like this, I don't have any experience.

23 MS. SPIVAK: No, David, your work history.  
24 Your work history in the fishing industry.

25 THE WITNESS: Oh. My work history is

1 extensive. I'm 68 years old and I did start fishing  
2 when I was eight years old in the summer. Just about  
3 every year since then until about '93, '92/'93 I  
4 didn't go out on the boats anymore. I took more of a  
5 management/owner position.

6           Could you be more specific in what you mean  
7 by my experience. I've run cod boats, pot boats,  
8 salmon boats. Is that what you mean?

9           LCDR MENDOZA: Very well. Thank you.

10           What is your highest level of education  
11 completed?

12           THE WITNESS: I'm having a hard time with  
13 the speaker system, but --

14           LCDR MENDOZA: Your highest level of  
15 education completed.

16           THE WITNESS: Education?

17           LCDR MENDOZA: Correct.

18           THE WITNESS: Eighth grade. It's  
19 embarrassing to say. Now I did go to high school, but  
20 I never finished.

21           LCDR MENDOZA: Do you hold any professional  
22 licenses or certificates?

23           THE WITNESS: In the fishing business?

24           LCDR MENDOZA: Correct.

25           THE WITNESS: No.

1           LCDR MENDOZA: Thank you, sir.

2           CDR MULLER: This is Commander Muller.

3           Good morning, again, Mr. Wilson. Pleasure  
4 to see you again.

5           THE WITNESS: Thank you.

6           CDR MULLER: We last met back in March when  
7 we conducted our preliminary investigation. So thank  
8 you for your testimony today.

9           Can you hear me okay with this?

10          THE WITNESS: Yes, I do. I hear you better.

11          CDR MULLER: So before we get started,  
12 Mr. Gillette will be asking a number -- a series of  
13 questions through the remainder of the day with you.  
14 So we have that agenda established. But before we get  
15 started on that, if you'd like to take the opportunity  
16 to express anything you feel appropriate, we can take  
17 that now.

18          THE WITNESS: Okay. I would like to thank  
19 the Coast Guard for their valiant effort in trying to  
20 find survivors and I understand it was a three-day  
21 deal, and I think it was above and beyond the call the  
22 duty, and also to thank you in continuing to determine  
23 the cause of the sinking of the Destination.

24          My brother and my sons are fishing right now  
25 as we speak in Alaska, and I would never want to see

1 their names or anyone else's names in a hearing like  
2 this.

3           The loss of my friends, Jeff and Larry,  
4 along with the exceptional crew members on the  
5 Destination is a reality that haunts me every day.

6           I'm hopeful that the investigation would  
7 result in discovering the cause of the Destination  
8 sinking. The crew along with their family and friends  
9 will forever be in my thoughts and prayers.

10           Thank you.

11           CDR MULLER: Thank you, Mr. Wilson.

12           We will now turn to Mr. Gillette, who will  
13 continue with the questions.

14           MR. GILLETTE: Thank you, Commander.

15                           DIRECT EXAMINATION

16 BY MR. GILLETTE:

17           Q. Good morning, Mr. Wilson.

18           A. Good morning.

19           Q. My name is James Gillette with the United  
20 States Coast Guard.

21           Today we will explore six broad topics that  
22 include the overview of management and policies,  
23 safety equipment, engineering, stability, weather, and  
24 accident voyage.

25           After we finish the Coast Guard initial

1 questions for the specific broad topics, the NTSB will  
2 conduct questions in that area before we move on to  
3 other topic areas.

4           If at any time you don't understand a  
5 question that is asked, just request that the question  
6 be repeated or rephrased. If at any time during your  
7 testimony you feel that you need to take a recess,  
8 just ask.

9           Also remember to speak loud and clear into  
10 the microphone to assist the court reporter to  
11 transcribe the hearing.

12           With that said, I would like to start asking  
13 questions.

14           I know some of the questions were asked in  
15 the beginning by our recorder, but I would like to,  
16 kind of, ask you some of the ones again. I'd like to  
17 start with how long you've been working in the fishing  
18 industry and what positions you've held over the  
19 years.

20           A.    Again, I started when I was eight years old  
21 in the summertime salmon fishing, and as I grew older  
22 by my early 20s I had my own boat. I have run several  
23 boats in the Bering Sea and in the gulf of Alaska in  
24 the salmon fishing industry, and cod boats.

25           Would you like specific, I guess I can go by

1 memory and think of some of the boats I've run. I  
2 started fishing in the Bering Sea with my brother on  
3 the Mary Jane in the late '60s. By the early '70s I  
4 was running a crab boat named the Sea Hawk and by '77  
5 my brother and I bought a boat called the Jupiter.  
6 After that we had bought in '81 -- we lost that to a  
7 grounding in '81 and then in '81 we bought a boat  
8 called the Keta, which I ran for several years. Keta  
9 was the boat we brought in '81, and I was the Captain  
10 on that. I rotated with my older brother as Captain.  
11 We were both owners of it. Still have that boat.

12 In '85 we bought the Destination, as you  
13 described what it was, and I was the main Captain,  
14 manager on that boat. My brother did run it for short  
15 periods of time. By '92 I had got involved in the  
16 shipyard and had the boat extended and widened, a lot  
17 of new machinery, hydraulics, engines.

18 And I had another boat in-between that time  
19 from '89 until I sold it in '05 called the Silent  
20 Lady, and I sold that to a buyback program we had in  
21 the crab business. I was a part-time Captain on it  
22 and the manager/owner of it.

23 I have another called the Lady Joanne than  
24 my son runs and he's fishing today. I think they're  
25 fishing salmon today.



1 Q. Mr. Wilson, can you speak up, just a little  
2 bit, please?

3 A. Am I not close enough to the mic? Is that  
4 better?

5 Q. I think you're close enough to the mic.  
6 Just if you could speak a little louder.

7 A. Okay. Did you get my previous, though?

8 Q. I think we're fine with what you've said.

9 A. Okay.

10 Q. Just speak a little louder. Thank you.

11 A. So I think that brings me up to, I guess,  
12 you might say my mariner experiences and management  
13 experience and owner experience.

14 Q. Okay. Thank you.

15 When you purchased the Destination, why did  
16 you choose Sand Point, Alaska as its home port?

17 A. That's where I live, in Sand Point, Alaska.  
18 My boats are registered out of Sand Point and a home  
19 port. I was born and raised very close. Raised in  
20 Sand Point. Born in a place called Unga, which was  
21 seven or eight miles away.

22 Q. Since you've owned the Destination, about  
23 how much time have you spent onboard?

24 A. You know, I haven't spent any time on the  
25 boat after it was lengthened and widened. I think I

1 made the maiden voyage from Seattle to Sand Point, the  
2 very first year it was done to help the Captain get a  
3 feel for the boat at that time. It wasn't Jeff at  
4 that particular time. It was a guy named Jarl  
5 Kanootzen (phonetic).

6 Q. When you were not onboard, how did you  
7 communicate with the Captain and how often?

8 A. Part of it was, you know, a lot depended on  
9 where he was. If he was in town, he would call me,  
10 occasionally. No specific time. We had email  
11 capability on the boat. Two sat phones on the boat.  
12 Communication was another item called an inReach,  
13 which I think you have records of some conversations  
14 on there.

15 Q. How do you procure supplies and equipment  
16 for the board?

17 A. Most of that was done by the Captain and the  
18 crew. They would order, for example, if it was  
19 groceries from a place in Seattle a QFC store or some  
20 other, Costco sometimes. And when they ordered it, I  
21 would just -- I would be the person paying the bill.

22 Q. Okay. Did you provide any verbal or written  
23 policies that may have been found on the mess deck or  
24 bridge? Can you speak of a few of those?

25 A. Written, I know we had wheel watch duty

1 posted. There was a lot of placards. I couldn't tell  
2 you all, but they were posted. As you guys in the  
3 Coast Guard know, garbage disposal and records,  
4 reporting of injuries within seven days. I couldn't  
5 repeat all of those right now.

6 Q. Can you share with us, how you work with the  
7 Captain to ensure those policies were being followed?

8 A. I would go and ask him and he would answer  
9 and say, you know, is the COD correct? And he would  
10 look at -- I suppose he would look at the paperwork  
11 and say, yes, it is.

12 Q. Can you talk to us about the working hours  
13 of the Captain and the crew. And do you have any  
14 verbal or written policies onboard to reduce crew  
15 fatigue?

16 A. No. We just left that, of course, up to the  
17 Captain and crew.

18 Q. Is there any differences in work hours  
19 between cod fishing and crab fishing? Can you explain  
20 why?

21 A. I think since the crab quota system was  
22 started, I think the crab fishing was probably less  
23 hours. But, again, I don't monitor hourly, you know,  
24 time fishing or whatever, I did not monitor that.

25 Q. Okay. Can you talk to us about your hiring

1 process of Captain Hathaway?

2 A. Hiring his crew?

3 Q. Yes. How Captain Hathaway was hired. How  
4 did you hire Captain Hathaway?

5 A. Oh, so back in '93 he called me for a job  
6 and we talked about his past experience. He was -- he  
7 had run much larger boats than the Destination, and  
8 told me that he had Captain's license, you know. I'm  
9 going by distant memory now. So we talked about his  
10 experience level and what he wanted to do and he  
11 wanted to run that boat. And I did hire him shortly  
12 after an interview.

13 Q. Was Captain Hathaway given any written or  
14 verbal expectations or responsibilities that you  
15 expected him to follow to keep employment with you?

16 A. We had a couple and it was verbal. I didn't  
17 write anything down, but I do have one important deal,  
18 there was no drugs or drinking on the boat. I just  
19 remember always talking about that.

20 Q. Did you ever provide Captain Hathaway any  
21 training opportunities to attend third-party training  
22 courses or online courses and, if so, can you talk a  
23 little about that?

24 A. I did not provide any. I know they were --  
25 he, being the Captain, he would go do something to

1 keep his license up, which he, by the way, wasn't  
2 required to have a license on this boat, but he did  
3 things in keeping that license, I guess.

4 Q. Okay. Do you know if he attended any  
5 training on stability?

6 A. I do not know.

7 Q. Okay. I would like to talk to you a little  
8 about the hiring of the crew that worked for Captain  
9 Hathaway. Can you share with us the process of hiring  
10 the crew?

11 A. Jeff would hire the crew and Larry would  
12 O'Grady at times would if it was in the summer, they  
13 would tell me about a crew member. Our policy then  
14 was to -- we would get their Social Security number,  
15 and do a background check through Coastal Marine Fund  
16 or the Polaris Group. Also have to make a -- some  
17 paperwork to the IRS and to I think I got the name  
18 wrong, child protection or child support division and  
19 get a clearance on things like that.

20 And that's what I would do would be that  
21 part. And that reminds me, of course the signing of  
22 the contract that he would do.

23 Q. Okay. What you see in front of you is  
24 Exhibit 155, page 34. It is a contract for an  
25 employment.

1 A. Uh-huh.

2 Q. As a crew member this one happens to be  
3 Captain Hathaway.

4 A. Yes.

5 Q. Would you explain to us what this contract  
6 for employment as crew member means to you, and when  
7 are you required to receive it?

8 A. Repeat the last thing. When am I required  
9 to what?

10 Q. To receive it?

11 A. Receive the contract?

12 Q. Yes.

13 A. Well, I'd like to have it in my possession  
14 via fax or email before the boat goes out.

15 Q. Is that for every fishing season?

16 A. Yes.

17 Q. Okay. Can they leave out for the fishing  
18 season without having a contract in?

19 A. No.

20 Q. No?

21 A. Well, not in my opinion. I mean, it may  
22 have happened at one time. I don't think so, though,  
23 but no, that was a thing we always talked about was  
24 having the contracts in my possession.

25 Q. Okay. Can you, kind of, go through, kind

1 of, the sections that are on your -- on the contract.  
2 Kind of briefly discuss, like, each section. You know  
3 what that means to you.

4 A. Sure. It would have their name and Social  
5 Security number. I see this one doesn't have it, but  
6 a lot of times we would have their license number. We  
7 wanted to be sure that they had an ADF&G license in  
8 possession. And at times it would be on here, and I'm  
9 looking on this one. You know, Jeff was with me 23  
10 years so I trusted that he was being sure that the  
11 crew all had their fishing license. We've never had  
12 an incident where no one went on the boat without one?

13 Where do you -- you know, I can say that the  
14 contract was between the Destination and Jeff  
15 Hathaway. It's for the Opilio season. It names the  
16 percentage that they will get paid. They initial,  
17 it's pretty self-explanatory, I mean, what it says  
18 there. They initial that they have read paragraphs,  
19 they initial that they're fit for duty. Then they  
20 give us contact information. Date of signing.

21 Q. Does the crew pay for the food and the fuel?

22 A. A percentage. We take the food and the fuel  
23 in this case off the top.

24 Q. You also have a section on there for drugs  
25 and alcohol. Can you explain your policy on those?

1           A.     Well.  It spells it out pretty good.  
2  There's no drugs allowed on the boat except  
3  prescription drugs.

4           Q.     Okay.  And what is your policy on alcohol?

5           A.     That was never written in the contract, but  
6  it was no drinking or alcohol allowed on the boat.

7           Q.     Okay.  Thank you, Mr. Wilson.  I would now  
8  like to slightly shift the focus to the crabbing  
9  operations onboard, and ask you if you could give us  
10 an understanding on how the Destination operates.

11                   So if you would, can you please start by  
12 speaking about what it's like or what it was like in  
13 the Bering Sea and what was considered derby style  
14 prior to the creation of Crab Rationalization.  Sort  
15 of a little history of what the difference was between  
16 the two.

17           A.     Prior to 2005 it was known as an Olympics  
18 style system.  So the fishing game would announce a  
19 quota for the whole fleet.  And then it became a race  
20 to get your, you know, as much as you could of that.  
21 So it was a lot of, I would say, before  
22 rationalization, before '05, there was a lot more  
23 scrambling to be out there fishing.  Any fishing even  
24 now is a hazard condition as we see every day in the  
25 wintertime, any time of year really.  But it was more



1 so of a scramble back before '05. After  
2 rationalization there was time to plan a delivery.  
3 You know your crab quota amount before you started the  
4 season. And you have a long time to get it. The  
5 Olympics system for king crab, for example, lasted  
6 sometimes as short as five days. It might even be  
7 shorter, and the Opilio season in the winter would go  
8 seven to fourteen days. Very short compared to how it  
9 is after rationalization.

10 Q. Can you speak of how Crab Rationalization  
11 has affected your business?

12 A. It's made our business more stable. We can  
13 now talk about shipyard times with more -- confirming  
14 the date when the -- we'll catch our fish, when we'll  
15 go to a shipyard. We have a lot more leeway that way.  
16 The crew can know before the season starts what  
17 poundage we'll have to catch. So they can almost --  
18 we don't know the price, of course, sometimes. We  
19 don't know what the market will be, but we know  
20 what -- before the season starts -- what we're going  
21 to catch in the crab fishery.

22 Q. Can you explain the individual fishing  
23 quota?

24 A. That's what I was explaining. So back when  
25 it started, they went by your vessel history. A very

1 long process of figuring out what each boat would have  
2 to catch and the Destination had X amount of pounds to  
3 catch and we knew that before the boat went out  
4 fishing.

5 Q. Do you have any input on being able to raise  
6 or lower that quota? Can you, as the Destination  
7 owner, do you have any say so in raising or lowering  
8 that quota?

9 A. No.

10 Q. Someone else decides that quota for you?

11 A. I don't know of anyway to raise or lower the  
12 quota, no.

13 Q. Is there any negative outcome from not  
14 making your quota and if so what would that be?

15 A. We've never been involved in not making the  
16 quota. I don't know.

17 Q. Is there any negative effects if you don't  
18 deliver a load to a cannery on a scheduled delivery  
19 time?

20 A. Not on a time, but we have to deliver an X  
21 amount of pounds to a certain specified cannery by  
22 law.

23 Q. How do you know that in advance which  
24 cannery you have to go to? Can you please explain a  
25 little more detail?

1           A.     Yeah.   So every -- in this Crab  
2 Rationalization program they come out with not only  
3 IFQ for vessels, they also came out with an IPQ which  
4 was Individual Processor Quota, so they're guaranteed  
5 to get X amount of pounds.   So they will look at our  
6 pounds and say we are going to accept, there is called  
7 a share match on the internet, I think, and they will  
8 say, well, we'll take this many pounds from you.   And  
9 I could be specific, like Trident Seafoods might say,  
10 we can take 50 of those and Peter Pan might say, we  
11 can take 50 percent, so they would accept the crab  
12 quota.   And we, after accepted that's our duty to take  
13 that crab to that processor.

14           Q.     What would happen, though, if you didn't  
15 show up on time?   Do they put you on the back of the  
16 list or --

17           A.     We have never -- oh, no.   No.   We have never  
18 had a situation, so I don't know.

19           Q.     I'd like to now show Exhibit 156, page 2.  
20 It is a fishing vessel Destination 2016 and 2017  
21 timeline.   Mr. Wilson, I would like to discuss this  
22 timeline that you provided us in March 2017.   Can you  
23 explain to me who created this list?   And how are the  
24 dates that are listed under each season determined?

25           A.     So this must have been prepared by my

1 bookkeeper. Do you know?

2 Q. Okay.

3 A. I'm looking at it and trying to -- repeat  
4 the question, so I understand what you're -- I mean  
5 this looks like what we do. These are approximate  
6 dates of what we do.

7 Q. Are they approximate dates or accurate  
8 dates?

9 A. Let me look at this and tell you.

10 Q. Okay.

11 (Witness reviewing document.)

12 A. These dates look accurate to me, yes.

13 BY MR. GILLETTE

14 Q. Okay. When looking at the 2016/2017  
15 timeline, I notice the Destination fish for cod for 10  
16 days in 2016 and 27 days in 2017. Can you share with  
17 us what would constitute a 17-day difference between  
18 cod season between 2016 and 2017?

19 A. I don't know if I can. I can't remember  
20 that, maybe the quota. There could have been a couple  
21 of reasons for the shorter timeline in '16, maybe the  
22 quota was lower for cod or maybe the price wasn't good  
23 or Jeff would make those calls if he did quit before  
24 the quota was caught and I don't remember that year if  
25 it was because the quota was caught or if because the

1 fishing was so bad and the price was depressed.

2 Q. So when you look at the timeline 2017, would  
3 that timeframe there, is that normally the timing for  
4 cod fishing during that season?

5 A. Yes, I would say so. I do remember the '17,  
6 they caught the quota in the Bering Sea.

7 Q. Can you say that again, sir.

8 A. In '17 of January there, they did catch the  
9 cod quota, the fleet did. So it was closed probably  
10 about the time they quit there.

11 Q. Okay. All right. I'd like to now ask if  
12 the Destination got off to a late start for the 2017  
13 Opilio crab season and if so can you speak about that?

14 A. It was (inaudible) of course by Jeff and I  
15 to fish cod fish and no, I would not consider it a  
16 late start. We only had a couple -- one full load  
17 almost and two short trips to make. The reason they  
18 were shorter is because they had to go to two separate  
19 areas. We had to delivered some quota to St. Paul in  
20 the Pribilof and then the other two deliveries were  
21 going to be in Akutan and Peter Pan in King Cove.

22 So Jeff talked about that and thought we had  
23 a lot of time.

24 Q. Do you know what dates those were? Can you  
25 tell me what dates those were that you were supposed

1 to deliver?

2 A. I don't have -- no, I don't know. We may be  
3 able to find some correspondence between Trident and  
4 Jeff or me, but I -- or my co-op, but I don't have  
5 that in front of me, the dates.

6 Q. Okay. In your opinion has Captain Hathaway  
7 ever experienced stress for getting underway, for  
8 timeliness or schedule delivery dates?

9 A. No.

10 MR. GILLETTE: Commander, I have completed  
11 the questions on this topic for Mr. Wilson.

12 CDR MULLER: Thank you, Mr. Gillette.

13 I just have one or two follow-up questions.

14 DIRECT EXAMINATION BY CDR MULLER

15 BY CDR MULLER

16 Q. Just regarding the IFQ delivery to a  
17 processor, I think Jeff used the term -- I'm sorry Jim  
18 used the term, "were you ever late," I think in other  
19 words, when would a vessel potentially be late in  
20 sending its catch to a particular processor? Are  
21 there particular due dates that are established by  
22 those processors and communicated to the fleet?

23 A. There are dates that they set in as  
24 tentative dates, but I don't remember if we've ever  
25 made a tentative date. Jeff knew that very well that

1 if they said, for this example I don't know what the  
2 date was, but if it was say, February 20th, I'm not  
3 sure, but if it was, he knew that by calling the  
4 processor, he could extend that to his convenience.

5 Q. Okay. The quotas that, the shares as I  
6 understand it, are owned by vessel operators or vessel  
7 owners?

8 A. Both.

9 Q. Okay. Do you manage your own quotas or is  
10 there a mechanism where fishing vessel operators or  
11 managers/owners enter into some kind of consortium or  
12 cooperative exchange? Are you aware of those? And  
13 are you a member or participate in one?

14 A. Yes, I do. I'm a member of the Alaska  
15 Fisherman's Crab Co-op and we do manage our own quota,  
16 but we don't have a say in an X amount of pounds that  
17 has to go, again, like I mentioned earlier to IPQ, and  
18 that is to a processor. So we have no -- that I know  
19 of anyway -- option of not doing that.

20 If we have dedicated 50,000 pounds to Peter  
21 Pan, that's where it has to go. But it's done before  
22 the season, so we do know where we're going before we  
23 start.

24 Q. Right. Okay. Just one additional follow up  
25 on my part here.

1           Earlier you mentioned one of your policies  
2 that you shared with the crew or with Jeff, the  
3 Captain, was no drinking on the boat.

4           A.     Correct.

5           Q.     Can you just add a little clarification to  
6 this policy. Did the policy primarily focus on when  
7 the vessel was underway or was it permissible to have,  
8 say, for example, beer while in port or alcohol?

9           A.     I had a no drinking alcohol policy and I  
10 only, you know, I could not enforce that from Seattle  
11 or wherever I might have been, but I expected Jeff  
12 would do so.

13          Q.     Right. So in port if there was alcohol  
14 onboard while in port not underway, would that be a  
15 violation of your policy?

16          A.     Yes, it would.

17          Q.     Okay.

18          A.     We have had too many and you, as the Coast  
19 Guard are familiar, too many times when people have  
20 gone to and not even had alcohol on the boat, gone to  
21 a bar and came back and I even have a friend who lost  
22 a crew member while in port as he was trying to get  
23 aboard the vessel. So my policy was no drinking.

24                 CDR MULLER: Okay. Thank you, Mr. Wilson.  
25 Now I'd like to ask if NTSB, Mr. Mike Karr if you have



1 any follow-up questions.

2 MR. KARR: Yeah. Hi, Mr. Wilson.

3 THE WITNESS: Hi.

4 MR. KARR: I'm Mike Karr with the NTSB. And  
5 I'm going to ask a few questions, but as I'm asking  
6 the first one, could we bring up Exhibit 1, page 8 for  
7 the second question I'm going to ask.

8 CDR MULLER: Is your mic on, Mike? It needs  
9 to be green.

10 MR. KARR: Okay. I'm now green.

11 DIRECT EXAMINATION

12 BY MR. KARR

13 Q. Mr. Wilson, you referred to the wheel watch  
14 duty --

15 A. Yes.

16 Q. -- policy that was posted.

17 Do you have a copy of that in your office  
18 that we can obtain?

19 A. I have it. There's one right here in this  
20 folder.

21 Q. Oh, good. At the next break, I will take a  
22 look at that.

23 And now, so you don't have to worry about  
24 that now. We'll catch up with you on the break on  
25 that because I've got a couple of questions on that.

1           A.     Okay.

2           Q.     But now I'm looking at the map of the voyage  
3 that it took, that the Destination took. So did you  
4 receive any phone calls or contacts with the Captain  
5 or anyone else onboard the vessel during any of those  
6 voyages?

7           A.     I guess you're calling that one voyage,  
8 though, from Sand Point to St. George, right?

9           Q.     Correct.

10          A.     That voyage, the only time I spoke to Jeff  
11 was when he was in Dutch Harbor. He got in there  
12 whenever it was there and then he was going to leave  
13 that afternoon; although, I think they ended up  
14 leaving later, but they were getting a gasket for an  
15 exhaust flask and they were tightening up the stuffing  
16 box on the shaft. So that was on Thursday I spoke to  
17 him.

18          Q.     During that conversation, did Jeff -- can  
19 you tell me about any conversation you had with Jeff  
20 about anything else about how the trip was going, any  
21 description that Jeff might have given you over the  
22 phone or by email about the voyage?

23          A.     No.

24          Q.     Could you, based on your experience, based  
25 on your experience as the owner, when they were in

1 Sand Point could you tell me what the crew would have  
2 been doing, you know, would all of the crew have been  
3 up and about? Would some of the crew been up and  
4 about?

5 A. I would think the Captain and all of the  
6 crew, they would all be up and about in Sand Point  
7 converting the cod pots to crab pots.

8 Q. And then how about when they left Sand Point  
9 and started to sail for King Cove, while underway  
10 would everyone be up and about?

11 A. I don't know.

12 Q. Based on your experience. I mean I know you  
13 don't know, but based on your experience of this  
14 entire voyage?

15 A. We would have a wheel watch duty. You would  
16 have to have had at least one person steering the  
17 boat. That would be my experience.

18 MR. KARR: One moment, Mr. Wilson.

19 BY MR. KARR

20 Q. And on this voyage, was there any urgency?  
21 Do you know of any urgency for the vessel to sail for  
22 the Pribilof Islands?

23 A. No.

24 MR. KARR: All right. Thanks. That's all  
25 of the questions I have.

1 CDR MULLER: Thank you, NTSB.

2 Now for the Parties In Interest.

3 Ms. Spivak, do you have any questions on this section?

4 MS. SPIVAK: No questions, sir.

5 CDR MULLER: Okay. Well, I suggest we  
6 continue on to the next section of questions.

7 Mr. Gillette.

8 MR. GILLETTE: Thank you, Commander.

9 DIRECT EXAMINATION (continuing)

10 BY MR. GILLETTE:

11 Q. Mr. Wilson, I would now like to address  
12 life-saving equipment and training provided to the  
13 crew aboard the Destination.

14 I'd like to show Exhibit 155, page 31. It  
15 is fishing vessel Destination safety meeting signed by  
16 the Captain and the crew on December 30th, 2016.

17 Do you recognize this document?

18 A. Yes.

19 Q. Who created this document?

20 A. I did.

21 Q. Have you ever been present while one of the  
22 safety meetings on the Destination was being performed  
23 and if so can you tell us about what details in the  
24 safety meeting?

25 A. No, I've never been there. The Captain

1 would be doing that.

2 Q. The first line in the safety meeting form  
3 says, I hereby state that I've been shown the location  
4 and operation of survival suits, life rafts, EPIRB,  
5 flares, lifesling, general alarm and all other  
6 emergency related items. Can you tell us what all of  
7 the other emergency related items are?

8 A. I can think of one now would be the general  
9 alarm switch, where it was located. I made this up,  
10 I'll say that probably, you look through the fleet you  
11 won't see too much of this, but I had to make this up  
12 so that I was assured that Jeff was doing the safety  
13 drills, going over a lot of safe talking.

14 I'm looking here to see if they have, you  
15 know, switches for where the -- when I say other,  
16 there's a lot of others, testing the bilge alarms,  
17 testing the bilge pumps to make sure they work?

18 So Jeff knew that and I did not enter every  
19 single item so that's why I put all other there.

20 Q. Okay. The form also says in addition,  
21 discussions and drills have taken place including not  
22 limited to general alarm, fire, flooding, abandoning  
23 ship, the man overboard procedures, what are your  
24 requirements on the Destination for completing the  
25 drills and how were they logged?

1           A.     They were logged as you see them.  And it  
2 was my assurance from the Captain that he was actually  
3 doing all of this and having the safety meeting with  
4 all the crew members.  If there was one guy missing I  
5 don't think he would sign that form.

6           Q.     Do you require the Captain to send in a copy  
7 of the logs to indicate when the drills are done?

8           A.     Repeat that or rephrase it.

9           Q.     Yes.  Did you require the Captain to send  
10 you this form after the completion of the safety  
11 meeting?

12          A.     Yes, I do.  I like to see it and know.  I  
13 usually have him fax it to me, so I could be assured  
14 that those safety items were discussed.

15          Q.     Did you have any requirement that they do  
16 this for fishing seasons or what's your requirement,  
17 every few months?

18          A.     I like to have it before each season starts  
19 or a new crew member comes onboard.

20          Q.     Can you tell us how many emergent suits you  
21 had onboard?

22          A.     How many what?

23          Q.     Emergent suits were onboard and where they  
24 were located.

25          A.     They were located in the wheelhouse in the

1 cabinet door marked emergent suits/survival suits.  
2 There was a minimum of six because I think there was  
3 one extra one they used for training, and it was, we  
4 had to mark it as a training only, so somebody  
5 wouldn't in an emergency put it on.

6 Q. Did you require your Captain and crew to  
7 test the emergent suits in the water, and if so when  
8 was the last time they were tested?

9 A. That's part of the monthly drill testing all  
10 of the survival gear, yes.

11 Q. How do you know that was completed?

12 A. Well, I would look at this form, the safety  
13 meeting form.

14 Q. Okay. But every safety meeting, did you  
15 require them to put on the emergent suit and test it  
16 in the water or --

17 A. You know, I'm not familiar what the points  
18 of a drill instructor are, but they have their points  
19 they go over and Jeff was a drill instructor. Larry,  
20 I think was, but we always had someone on the boat  
21 that was a drill instructor.

22 Q. Okay. You rely on the Captain and crew to  
23 ensure that these are done?

24 A. Yes.

25 Q. Okay. Can you tell us where the Emergency

1 Position-Indicating Radio Beacon, better known as the  
2 EPIRB are located?

3 A. Where that EPIRB was located on the boat?

4 Q. Yes.

5 A. I think it was, of course, outside behind  
6 the wheelhouse window and I think it was on the  
7 starboard side.

8 Q. Can you explain how the EPIRB release  
9 mechanism worked?

10 A. Yes. When it gets submerged to X amount of  
11 feet, I want to quote eight, but I'm not sure if it  
12 gets underwater for a certain amount of time at a  
13 certain depth there is a line that gets cut and it  
14 releases it out of its holder to float to the surface  
15 and activate.

16 Q. Is the EPIRB located in a position where it  
17 could be taken out of the holder easily without using  
18 the hydrostatic release?

19 A. Yes, I think they can reach it.

20 Q. Were the safety inspections up to date on  
21 the EPIRB's hydrostatic release and if they were how  
22 were you aware of that?

23 A. I have a company named Marine Safety that  
24 inspects them, gives us the new releases, makes sure  
25 the battery's good and the other thing we have to do



1 is be sure it's registered with NOAA. And yes, they  
2 were all up to date. To my knowledge they were all up  
3 to date.

4 Q. Okay. Can you tell us where the Destination  
5 life raft was located?

6 A. Yes. It was outside on the port side behind  
7 the wheelhouse windows.

8 Q. Okay. I'm going to show Exhibit 151, page  
9 29. This is an undated photo of the starboard side of  
10 the fishing vessel Destination.

11 A. Yes. I can see, I think I can see the life  
12 raft on the port side. See there right in front of  
13 the mast.

14 Q. On that picture, is that where you were  
15 speaking of? That's where it was located?

16 A. Yeah, behind the wheelhouse window. You see  
17 the windows there.

18 Q. Can you talk a little about why you choose  
19 to put the life raft in that location as opposed to  
20 maybe on top of the wheelhouse or anywhere else?

21 A. We thought it would be more protected from  
22 icing.

23 Q. Okay. Why would that protect more against  
24 icing?

25 A. Well, a boat generally makes ice while it's

1 making forward and spray is generally coming from the  
2 bow. If you look at that and see where I'm saying the  
3 life raft is, you will see that that raised portion of  
4 the wheelhouse would protect it from freezing spray.

5 Q. Were the safety inspections up to date on  
6 the life raft hydrostatic releases as well?

7 A. Yes.

8 Q. And then once again, how were you aware of  
9 that?

10 A. We have to have a dated, again, that would  
11 be Jeff or the crew looking at the dates, but I'm  
12 pretty certain I have a bill showing that it was done  
13 from Marine Safety who inspects the life raft.

14 MR. GILLETTE: Thank you, Mr. Wilson.

15 Commander, I have completed the questions on  
16 that topic.

17 CDR MULLER: Thank you, Mr. Gillette.

18 NTSB, Mr. Karr.

19 MR. KARR: I have no questions.

20 CDR MULLER: Thank you, NTSB.

21 PII?

22 MS. SPIVAK: Nothing further.

23 CDR MULLER: Nothing? Okay.

24 I have nothing further. I recommend we take  
25 a 15-minute recess and we will reconvene in 15

1 minutes. Thank you.

2 (Whereupon, a brief recess was taken.)

3 CDR MULLER: Good morning. This hearing  
4 will now come to order.

5 Mr. Gillette, if you can continue on to the  
6 next section of questions for Mr. Wilson.

7 MR. GILLETTE: Thank you, Commander.

8 BY MR. GILLETTE

9 Q. Mr. Wilson, I would now like to focus on  
10 engineering maintenance and repairs aboard the  
11 Destination. Can you start by telling us about whom  
12 onboard owns the responsibility of maintaining the  
13 engineering equipment?

14 A. The Captain.

15 Q. Mr. Wilson, can you speak up a little?

16 A. Is this on. How about now.

17 I said the Captain.

18 Q. Okay. Thank you.

19 Would you share with us the vessel's  
20 scheduled preventative maintenance plan for engines,  
21 pumps, and other auxiliary equipment.

22 A. The boat was brought to Seattle every two  
23 years and we used various, you know, shipyards,  
24 hydraulic specialists, pumping, to go over that. And  
25 usually it was with a captain's list of what needed to

1 be repaired.

2 Q. Were any of the equipments that are like  
3 quarterly or semi annual type maintenance.

4 A. Oh, they would do that in Alaska for sure  
5 they did a lot of scheduled maintenance. For example,  
6 an engine needs to have oil. There are several  
7 engines on the boat, they needed to have oil filters,  
8 fuel filters changed, centrifuge cleaned, and filters  
9 changed. So a lot of that was done. That type of  
10 maintenance was done in Alaska.

11 Q. Was that a written plan by yourself or can  
12 you explain a little more detail on that, how it was  
13 done?

14 A. They had books on the boat to explain how to  
15 do it, like, for example, the main engine was a  
16 Cummins, and they had a Cummins book to tell them how  
17 many hours they could run for a fuel and an oil  
18 change, same on the centrifuge, there was a book on  
19 the boat telling them how many hours before they had  
20 to clean it. There was Caterpillar auxiliary engines,  
21 the same thing.

22 Q. As the owner, how were you aware that they  
23 were getting done?

24 A. From the Captain or the engineer.

25 Q. Did you have any requirement that he told

1 you every few months or just when he actually did the  
2 maintenance?

3 A. By the books that they had on the boat, and  
4 they would tell me when they did it, but not, of  
5 course, they didn't call me and tell me they did an  
6 oil change, you know. They just did it. And that was  
7 conversed by the Captain to me that it was all  
8 maintained.

9 Q. How do engineering problems or for this  
10 matter all equipment problems get reported to you and  
11 how are you notified when repairs are complete?

12 A. Rephrase that please.

13 Q. How do engineering problems or for this  
14 matter all of the equipment problems get reported to  
15 you and how are you notified when repairs are  
16 complete?

17 A. The Captain both ways.

18 Q. So if they have a problem with the  
19 engineering equipment, the Captain will contact you?

20 A. And maybe not always, though. Only, I  
21 suppose, if he thought it was necessary that I knew.  
22 I can't imagine him calling me because, for example, a  
23 minor problem like a fuel filter is plugged or I never  
24 expected a lot of calls. He'd make a list, though,  
25 and I would have that available before the boat came

1 to Seattle so I could schedule shipyard dates.

2 Q. Can you tell us the last time the  
3 Destination was in dry dock and what was the schedule  
4 maintenance and repairs for that dry dock?

5 A. I don't have the dates in my head. It was  
6 dry docked I think the summer of 2015. And I don't  
7 have a schedule of what -- I only go by what standard  
8 things were done, you know, painting on the bottom,  
9 inspecting zincs on the bottom, inspecting the bottom  
10 in general.

11 Q. Was it 2015 or 2016?

12 A. I think it was dry docked and 2015.

13 Q. While it was in dry dock what is your  
14 involvement?

15 A. My involvement would be talking to the  
16 shipyard to be sure that the things on the list that  
17 we had, which, you know, on the bottom wasn't really a  
18 big list. Most of the dry docking involved painting.  
19 You can't paint the outside of a boat in the water, so  
20 they would paint up to the house level. Paint the  
21 bottom of course. Do zincs. And check what we call a  
22 shaft bump and check the cutless bearings on the main  
23 shaft and the rudder shaft.

24 Q. Who creates those dry dock work lists,  
25 yourself or the Captain, or do you guys work together

1 on that?

2 A. The Captain would mostly go over it with the  
3 shipyard personnel.

4 Q. Can you speak to us about what the crew's  
5 involvement is during the dry dock?

6 A. On the dry dock portion hardly any on the  
7 crew -- when we dry dock at the shipyards, we do dry  
8 dock, they request that the crew isn't under the boat.  
9 So mostly it's the shipyard personnel requirement that  
10 they are inspecting it. And you know the crew can't  
11 go paint. The shipyard has to paint it.

12 Q. What type of work does the crew do then?

13 A. They would be working maybe on some other  
14 part of the boat, if they are there at all.

15 Q. Are you aware of what projects those might  
16 be during the dry dock?

17 A. They could be up inside on the deck, doing  
18 some minor repairs or I can't think of anything that  
19 were done in 2015 that comes to mind on what they  
20 would have been doing.

21 Q. Did you have plans to send the Destination  
22 to dry dock after the 2017 Opilio season and if so can  
23 you tell us why?

24 A. Was it going to be?

25 Q. Yes. Did you have plans --

1           A.     Yeah, we did have it scheduled for dry dock  
2 because we like to do a dry docking every two years,  
3 and I'm trying to remember if our Coastal Marine Fund  
4 requires it, they might. But we have a steady  
5 schedule of I think we can look on records and find  
6 that it got dry docked every two years.

7           Q.     Okay. I would now like to focus on specific  
8 engineering items on the Destination. Exhibit 161,  
9 page 8. It is an e-mail picture of an exhaust  
10 expansion joint known as a wrinkle belly onboard the  
11 fishing vessel Destination. Were you aware of any  
12 problems on the exhaust expansion joint, known as the  
13 wrinkle belly? And if so, can you talk about how and  
14 where you were notified and what work was being done  
15 to it?

16          A.     Yes. That was before they left Dutch Harbor  
17 just before the accident. He said that he was going  
18 to put a new gasket, can you see where the -- above  
19 the wrinkle belly part, where the two flanges meet?  
20 See right there there's a gasket and from what he told  
21 me on the phone, they were going to change that  
22 gasket.

23          Q.     When did they tell you they were changing  
24 that gasket?

25          A.     Thursday afternoon. The only time I spoke



1 to him on this voyage was the one time.

2 Q. Thursday. Do you have a date?

3 A. February 9th, I think.

4 Q. Okay. Where were they changing that out?

5 A. Right there on the vessel.

6 Q. I mean location.

7 A. Oh, Dutch Harbor.

8 Q. Okay. Can you talk about if you were ever  
9 notified by the crew, or the Captain since 2015 of any  
10 problems affecting the holding tank pumps and if so,  
11 can you elaborate on what those problems were and what  
12 was done to correct them?

13 A. Say which pumps again.

14 Q. The holding tank pumps for the fish holds,  
15 for the crab holds?

16 A. No, not that I know.

17 Q. You were not aware of any problems with the  
18 tank for the pumps.

19 A. With the circulating pumps, no, or any pumps  
20 for that matter.

21 Q. Okay. Can you talk about if you were ever  
22 notified by the Captain or crew since 2015 of any  
23 problems on the stern tube stuffing box associated  
24 with leaking, and if so can you elaborate on what  
25 those problems were, and what was done to correct

1 them?

2 A. Yes, and it was in the same conversation as  
3 that one. He said the stuffing box had leaked and  
4 then they had tightened it up to a four second drip.  
5 He just mentioned that in conversations, the only  
6 conversation I had with him which was about that  
7 wrinkle belly and the stuffing box.

8 Q. One more time can you tell me when that  
9 conversation was?

10 A. Sometime on Thursday afternoon.

11 Q. Was the conversation done via email, text,  
12 phone?

13 A. Phone.

14 Q. Phone.

15 Did he say what he was going to do to repair  
16 it?

17 A. To repair this here?

18 Q. No. To repair the stuffing box.

19 A. There was no repair. If you're familiar  
20 with a stuffing box, there is bolts around the flange  
21 that he just snugged up a little bit to slow a leak  
22 down, and he quoted to me a four-second drip, which is  
23 satisfactory.

24 Q. Can you repeat that last part?

25 A. A four-second drip on the shaft, stuffing

1 box, which I think is a satisfactory drip.

2 Q. Did he say anything about how long this drip  
3 has been occurring?

4 A. No, he didn't say.

5 You know where the stuffing box is located  
6 on a fishing boat. It is something you cannot see.  
7 You have to open up an inspection plate and go down  
8 and look, and they must have done that in Dutch Harbor  
9 that day. Just, I think just a maintenance item.

10 Q. Did he ever mention prior to that day that  
11 they were having a stuffing box problem?

12 A. You know, I think he did say it had leaked  
13 during maybe king crab, I'm not sure of the date, he  
14 did mention stuffing box. But they had tightened the  
15 gland up on Thursday, the stuffing box gland.

16 Q. You said that the stuffing box was difficult  
17 to get into. How often did they go in there to check  
18 it?

19 A. I don't know.

20 Q. Was there any bilge alarms or anything in  
21 that space?

22 A. Yes.

23 Q. What hold is the stuffing box located in?

24 A. The very aft, number three fish hold.

25 Q. Is there a hatch or something that you had

1 to open to get down into that room?

2 A. Yes. I wouldn't call it a room, you know,  
3 it's in a shaft alley, very small spot.

4 Q. Is the shaft alley -- can water go from the  
5 stuffing box room to the engine room?

6 A. Yes.

7 Q. Via shaft alley?

8 A. Yes.

9 Q. Can it go forward?

10 A. Well, that would be forward.

11 Q. I'm sorry. Can it go aft?

12 A. No. Not -- you know, no, I can't envision  
13 it could go aft, no.

14 Q. Were you aware of anything between 2015 and  
15 2017 or notified by the crew or the Captain of any  
16 problems with the steering system, and if so, can you  
17 elaborate on what those problems were and what was  
18 done to correct them?

19 A. Yes. There were over previous years, a  
20 steering problem which involved when the rudder jog  
21 switch would go hard over one way, it would get stuck  
22 there. And it was an erratic, hard to figure out  
23 problem because it was sporadic, so we'd get to  
24 Seattle, we could never duplicate that. Finally in  
25 the summer of '16, we just changed the -- rebuilt the

1 whole steering system, and I've never had a call ever  
2 again of that happening.

3 Q. You said summer of '16, you talked about a  
4 dry dock in 2015.

5 A. Dry docking was in 2015, yes.

6 Q. Was the steering system completed without  
7 going to dry dock?

8 A. Yes.

9 Q. Where was it completed at?

10 A. The location of the boat?

11 Q. Yes.

12 A. In Ballard, Washington at Marine Fluid  
13 Systems shipyard and the company that did it was  
14 Coastal Fluid.

15 Q. Did you take that vessel out for any sea  
16 trials or anything to make sure that it worked  
17 correctly?

18 A. Yes, Jeff did. Jeff or Larry or both. I  
19 can't remember who.

20 Q. Were all the -- was all of the piping  
21 replaced or what parts were replaced; do you remember?

22 A. The starting from forward, the whole  
23 hydraulic tank was changed to a new tank, new  
24 solenoids that controlled the direction of oil flow,  
25 all of the hoses in the lazarette where the steering

1 rams that move the rudder are located. So the rams,  
2 the hoses back there, there's two long pipes that run  
3 from the engine room, through fuel tanks to the  
4 lazarette on the boat, which is aft of the number  
5 three crab tank. Those were flushed with high  
6 pressure hydraulics for three days.

7 Q. Were you aware if they were having any of  
8 these steering issues in 2017?

9 A. They were not, neither in the -- after  
10 leaving the shipyard in '16 either.

11 MR. GILLETTE: Okay. Commander, I've  
12 completed the questions on this topic with Mr. Wilson.

13 CDR MULLER: Thank you, Mr. Gillette.

14 Mr. Karr, NTSB, do I have any questions on  
15 this section, mechanical?

16 MR. KARR: This is Michael Karr with the  
17 NTSB.

18 DIRECT EXAMINATION (continuing)

19 BY MR. KARR

20 Q. Mr. Wilson, can you tell me which crew, and  
21 for how long would the crew have taken to install that  
22 gasket in the wrinkle belly?

23 A. No. I don't know.

24 Q. And when you spoke with Captain Hathaway  
25 about the shaft bearing drips, did he tell you how

1 much was coming in before he tightened the gland?

2 A. No. He wasn't real specific about how much.  
3 He just said they had tightened the stuffing box to a  
4 four-second drip.

5 Q. Did he give you any description of what it  
6 was like when they first went into the hold?

7 A. No, he didn't mention that to me.

8 MR. KARR: Commander Muller, I have no more  
9 questions.

10 CDR MULLER: Thank you, Mr. Karr. Ms.  
11 Spivak, do you have any questions.

12 MS. SPIVAK: No, thank you.

13 CDR MULLER: Okay. I have one or two  
14 follow-up questions myself.

15 DIRECT EXAMINATION (continuing)

16 BY CDR MULLER

17 Q. Just to confirm, the stuffing box, the shaft  
18 bearing, that's a water lubricated bearing; is that  
19 correct?

20 A. Correct.

21 Q. So can you explain is some kind of drippage  
22 acceptable or indeed required for that kind of  
23 bearing?

24 A. Yes, it is, and that's why I agreed with  
25 Jeff -- he had called me after he did it and said it

1 was a four-second drip, and I just agreed that that  
2 sounded like enough lubrication.

3 Q. Okay. Do you recall if the shaft alley  
4 going forward is there any piping systems or bilge  
5 suction systems, if you will, associated with that  
6 shaft alley to draw water out of that alley?

7 A. It was a gravity feed to the engine room,  
8 which there were alarms and bilge pumps.

9 Q. I'm sorry, so were there alarms located in  
10 the shaft alley itself or alarms located in the engine  
11 room in the bilge?

12 A. In the engine room.

13 Q. Okay. So I understand to access the  
14 stuffing box you have to open up an access hatch in  
15 number three fish hold?

16 A. Correct.

17 Q. Can you describe that access hatch into the  
18 stuffing box? Was it watertight? Was it bolted? Was  
19 there any kind of dog?

20 A. It was a watertight door, yes, because, you  
21 know, that tank gets flooded at times. It was a brand  
22 name I remember, Baier. It was galvanized steel hatch  
23 made by Baier. I want to think that the approximate  
24 diameter of the circle was about 20-inches maybe,  
25 maybe 24. I don't have that number.



1 Q. So this is the hatch to actually accessed  
2 and manipulated the stuffing box, the gland?

3 A. No. It was access to the stuffing box.

4 Q. Right.

5 A. The hatch.

6 Q. All right. So not on deck, not the hatch on  
7 deck?

8 A. No.

9 Q. Right.

10 A. Okay. So there are -- there's more hatches,  
11 I guess, you go from the deck level there's a few ways  
12 to go down. One is to remove a big hatch cover that  
13 has many bolts on it or to open a Baier hatch, the  
14 same as that one that was down in the bottom of that  
15 fish hold to see the stuffing box.

16 Q. Okay. Do you recall if that Baier hatch at  
17 the stuffing box had a gasket?

18 A. Well, I'm sure it did. Now I wasn't there,  
19 but I'm sure it had a gasket.

20 CDR MULLER: Thank you, Mr. Wilson.

21 Mr. Gillette, I understand you have some  
22 questions.

23 MR. GILLETTE: Yes, Commander. I have a  
24 follow-up question.

25 DIRECT EXAMINATION (continuing)

1 BY MR. GILLETTE:

2 Q. Mr. Wilson, you said you had a conversation  
3 with Captain Hathaway and you discussed the wrinkle  
4 belly and the stuffing box.

5 A. Correct.

6 Q. Was any conversation brought up about the  
7 holding pumps or the piping, that there may have been  
8 some sort of issue with them during the cod season?

9 A. Not on that day on Thursday, but I see that  
10 I've been reviewing some stuff and he did mention  
11 several weeks before that they did have a cod fish get  
12 into a valve. I didn't understand where that was.  
13 But he did mention that much earlier not on this day  
14 we're talking about.

15 Q. Did he say what he did to repair that?

16 A. No. They took the -- far as I know, they  
17 just took the cod fish out.

18 MS. SPIVAK: For the record, he didn't have  
19 conversations about that. That was in the text  
20 messages in one of the exhibits.

21 MR. GILLETTE: Okay. Thank you.

22 THE WITNESS: Yeah. To clarify that, yes,  
23 that's correct.

24 MR. GILLETTE: Okay. Thank you. Commander,  
25 that's all of the questions I have.

1 CDR MULLER: Thank you, Mr. Gillette. Now  
2 that we had some follow-up questions, I just want to  
3 make sure we do another round robin.

4 NTSB.

5 MR. KARR: No questions.

6 CDR MULLER: Ms. Spivak.

7 MS. SPIVAK: No questions.

8 CDR MULLER: Okay. No further questions on  
9 my part.

10 I recommend we continue on to the next  
11 section.

12 (Off the record discussion.)

13 CDR MULLER: Okay. Time right now is 11:00.  
14 We're going to break for lunch and return at 13:00.

15 So the hearing is now in recess.

16 (Luncheon recess was held from 11:00 a.m. -  
17 13:00 p.m.)

18 CDR MULLER: Good afternoon. This hearing  
19 will come to order. Today is August 7th, 2017. The  
20 time is 13:00. We are continuing with our witness,  
21 Mr. Wilson, the owner of the fishing vessel  
22 Destination.

23 Just a quick housekeeping message, I  
24 apologize for the long recess. Just understand  
25 throughout the hearing we will endeavor to always

1 reconvene after lunch at 13:00. So we're going to try  
2 to make that time consistent. That being said, given  
3 the type of testimony we're going to try to find  
4 natural breaking points, and sometimes we anticipate  
5 some of the question segments may take longer than  
6 others. And we would not want to break apart a  
7 questioning type session or segment, so that's why we  
8 decided to have a longer lunch period for today.

9           So with that, we will continue on with  
10 Mr. Wilson.

11           Mr. Wilson, just want to remind you that you  
12 still remain under oath.

13           Okay. Mr. Gillette.

14           MR. GILLETTE: Thank you, Commander.

15           Good afternoon, Mr. Wilson.

16           DIRECT EXAMINATION (continuing)

17 BY MR. GILLETTE:

18           Q. Mr. Wilson, I would now like us to focus on  
19 stability, and more so the booklet of calculations and  
20 trim and stability report, which from now on I will  
21 refer to as the stability book.

22           When you purchased the Destination, it had a  
23 different name as well as a different size. Can you  
24 talk a little about why you changed the name and the  
25 size?

1           A.     With new owners, my brother and I decided we  
2 just liked the name Destination.

3           Q.     Can you tell me why you changed the size?

4           A.     Oh, we did that much later than when we  
5 purchased it. Is that what you're talking of a later  
6 time? We owned the boat from '85 and we expanded it  
7 in '93. Eight years later.

8           Q.     What was the reason behind expanding it?

9           A.     To hold more crab. Make a safer boat. It  
10 was wider and longer, hold more crab, hold more crab  
11 pots. Makes the trips a little longer instead of  
12 going in and out of town repeatedly, you know. I  
13 think we almost doubled the poundage from previous  
14 size to the new size, fish holds wise.

15          Q.     When and what shipyard were the  
16 modifications made?

17          A.     It was Tim Alls Boat Building and it was in  
18 west Seattle.

19          Q.     Would you share with us the process you took  
20 to modify the size as far as who came up with the  
21 plans and what was the involvement of the naval  
22 architect?

23          A.     Oh, I can't remember from '93. I can look  
24 at these notes. I don't remember who -- the architect  
25 was Rick Etsell. I remember that name. Tim Alls Boat

1 Building did it. Tim Alls Boat Building was the  
2 company that made the boat larger. And the architect  
3 was Rick Etsell.

4 Q. Can you share with us the process of and  
5 reason behind obtaining a stability book for the  
6 Destination?

7 A. The reason for changing the stability book  
8 is it's a whole different boat from a 80-some footer  
9 to a hundred footer. Again, on the advice of Rick  
10 Etsell I'm sure is why we changed the stability  
11 report. Would be totally different than the old one.

12 Q. Can you take some time and share with us in  
13 detail where the modifications were made?

14 A. Where on the boat or where in Seattle?

15 Q. On the boat.

16 A. Tim Alls built a huge new, a brand new aft  
17 section from the engine room bulk head back at a yard  
18 in Seattle while the boat was up fishing. He  
19 completed a new wheelhouse in the yard while the boat  
20 was not there. And then when the boat came down many,  
21 many months later, they put the boat up on the dry  
22 dock with a crane, and cut it in half and took the  
23 whole upper house structure off. And then married  
24 that new section onto the engine room bulk head and  
25 forward without a house, put those two sections

1 together and then sponson the remaining forward  
2 section from the engine room bulk head forward, and  
3 put a new house on, lifted a new house on that.

4 Q. I would like to get a clear understanding of  
5 the Destination's hatches and access covers. I would  
6 like to start with the hold tanks. Can you tell us  
7 where the hatches and hatch covers for the tanks are  
8 located and if they were moved when modifications were  
9 performed?

10 A. I couldn't tell you the location. There's  
11 three hatch covers. But I couldn't tell you the  
12 smaller location of the round hatches. They're  
13 probably in a very similar place. It's a place where  
14 the large eight by eight hatch on bolts, but you don't  
15 unbolt that every time you put crab in. It's a much  
16 smaller, round, I think it was a Baier hatch that you  
17 put crab in through, only removing the larger hatches?

18 When you go to town, pump all the water out  
19 of the tank and take the crab out or whatever that  
20 product might be, if it's cod or salmon.

21 Q. Were any of the hatches moved off the  
22 centerline either port or starboard or were they  
23 always in the centerline and that's where they  
24 remained? Can you talk a little bit about that?

25 A. I think they remained exactly centerline. I

1 can't imagine they were moved, but we'll have diagrams  
2 that you probably have access to. I'm sure they were  
3 not moved off of centerline.

4 Q. Can you describe the arrangements of the  
5 holding tanks overboard discharge, specifically where  
6 they're located?

7 A. I couldn't tell you right now from off the  
8 top of my head. We must have diagrams of that,  
9 though.

10 Q. Do you know if any of those overboard  
11 discharges were moved?

12 A. If the overboard discharge was removed did  
13 you say?

14 Q. Was moved for the modification?

15 A. I don't know. I don't think so. But I  
16 couldn't compare now to think back to the old hull, if  
17 they were moved a bit or not, I don't know.

18 Q. Prior to making the modifications, do you  
19 know if those discharges were just pipes or did they  
20 just openly go out on the deck?

21 A. The discharges off the deck hatch combing,  
22 are you asking about?

23 Q. Yes.

24 A. We call that an overflow, the tanks are  
25 always filling up and then overflowing, and they



1 overflowed out the side of the hatch coming which had  
2 a -- for times when you worked in the crab  
3 configuration, they have bolts on plates on all three  
4 hatch combings.

5 Q. I'd like to now show Exhibit 126. This is a  
6 photo of the fishing vessel Destination on the pier in  
7 Kloosterboer taken by Mr. Gjermund Eikrem on February  
8 9, 2017. On the port side of the vessel there appears  
9 to be a discharge from the vessel into the water. Can  
10 you tell us what you believe this discharge is?

11 A. No. I am not sure. My guess only is that  
12 it is an overflow from a crab tank.

13 Q. Thank you, Mr. Wilson.

14 Is there any hatch access covers on the deck  
15 aft of hold tank three, and if so will you tell us  
16 where they are located and what are their purposes?

17 A. It's going to go from memory, but it should  
18 all be on this booklet. There are a rudder and a  
19 storage room aft of the number three crab tank, yes.  
20 And there were two places, if I remember, to get into  
21 them. And they were probably round Baier hatches or  
22 some brand like that.

23 Q. Behind the third hold tank do you know which  
24 hatch, if I open that hatch, where would that get me  
25 on the vessel?

1 A. Into the steering room aft of the crab tank.

2 Q. Is that considered a lazarette room?

3 A. Yes. That's what I call it, too, yeah.

4 Q. Is there another hatch aft of the lazarette?

5 A. Yes.

6 Q. And what is that?

7 A. It gets you into the same area, just further  
8 aft.

9 Q. So you had two hatch covers on deck that  
10 will get you into the -- is that the steering room?

11 A. Yes or the lazarette. I call them both the  
12 same.

13 Q. Could any of the deck hatches be opened if  
14 pots were on deck, and if so, which ones?

15 A. If the deck was loaded like that, if you'll  
16 look on the very stern of the boat, you see a space  
17 there where there's no pot? That was designed so if  
18 anything happened while there was pots on deck, they  
19 couldn't get access to the steering room. So that  
20 would be the only place.

21 Q. Where pots are loaded, is there a tunnel  
22 that you could get from the forward end all the way  
23 back to that steering room?

24 A. I heard that description as a tunnel, but  
25 that would depend on how the crew loaded the crab

1 pots. They would leave a space, I would call it, to  
2 walk all the way back. I don't know if that's the way  
3 it is now or not. If that's the way it is in that  
4 picture, I don't know. I just know it's impossible to  
5 put a pot over that back hatch because there's a guard  
6 that pots can't go over that spot.

7 Q. As far as the hatches forward of that, and a  
8 tunnel, are you aware if they -- if the crew makes a  
9 tunnel so that they can access the other hatches?

10 A. I thought the tunnel was so they could walk  
11 back to that hatch. I don't know if the forward hatch  
12 was covered with pots or not, or if they ever did at  
13 all, I don't know.

14 Q. Okay. Can you talk to us about your  
15 decision making behind adding a bulbous bow as well as  
16 the process that was performed to make that  
17 modification?

18 A. The reason why it was done was because we  
19 had heard it made a boat that pitched less, slowed the  
20 pitching effort down, and it made more fuel economy.

21 Q. Was that your consideration into ice, like  
22 packed ice or any consideration to that or was it all  
23 about fuel?

24 A. As far as putting the bulb on, you mean?

25 Q. Yes.

1           A.     The bulb was put on for fuel economy and  
2 when you put a bulb on my understanding is, I'm not an  
3 architect, but my understanding is you have less  
4 pitching.

5           Q.     Was anything located in the bulbous bow? Is  
6 it fill?

7           A.     It became part of the forward fresh water  
8 tank.

9           Q.     How much water was in that?

10          A.     I don't know.

11          Q.     When and what shipyard was that modification  
12 made for the bulbous bow?

13          A.     It was made I think in 2012. And I know it  
14 was made at Pacific Fisherman Shipyard in Ballard,  
15 Washington.

16          Q.     Was there a stability assessment after the  
17 bulbous bow was added and if so, can you tell us who  
18 performed that assessment and what did it detail?

19          A.     I don't have a lot of detail except that a  
20 guy named Gisli from KraftMar looked at the stability  
21 letter and they decided that the bulb caused very  
22 little -- changed the stability very little. I'm sure  
23 he can explain it much better than I can.

24          Q.     I would now like to focus on the stability  
25 book. Mr. Wilson, that would be Exhibit 7 in the

1 exhibit book that we provided for you in case you  
2 wanted any reference.

3           Can you tell us when you received the  
4 stability book and did you have any meeting with  
5 anyone to speak about the details that that provided?

6           A. I don't remember now the details. Remember  
7 this was done back in 1993. I know the stability book  
8 was on the boat. Matter of fact, I, now that, you  
9 know, this has happened, we've been looking at it  
10 more. So I'm a little more familiar with this, but I  
11 don't -- you know, the Captain and the crew, of  
12 course, I'm very sure they were aware of the stability  
13 and operated by that stability book.

14           Q. Did you say there was only one copy? Did  
15 you have an extra copy yourself or was the only one on  
16 the vessel?

17           A. You know, I looked high and low for a copy.  
18 I probably had it at one time, but in recent months I  
19 did not find it. So we -- I think we got one, the  
20 extra copies for you guys from Rick Etsell, maybe.

21           Q. Did you ever have any conversation about the  
22 stability book with Captain Hathaway, and if so, can  
23 you share with us what those conversations were about?

24           A. Conversations, of course, have been so long  
25 ago. If you think, you know, back when he started

1 running the boat in '93, we probably did. I don't  
2 remember the exact conversations back then.

3 But after being with me for 23 years, I  
4 don't remember any recent conversations about it. But  
5 he was a very well-respected, very knowledgeable, one  
6 of the best guys I know in the fleet by the way, and  
7 I'm sure the book was available. I'm sure he used it  
8 regularly; although, I don't know.

9 Q. Are you familiar with Captain Hathaway's  
10 loading condition routines as far as how many pots he  
11 would load and what tanks he would have pressed while  
12 transiting?

13 A. I don't know.

14 Q. Knowing Captain Hathaway, do you think he  
15 would have set sail on the 2017 Opilio season with 200  
16 pots and the number one, and number two tanks pressed?

17 A. I wouldn't know which -- how he tanked it or  
18 for sure how many pots he had. I looked at the  
19 picture, of course, but I can't even estimate it  
20 myself from the picture.

21 Q. Okay. I would now like to bring up Exhibit  
22 7, page 8, this is a section of the fishing vessel  
23 Destination's trim and stability report.

24 By using the table on the page below, can  
25 you explain which loading condition would the

1 Destination have been in during the 2017 Opilio  
2 season. And can you tell us how many pressed tanks as  
3 well as how many pots would be allowed?

4 A. I couldn't tell you for sure. I don't know  
5 what he did. You're thinking if I was reading this,  
6 and I was doing it? Is that what you're asking?

7 Q. Yeah. For you. What do you think it would  
8 be?

9 A. I don't know. I think it would be in  
10 condition number one, I guess.

11 Q. What would condition number one read?

12 A. A dry hold -- well, it's the very top line  
13 there.

14 Q. So one would be, one holds tanked. Is that  
15 the one you're reading.

16 A. That's the one I'm reading, yes, the very  
17 top line.

18 Q. Okay. And how many pots would he be allowed  
19 for 2017 Opilio season according to that chart?

20 A. I'm reading this, but, you know, I don't  
21 know. It says 249 on this paper.

22 Q. What's your familiarity with that chart or  
23 that table?

24 A. What's that?

25 Q. Your familiarity with this table. Are you

1 familiar with this table?

2 A. No. Again, I stated earlier, I've never  
3 captained this boat after it was made larger.

4 Q. Have you ever had any conversations with  
5 Captain Hathaway and him explaining what he carries  
6 onboard as far as pots or what tanks he presses?

7 A. We may have a long time ago, you know, in  
8 the '90s. I don't remember any recent, and I couldn't  
9 even pin a conversation down about it. We may have  
10 spoke about stability and many things about fishing,  
11 but I don't remember what they are.

12 Q. Okay. Mr. Wilson, I would like to slightly  
13 shift the focus on crab pots used onboard.

14 Over the years that you have owned the  
15 Destination, have you seen an increase of size and  
16 weight on crab pots? And if so, can you talk about  
17 those differences.

18 A. We have got heavier and recently looking at  
19 this and saying -- looking like, you know, they had  
20 the weight for pots or pots may or may not have been  
21 heavier, the last pots I bought, Lance had quoted me  
22 they were about 80 -- it's a quote. Now I can't  
23 remember. But they were lighter pots anyway.

24 Q. They were what type of pots?

25 A. Lighter pots, the last purchase I made.



1 Q. Lighter than what?

2 A. Lighter than the pots we were using previous  
3 and that was just about a year or two ago.

4 Q. How many pots did you purchase?

5 A. One hundred.

6 Q. How many pots does the Destination normally  
7 carry?

8 A. We had about -- we owned about 300 pots for  
9 the boat.

10 Q. At any time do you know which pots they are  
11 actually loading onboard?

12 A. No.

13 Q. Talk to me about the actual size and weight.  
14 What's the actual size and weight of the pots that you  
15 purchased?

16 A. They were 7-foot by 7-foot by 34-inch high.

17 Q. Over the years that you've owned the  
18 Destination, have they always been 7 by 7?

19 A. At one time they were 6.5 by 6.5, but still  
20 34 inches high.

21 Q. What was the weight of those?

22 A. I don't know right now. It's so long ago.

23 Q. Can you tell me one more time how much the  
24 weight of the new crab pots that you have onboard?

25 A. How much they weighed?

1 Q. Yes.

2 A. I don't know. You guys probably know more  
3 than I do, if you've retrieved a pot. I don't know  
4 the weight of it now.

5 Q. You've said that -- a little about the  
6 background, you've been in this industry a long time.  
7 So the -- do you not know how much crab pots weigh?

8 A. I couldn't nail it down to a poundage. I  
9 could tell you as pots get older, they get lighter by  
10 sliding over the rail for so many years and so many  
11 times. I can tell you that we think they were  
12 approximately 700. No, I do know of an exact weight.

13 Q. Okay. Can you talk to us about the  
14 equipment that's inside the pots and how much that  
15 weighs?

16 A. We can find that easily. And I did call one  
17 time to find out how much two shots of line and two  
18 buoys would weigh, but I don't have that number in  
19 front of me.

20 Q. Can you give me an estimate of what you  
21 think it weighs?

22 A. I think the line and buoys might weigh a  
23 hundred pounds total, but I could be way off. I don't  
24 know.

25 Q. How many -- when you were just talking about

1 lines, are we talking about a shot of line and how  
2 many shots of line do they normally carry in the  
3 Bering Sea on Opilio season?

4 A. I don't know. I would guess two, but it  
5 could be two or three. It wouldn't be one, but it  
6 could be two or three shots. When we say a shot of  
7 line, I understand that to be 33 fathom per shot.

8 Q. I take it, you've purchased a lot of shots  
9 over the years, so purchasing them, do you have a  
10 better guess? Have you purchased a lot of shots of  
11 line over the years?

12 A. Yeah. We purchase them in 200 fathom coils  
13 and yes, they do come stamped with a weight when you  
14 buy them. We buy them by the pound. But right now I  
15 don't have that information in front of me. I buy my  
16 gear from a place called Lummi Fish. They probably  
17 have those stats. They know the size of line we use.

18 Q. Have you ever seen in person the crab pots  
19 or the lines that are inside it?

20 A. Yes, I have.

21 Q. Have you ever seen them when they're on the  
22 vessel?

23 A. Have I seen crab pots on the vessel?

24 Q. Yes.

25 A. Yes.

1 Q. With the lines inside?

2 A. In some cases, yes.

3 Q. Did they change the amount of shots of line  
4 they put on depending on where they're fishing or what  
5 they are fishing for?

6 A. Yes.

7 Q. Can you explain a little to me about that,  
8 why they would?

9 A. Well, for example, if they were fishing in  
10 90 fathoms, they would probably be using a hundred.  
11 But if they were fishing in 50 fathoms, they would  
12 probably not use that much line. You're just pulling  
13 up slack line. And I think it would be much quicker  
14 to pull two shots of line. Which would be 66 fathom.  
15 And that's a general way I think it operates.

16 Q. I would like to now show Exhibit 7, page 9.  
17 This is a section out of the fishing vessel  
18 Destination's trim and stability report. The first  
19 paragraph reads, when not carrying crab pots, an  
20 equivalent amount of deck cargo may be carried. The  
21 amount of such cargo should not exceed the total  
22 weight or cargo height for crab pots and similar  
23 loading. In general, keep all boats stowed as low in  
24 the vessel as practicable.

25 Can you explain to us how you interpret that

1 statement?

2 A. I don't think I could. Because you just  
3 described it very well. I don't know what I would add  
4 to that.

5 Q. Well, can you just explain in your terms  
6 what that means?

7 A. Well, actually just the way it is, you do an  
8 equivalent weight of the crab pots. And I'm guessing  
9 in the stability report someplace there must be some  
10 reference to weight. I haven't read it that  
11 intensely.

12 Q. Does that statement imply for keeping bait  
13 on deck, as long as the bait doesn't surpass the total  
14 weight or cargo height of the pots?

15 A. I would think so.

16 Q. Did you have any conversation with the  
17 Captain about weight changes in pots over the years  
18 and how would you both account for those changes in  
19 reference to this stability book?

20 A. He never changed pots very often. You know  
21 the last hundred pots that I mentioned that we bought,  
22 Jeff Hathaway actually found those pots for sale up in  
23 Everett, Washington. And they were stored from  
24 Dungeness Gear Works, which he can probably explain  
25 much better than -- that's all I know. You know, we

1 went and looked and Jeff liked the pots, and I bought  
2 them.

3 Q. What was the number of pot size, as far as  
4 weight, when you made the stability book? What was  
5 the weight of the pot size that was considered when  
6 making the stability book?

7 A. I don't know. That would be a question for  
8 Rick Etsell.

9 Q. When you had the vessel reassessed for  
10 stability during the addition of the bulbous bow, by  
11 KraftMar, was any conversation made about the change  
12 in sizes and weight of the crab pots?

13 A. Not that I recall. We didn't talk about  
14 crab pots, with Gisli, and he can answer that. I  
15 don't remember talking about crab pots with him. We  
16 assumed nothing changed on the stability report.

17 Q. Can you talk to us a little about any  
18 discussions you may have had over the years with the  
19 Captain about icing in reference to stability?

20 A. Both Jeff and myself have known about past  
21 accidents where suspicion of icing, heavy icing would  
22 capsize a boat, make it top heavy. For sure, we have  
23 had discussions over the years. I can't remember the  
24 exact -- but he was very capable and very  
25 knowledgeable about that boat. Remember he'd been on

1 it 23 years. I had total confidence in his decision  
2 and the other crew members. They had a great crew.  
3 Larry had been also with me 23 years. I had high  
4 confidence in their ability.

5 MR. GILLETTE: Thank you, Mr. Wilson.

6 Commander, I have completed the questions on  
7 this topic.

8 CDR MULLER: Thank you, Mr. Gillette.

9 Mr. Karr, NTSB. Do you have any questions  
10 regarding stability?

11 MR. KARR: This is Mike Karr.

12 DIRECT EXAMINATION (continuing)

13 BY MR. KARR

14 Q. Follow up on the icing question. Do you  
15 recall any specific conversations with Captain  
16 Hathaway about previous icing experiences that he may  
17 have had?

18 A. No. They would always be in general. And  
19 you know, you cannot -- or I cannot make a decision  
20 from Seattle about how much of an inch accumulation,  
21 how fast, that has to be called on the boat. The  
22 decision to chip ice, stop making forward speed, can't  
23 be made from some remote location. And I would say  
24 that's true of any fishing boat in Alaska, crab  
25 fishing or other.

1 Q. What you just described, can you recall him,  
2 Captain Hathaway, telling you about any previous  
3 experiences of where he did just that?

4 A. Rephrase that.

5 Q. You just described what people do when they  
6 face icing. Can you describe any conversations you  
7 had with the Captain over the past 23 years where he  
8 described an actual scenario where he had to take the  
9 time to de-ice the vessel?

10 A. Oh, you know, in 23 years he had to de-ice  
11 that vessel many, many times. I remember one  
12 conversation within the last five, ten years, where he  
13 said we're putting the pots down and getting out of  
14 here. There's a cold snap coming. I assumed he was  
15 talking about icing.

16 Oh, I'm sure we had many conversations about  
17 icing conditions, but I don't remember exact words.  
18 He was very knowledgeable about icing.

19 Q. And can you tell me what ways do you know of  
20 that you can address icing?

21 A. Yes. Less forward speed. Change of course.  
22 Chipping the ice off with -- we used to use, when I  
23 did it, we used baseball bats. They have a little bit  
24 more sophisticated tools for taking ice off now, but  
25 that's how I did it.



1 Q. Did the Destination have a capability to use  
2 chemicals to take ice off or prevents ice from  
3 accumulating?

4 A. I don't think so.

5 MR. KARR: Okay. Thank you. That's all the  
6 questions I have.

7 CDR MULLER: Thank you, Mr. Karr.

8 Ms. Spivak, do you have any questions  
9 regarding stability?

10 MS. SPIVAK: No questions.

11 CDR MULLER: Mr. Wilson, I have a few  
12 follow-up questions regarding the stability section  
13 here.

14 DIRECT EXAMINATION (continuing)

15 BY CDR MULLER

16 Q. Moving back a little bit, earlier in your  
17 testimony regarding this stability block, at the time  
18 of, what I will call the vessel modifications back in  
19 '93 when the vessel was lengthened and widened, do you  
20 recall providing any type of plans for Mr. Alls?  
21 Because he prefabricated, essentially, the entire aft  
22 section, aft of the engine room, as well as the  
23 wheelhouse. So what kind of instructions, information  
24 did you provide him or did you provide him with  
25 executing that kind of project at his yard?

1           A.    I didn't provide him with anything to  
2 construct it. I think Rick Etsell did all of the  
3 engineering. All we wanted to do was get the boat  
4 20 percent longer, there's a rule in the Coast Guard  
5 about sizing, you know, couldn't increase the length  
6 more than 20 percent. I think we roughly did that  
7 somewhat less than 20 percent. That was one of my  
8 stipulations, be sure we stayed under that?

9                   And we just only vaguely saying that we  
10 wanted the boat to be bigger and safer.

11           Q.    Twenty percent. Can you expand on that a  
12 bit? Does this have something to do with -- well,  
13 understanding the vessel at the time was an  
14 uninspected commercial fishing vessel, under  
15 Subchapter C. So what would 20 percent, would that be  
16 perhaps the tonnage?

17           A.    No, I think it's the length could not extend  
18 your length for the fishery more than 20 percent. At  
19 the time we were doing it. Then later, I think now  
20 this boat could have had a maximum length overall of  
21 124. But at the time when we did it, we thought it  
22 was 20 percent of our previous length.

23           Q.    Okay. Was it possibly to try and make --  
24 ensure the vessel remained less than 200 gross tons?

25           A.    Rephrase that.

1 Q. Okay. So if you asked the naval architect  
2 of the ship builder, Tim Alls to lengthen the vessel,  
3 but keep the length within no more than 20 percent,  
4 I'm still trying to understand where this 20 percent  
5 comes. So I'm wondering for vessels -- in order for a  
6 commercial fishing vessel to be operated without a  
7 licensed Captain it needs to be less than 200 gross  
8 tons, would that have been part of the discussion in  
9 the lengthening?

10 A. That may have been. You know, I can't  
11 remember that discussion now about tonnage. I  
12 remember it was under 200 ton, though.

13 Q. Okay. Right. Yeah, we have the records,  
14 okay. The vessel remains under 200 tons.

15 Okay. Turning to pots. I heard from  
16 Dungeness Gear Works, you purchased a hundred pots a  
17 year or two ago?

18 A. Yes.

19 Q. Correct?

20 Okay. Do you have any receipts for those  
21 pots? Any paperwork or invoices or information to  
22 articulate the dimensions and weight of those pots?

23 A. No.

24 Q. Did you only buy the pots themselves and the  
25 netting or did you also purchase the shots and any

1 buoys associated from Dungeness Gear Works?

2 A. We bought the pots only from a guy named Tim  
3 Kennedy, we did it through Lance at Dungeness Gear  
4 Works, and no, there was -- I don't think there were  
5 lines and buoys in them, but I tell you, I don't  
6 remember now. I don't think there was lines and  
7 buoys.

8 Q. Okay. So part of the simplicity of this  
9 question is I hear two different people. I heard  
10 Mr. Kennedy and Dungeness Gear Works. Who did you  
11 wind up paying for the pots?

12 A. I can't remember who the check was made out  
13 to. If it was Tim Kennedy's business or Tim Kennedy,  
14 but it was one of the two.

15 Q. Okay. Mr. Wilson, I believe Lieutenant  
16 Commander Mendoza handed you page 24 of Exhibit 7,  
17 which is -- right, you just -- there you go.

18 Mr. Wilson, are you familiar with this page?  
19 And can you, at least, read at the top of the page,  
20 the title there, please.

21 A. The title is: Tracking changes to light  
22 ship condition.

23 Q. Okay. Are you familiar with this page?

24 A. No.

25 Q. Halfway down it says, there's a paragraph

1 substantial alteration. Actually time out for a  
2 second.

3           Why don't you take a minute because I know  
4 that we just handed that to you. We didn't have an  
5 opportunity to provide you with that previously. So  
6 let's take, when you're ready we can check up and  
7 talk.

8           (Witness reviews exhibit.)

9           A.    Okay. I've read it.

10 BY CDR MULLER

11           Q.    Okay. Mr. Wilson, if you take a look at the  
12 last paragraph starting with the words if any of these  
13 limits are exceeded... Can you read the -- well, I  
14 will read the first sentence.

15                    "If any of these limits are exceeded, then  
16 the owner is required to have the stability reviewed  
17 by a qualified individual."

18                    I will continue on.

19                    "In order to keep track of charges to the  
20 vessel, the following table may be used to record  
21 individual changes."

22                    So, I'll briefly describe the header columns  
23 for this table. Comes across as date, description,  
24 amount of weight, vertical location, longitudinal  
25 location.

1           So my question, Mr. Wilson: Did you track  
2 any changes to the vessel's weight over the years of  
3 its operation?

4           A. Well, I think I did what that last paragraph  
5 says. Again, Gisli from KraftMar looked over the -- I  
6 guess he would be a qualified individual. He has an  
7 architect firm. He did design the bulbous bow and  
8 also the shipyard that did it, the guy that did that  
9 he was an architect also that ran that shipyard.

10           So I would call those guys qualified  
11 individuals that reviewed the stability. And I think  
12 you may have copies of that, result of that review.

13           Q. Yes, we do.

14           A. Okay.

15           Q. So understanding you consulted with the  
16 naval architects during the time you installed the  
17 bulbous bow; correct?

18           A. Per his specifications we put a bulbous bow  
19 on the boat, yes.

20           Q. Right. But again, my question is this: Did  
21 you track, log, capture a history of any weight  
22 changes associated with the vessel over the years?

23           A. No. I didn't know of any.

24           Q. Did you --

25           A. The bulbous bow was a weight change, I would

1 say, yes, but that was reviewed by a naval architect.

2 Q. Right. So embedded within that project.

3 Did you track, capture, record weight changes of your  
4 pots over the years?

5 A. No.

6 Q. When you spoke with the naval architect  
7 regarding the bulbous bow, Gisli, what was your  
8 tasking or instructions? What did you hire him to do?

9 A. I hired him to design a bulbous bow to be  
10 put on by Pac Fish.

11 Q. Did you ask for a stability analysis as well  
12 or is that something that he said, well, we're going  
13 to have to look at stability as well? That's going to  
14 be part of the project.

15 A. I don't remember how that conversation went.  
16 I just know they looked at it.

17 Q. Okay. Did you have a conversation with him  
18 to examine the crab pots as well?

19 A. I don't recall.

20 Q. Mr. Wilson, what is your understanding in  
21 terms of who is responsible for maintaining any  
22 changes in the stability book?

23 A. To change the wording of the stability  
24 report?

25 Q. No. Who is responsible in your view, to

1 understanding any changes or capturing any changes or  
2 updating the stability book?

3 A. I'm supposing you're going to say it's me,  
4 but you tell me. I didn't write any down on a form  
5 like this. But we didn't have any significant changes  
6 until the bulb was put on.

7 Q. Did -- when you had your last -- well, in  
8 both cases, in '93 when you had the initial stability  
9 test, stability book by Etsell, and then when you had  
10 the modification with the bulbous bow in 2013, and you  
11 had Gisli do the stability test, did you have  
12 conversations with the vessel Captain regarding the  
13 results of those tests?

14 A. We may have. I can't remember an exact  
15 conversation about that. But the, and again when you  
16 see Gisli, you'll probably see that he said that it  
17 was an insignificant change in stability. That's all  
18 I know. I mean is what he said. I'm not an  
19 architect. I couldn't tell you.

20 Q. Understood.

21 A. But two architects were involved in this.

22 Q. In the bulbous bow?

23 A. Yes. Pac Fish had an architect and Gisli  
24 designed it.

25 CDR MULLER: Okay. Thank you, Mr. Wilson.



1 Mr. Gillette, I have no further questions.

2 MR. GILLETTE: I have no follow-up  
3 questions.

4 CDR MULLER: Mike Karr, NTSB, do you have  
5 any follow-up questions?

6 MR. KARR: I have one.

7 DIRECT EXAMINATION (continuing)

8 BY MR. KARR

9 Q. Mr. Wilson, back in 1993, what were the size  
10 of the crab pots?

11 A. You know, I don't remember when we -- what  
12 the size was back then. I really don't. There must  
13 be some record of it some place, but I have not -- I  
14 wouldn't know what that was.

15 MR. KARR: All right. Thanks.

16 CDR MULLER: Okay. Thank you, Mr. Karr.

17 Ms. Spivak, do you have any questions?

18 MS. SPIVAK: No, thank you.

19 CDR MULLER: I have no questions further.

20 For now we will take a 15-minute recess.

21 (Whereupon, a brief recess was taken.)

22 CDR MULLER: Good afternoon again. This  
23 hearing will now come to order. For awareness, we  
24 have two more segments with Mr. Wilson, weather and  
25 then final voyage tracking, essentially. So we're

1 gonna go through those two segments and then our plan  
2 is to take another recess so the board will have an  
3 opportunity to determine if there's any other  
4 questions that we need to still continue to follow up  
5 on. So and then we'll come back after that recess and  
6 discuss accordingly. So that is the schedule for the  
7 remainder of the afternoon, and then, of course, we'll  
8 go into the schedule throughout the week starting at  
9 9:00 each day.

10 So Mr. Gillette, if you can continue with  
11 Mr. Wilson.

12 MR. GILLETTE: Thank you, Commander.

13 DIRECT EXAMINATION (continuing)

14 BY MR. GILLETTE:

15 Q. Mr. Wilson, I would now like to shift our  
16 focus on weather and specifically what was provided to  
17 the Captain and the crew to identify weather  
18 observations as well as how they forecast weather.

19 What did the Destination have onboard to  
20 assist the Captain and the crew to observe real-time  
21 weather?

22 A. There was many ways for them to.

23 Can you hear me?

24 Q. Yes. Can you share those with us?

25 A. There was many ways on there. They had a

1 system which was part of our VMS that actually sent  
2 weather reports to you by email. They had the VHF  
3 radio that had a certain channel, and you guys are  
4 probably familiar with the weather channel on the VHF.  
5 I forget the numbers now, but weather 1 through  
6 weather 9 maybe. They had a single side band radio  
7 that had scheduled, if you knew the channel, I'm sure  
8 they did the weather broadcasts for that area. They  
9 also had telephones on the boat. But I would think  
10 mainly, you know, the single side band, the email  
11 capability of the VMS and the VHF radios are some of  
12 them.

13 Q. How was wind speed and direction measured on  
14 the Destination for daytime and nighttime operations?

15 A. I don't know.

16 Q. I'm sorry, sir, I didn't hear you.

17 A. I don't know how it was measured.

18 Q. How were they able to get any speed  
19 direction or wind speed or direction, how were they  
20 able to know that?

21 A. Direction I'm sure they would look at their  
22 compass. Wind speed, I don't know, my career as a  
23 mariner, I could estimate the wind pretty well. I  
24 have total confidence that Jeff and Larry could also  
25 tell what the wind speed and direction were. There

1 could be land mass nearby, if they weren't looking at  
2 their compass. I'm sure they know when the wind is  
3 blowing into a bay, and the bay is open to the north,  
4 it's blowing northerly. But there's many ways. I  
5 probably can't even list them all right now. But the  
6 compass on the boat, I don't think they would have to  
7 go over it. These guys were very capable mariners to  
8 know which way the wind was blowing and how much it  
9 was blowing.

10 Q. What about at nighttime, how can you tell  
11 the wind at night time?

12 A. How could you tell the wind direction?

13 Q. Yes.

14 A. Same way, a compass. If you know you're in  
15 a bay, you would know which way the wind is coming out  
16 of -- these are very common ways to tell the wind  
17 direction. Compass is one way. If you're heading  
18 north, the wind is directly on your bow, it's blowing  
19 out of the north. And nighttime as far as wind speed,  
20 they had lighting on the boat. They use the big  
21 lights called sodium lights that they traveled with  
22 quite a bit. I wouldn't say a hundred percent in the  
23 darkness, maybe, but if there are vessels nearby they  
24 might turn them off so they don't blind someone else.

25 Q. Over the years has there been any

1 consideration to put an anemometer, otherwise known as  
2 a wind bird onboard or anything like that to help them  
3 out?

4 A. I don't recall if we ever had one. I  
5 remember on one of my boats having one and it blew  
6 away.

7 Q. What was available onboard to receive  
8 forecasted weather?

9 A. Same thing I mentioned earlier, a VHF radio,  
10 single side band radio, the VMS system which sent  
11 emails. I imagine they even used forecasting if they  
12 were 200 miles away talking to somebody else on the  
13 radio and asking how the weather was where they were.

14 Q. How would they know days in advance?

15 A. I'm sorry?

16 Q. How would they be able to forecast days in  
17 advance? I understand that, you know, you can call  
18 someone ahead of you, but how would they know what's  
19 going to happen a day from then or two days from then.  
20 Do you have anything that --

21 A. National Weather Service does forecasts.

22 Q. Did the Destination subscribe to any  
23 commercial weather service, and if so, what service  
24 and what services did they provide?

25 A. I would have to look at the records, but I

1 think the service that we had as far as the email  
2 portion of it was from Thorium or some VMS system and  
3 I don't recall the name of it now. But the other  
4 thing is a single side band radio, they're scheduled  
5 weather broadcasts and the same with the VHF radio.

6 Q. Is Thorium a commercial service that you  
7 subscribe to?

8 A. Yes, it is.

9 Q. When you subscribe for it, in detail what  
10 did you get from them? What did they provide? What  
11 type of service?

12 A. I never got it. I don't know, but I'm sure  
13 somebody on that boat that would know what it is, but  
14 I do know Jeff said he got the weather forecast from  
15 this system Thorium, and my other boats do now. You  
16 can -- I've never personally received one from  
17 Thorium, but I know my other boats get it.

18 Q. On your other boats, what does that provide?

19 A. Weather forecasts and maybe even, again, I  
20 haven't seen them, maybe even current conditions at X  
21 position. I don't know.

22 Q. Does it go straight to a laptop computer or  
23 can you talk to us a little about where it goes?

24 A. Yes. I think it goes to a laptop or a  
25 computer onboard the boat.

1 Q. It's only the Captain -- does only the  
2 Captain have that capabilities of knowing forecasted  
3 weather?

4 A. No. I think anybody on the boat could go up  
5 to the wheelhouse and look at the weather.

6 Q. So the laptop is on the wheelhouse?

7 A. I'm, now again, I'm assuming that's where it  
8 is.

9 Q. Do you have any written or verbal policies  
10 where Captain Hathaway is required to discuss with you  
11 his voyage plan and the weather that is expected to  
12 encounter during his trip, and if so can you elaborate  
13 on that?

14 A. No, I didn't have any.

15 Q. I know we briefly discussed this earlier,  
16 but can you describe to us how icing from sea spray  
17 accumulates on the boats and crab pots?

18 A. Hard to describe how it accumulates. I'd  
19 say I guess a spray leaves the surface of the water,  
20 hits the boats, splashes onto the boat and freezes  
21 depending on the temperature. I don't know how to  
22 describe that except maybe if you could, and I think  
23 you have some videos of a much better depiction than I  
24 can give you here.

25 Q. And then also can you add onto that what

1 type of measures the vessel takes to reduce the  
2 accumulation from icing at sea?

3 A. I think Commander Muller asked me this  
4 earlier. I would say if it was me, I would slow down  
5 to reduce splashing or spraying. I might even go as  
6 far as go fair wind, which is going with the wind.  
7 And then also chopping the ice off the vessel.

8 Q. Has Captain Hathaway ever delayed getting  
9 underway because of weather? And if so, can you tell  
10 us about that?

11 A. I wouldn't know the incident, but I've got  
12 to be sure that there's many times they've -- I call  
13 it hold up for weather.

14 Q. Does Captain Hathaway notify you every time  
15 he gets underway?

16 A. No.

17 MR. GILLETTE: Thank you, Mr. Wilson.  
18 Commander, I have completed the questions on this  
19 topic.

20 CDR MULLER: Thank you, Mr. Gillette.  
21 Mr. Karr, NTSB, do you have any questions?

22 MR. KARR: This is Mike Karr.

23 DIRECT EXAMINATION (continuing)

24 BY MR. KARR

25 Q. As a vessel owner, do you regularly or do



1 you stay abreast of the marine forecasts for the areas  
2 where your vessels are operating?

3 A. No, I do not.

4 Q. And when it comes to icing from your  
5 personal experience, when icing occurs on the crab  
6 pots, can you describe how icing attaches itself to  
7 the pots, the lines, the buoys?

8 A. So hard to tell you verbally here, you know,  
9 like I said just a few minutes ago. Spray comes out  
10 of the water, hits the vessel or the pots and freezes,  
11 depending on the temperature, the colder the  
12 temperature, the faster the accumulation. I can tell  
13 you that.

14 Q. Well, let me be specific. Have you ever  
15 seen ice accumulation?

16 A. Many times.

17 Q. On --

18 A. Many boats.

19 Q. -- on line inside a crab pot?

20 A. Yes.

21 Q. On buoys inside a crab pot?

22 A. Yes.

23 Q. And has ice accumulated inside the crab pot?  
24 You know, for instance, you know, inside the netting  
25 below the surface of the, you know, below the top of

1 the crab pot?

2 A. It depends on what it hits. If it hits a  
3 buoy, yes, the buoy will ice up. If it hits the  
4 netting, as you say, it will ice up. Hits the steel  
5 framework of the pot, that will buildup.

6 Q. And have you ever seen pots below the top  
7 tier accumulate any ice? Again, inside on the lines  
8 in the buoys, you know, if you've got five tiers,  
9 would the fourth -- would the interior of the fourth  
10 tier crab pots accumulate any ice?

11 A. It's so hard to say, sir, because just every  
12 condition is different, right, every temperature  
13 change, every wind speed --

14 Q. Well, let me -- I'm not asking what ifs.  
15 I'm just asking have you seen in your career when you  
16 were sailing as a crab boat Captain?

17 A. Have I seen ice accumulation on pots, yes.

18 Q. Including in the lower tiers, underneath the  
19 top tier?

20 A. Yes.

21 Q. All right. As a vessel owner, are you aware  
22 of any guidance the Coast Guard or any other  
23 organization provides you with regard to upcoming  
24 freezing spray conditions?

25 A. I don't recall the Coast Guard telling us

1 anything about freezing spray, no, I don't. The  
2 weather forecast does, though. Is that what you're  
3 asking, the weather or the Coast Guard? The National  
4 Weather Service or the Coast Guard? I think the  
5 National Weather Service does.

6 Q. Well, what I'm asking about is if -- is  
7 there any guidance with regard to how to interpret and  
8 how you should act when you receive certain weather  
9 forecasts?

10 A. I don't recall.

11 MR. KARR: All right. Thank you. I have no  
12 more questions.

13 CDR MULLER: Thank you, Mr. Karr.

14 Ms. Spivak, do you have any questions  
15 regarding weather?

16 MS. SPIVAK: No, sir.

17 CDR MULLER: I do not have any questions.

18 So with that we can move on to the next  
19 section, Mr. Gillette.

20 MR. GILLETTE: Thank you, Commander.

21 DIRECT EXAMINATION (continuing)

22 BY MR. GILLETTE

23 Q. Mr. Wilson, I would now like to focus on the  
24 accident voyage and related issues leading up to it.  
25 These questions are going to hit on a few different

1 items and various topics. I would first like to  
2 hear -- excuse me, I would first like to talk about  
3 some communications between yourself and Captain  
4 Hathaway sent via text message on your inReach mobile  
5 phones.

6 I'm displaying Exhibit 157, page 37. This  
7 is an inReach satellite text message transcript. On  
8 the very bottom there is a conversation you are having  
9 with Captain Hathaway on the 2nd of January, 2017  
10 about sending a tote at coastal to King Cove. Can you  
11 provide us additional information on what was in that  
12 tote and what was the bottom line behind that  
13 conversation?

14 A. No. I don't know what was in that tote, but  
15 I think maybe groceries or some parts that were for  
16 the boat. And they were shipped to Sand Point, I  
17 think, and he wanted them shipped to King Cove which  
18 is about 80 miles away.

19 Q. Did you send it to King Cove?

20 A. I don't know what we did. You know, I got  
21 to think that after that conversation, that he may  
22 have gone to Sand Point anyway. So we may not have.  
23 I don't know. Well, I mean I know he went to Sand  
24 Point after that because he left from Sand Point on  
25 the 7th or 8th of January.

1 Q. All right. Now I'd like to show Exhibit  
2 157, page 39. This is also an inReach satellite text  
3 message transcript dated 12 January 2017, Captain  
4 Hathaway says, can you check on when more squid will  
5 be available. And you respond, they don't have bait  
6 in Dutch. One boat is coming next week with a small  
7 amount.

8 Can you provide us more additional  
9 information on what you were referring to?

10 A. He wanted me to find someplace to buy squid.  
11 And I found a place in Dutch Harbor. I can't remember  
12 the name of that place now, but anyway, it was a lady  
13 I spoke to, and she just said they'll have a boat  
14 coming in with a small amount. Just like it says  
15 there.

16 Q. What was the small amount you're speaking  
17 of?

18 A. I don't know at that time what it was.  
19 Didn't say. Just said a small amount.

20 Q. You didn't do any backup or follow up and  
21 find out how much bait that was?

22 A. No because there would be no way of knowing.  
23 The boat -- as it said there, I remember talking to  
24 the girl, I forget her name now, said the boats were  
25 out fishing. They might come in with a small amount.

1 If you want to skip ahead to what they picked up in  
2 Dutch Harbor, I think it was about 7,000. I'm not  
3 sure on that, but approximately.

4 Q. Now I'd like to show Exhibit 158, page 14.  
5 This is also an inReach satellite text message  
6 transcript. On February 2, 2017, you sent the message  
7 to Captain Hathaway reading, Ray says bring a lot of  
8 bait. Let me know if you get this.

9 Can you tell me who Ray is. And give me  
10 detail about what your conversation with Ray was?

11 A. I think Ray had sent out an email. You  
12 might be able to check that someday. Ray Numera  
13 (phonetic) runs the processing plant in St. Paul, and  
14 he just indicated that he might not have a large  
15 supply of bait. He said, tell Jeff to bring more  
16 bait.

17 Q. When he was saying, bring more bait, can you  
18 give me a timeframe? Was it during the Opilio season?

19 A. Yes, it was during the Opilio season.

20 Q. Is this common that Ray passes on  
21 information through you to bring more bait?

22 A. I don't know about common. I don't -- I  
23 couldn't say whether it was common or not. I can't  
24 remember the past years if he'd ever said that. He  
25 may have.

1 Q. Did he say what type of bait to bring or  
2 what the bait was to be used for?

3 A. Well, the bait that's used is chosen by the  
4 Captain. I don't know what he meant, no.

5 Q. Was Ray referring to bring your own bait or  
6 bring bait to Ray? Can you give a little more  
7 explanation or why Ray said, bring more bait?

8 A. No. I don't know. But, you know, somebody  
9 can probably contact him and ask him what he meant.  
10 He just said, tell Jeff to bring more bait. So I  
11 passed that message on. I don't -- I want to think  
12 that it wouldn't be for anybody else, but himself, but  
13 I don't know.

14 Q. Has the Destination ever stored bait up at  
15 Trident and in St. Paul?

16 A. Yes, we probably did in the past. I don't  
17 remember, though.

18 Q. Have you ever brought Trident bait that  
19 wasn't used aboard your vessel?

20 A. I don't know.

21 Q. Can you share with us any insight that you  
22 may have about the Destination's voyage plan, when  
23 they left Sand Point?

24 A. I can't add any more to what you saw on the  
25 track line. He just said he was going to King Cove.

1 I forget if that may have been for a tank check and  
2 then he was going to Dutch Harbor. That's about all I  
3 know about it. And then, you know, head up for the  
4 Opilio grounds.

5 Q. What was the reason for going to King Cove?

6 A. And I can't be held to it, but I think it  
7 was for what's called a tank check for the ADF&G, I  
8 think.

9 Q. Can you explain what a tank check is?

10 A. Before they start a season, the fish and  
11 game would like to see that you don't already have a  
12 full boatload of crab. There may even be more to it  
13 than that. I don't know.

14 Q. Do you know if they were going to pick bait  
15 up there at Peter Pan?

16 A. I don't know.

17 Q. Do you remember purchasing bait from Peter  
18 Pan?

19 A. Over the years we purchased a lot of bait  
20 from Peter Pan, Trident. On this particular trip,  
21 we'll just look at the records. I don't remember  
22 right at this moment, but we may have or we may not  
23 have on bait. You're asking at Peter Pan?

24 Q. Yes, I'm asking, since you made the  
25 purchases, if you know that bait was purchased in



1 Peter Pan in King Cove. That's what I'm asking.

2 A. We have purchased bait in King Cove at Peter  
3 Pan many times. I'm saying, I don't remember if they  
4 did it on this voyage we're discussing.

5 MR. GILLETTE: Commander, that's all of the  
6 questions I have on this topic.

7 CDR MULLER: Thank you, Mr. Gillette.  
8 Mr. Karr, do you have any questions regarding this  
9 topic.

10 MR. KARR: This is Mike Karr.

11 DIRECT EXAMINATION (continuing)

12 BY MR. KARR

13 Q. Mr. Wilson, earlier you mentioned the crew  
14 would change the cod pots to crab pots. Can you tell  
15 me how long that would take and how many crew members  
16 would be involved?

17 A. I couldn't tell you. It's been so long  
18 since I did it. You know, I think Sand Point they  
19 laid in Sand Point, we can look at the records. They  
20 laid in Sand Point for several days. I think it was  
21 several days doing it. What it involved, though, was  
22 probably taking the cod triggers out of the tunnel.  
23 It's not a lot. I mean, I think that's all they do to  
24 convert to a crab pot is take the cod triggers out.

25 Q. And what's a cod trigger?

1           A.     It's a device like a -- in this case the  
2 ones we had were a long rectangular with triggers that  
3 flop one way, which is in, so when the cod swam  
4 through it, and turned around, tried to come back out,  
5 they hit a trigger that wouldn't go the other way, it  
6 only went, like a one-way door, like you have for your  
7 pet maybe or something.

8           Q.     A spring-loaded door?

9           A.     Spring.

10          Q.     So there's pressure.

11          A.     I think there was some spring to them, yes.

12          Q.     To the best of your knowledge, who -- can  
13 you describe the watch or who would have been in the  
14 wheelhouse as the vessel sailed from Dutch Harbor  
15 towards the -- towards St. Paul?

16          A.     I don't know.

17          Q.     Can you tell me what kind of a watch system  
18 they would have had?

19          A.     That would have been a watch setup by the  
20 Captain. I don't know.

21                 MR. KARR: Those are all of the questions I  
22 have.

23                 CDR MULLER: Thank you, Mr. Karr.

24                 Ms. Spivak?

25                 MS. SPIVAK: No questions.

1 CDR MULLER: I have no further questions.

2 MR. GILLETTE: I have no follow-up  
3 questions.

4 CDR MULLER: Okay. The time right now is  
5 2:30. We're going to take a ten-minute recess and  
6 file back in at 2:40.

7 (Whereupon, a brief recess was taken.)

8 CDR MULLER: The time is now 2:45.

9 CDR MULLER: Good afternoon again. This  
10 hearing will come to order.

11 Mr. Wilson, we just have a few remaining  
12 questions for you.

13 Mr. Jim Gillette.

14 MR. GILLETTE: Thank you, Commander.

15 DIRECT EXAMINATION (continuing.)

16 BY MR. GILLETTE

17 Q. Mr. Wilson, in your last conversation with  
18 Captain Hathaway, was anything mentioned about weather  
19 or crew fatigue or any comments about the entire --  
20 from fishing cod and then going into the Opilio season  
21 so quickly?

22 A. No, we did not. He did mention weather was  
23 pretty nice on the day that we -- no, he had told me  
24 he was going to leave fairly early on Thursday,  
25 6:00/7:00 in the evening and that's the same time

1 about the gasket that he was going to get. And then  
2 they were leaving. I just remember the weather was  
3 pretty nice. And I don't know what it was, I just  
4 went by his statement.

5 Q. Can you help me a little with the  
6 understanding of what's pretty nice? I know, you  
7 know, living down here in the states, you know, the  
8 weather is different at different locations and I know  
9 up in Alaska we may have a different opinion of what's  
10 nice. So can you explain to me what's nice, by the  
11 conversation?

12 A. You know, I really don't know what he meant  
13 by that. I just assumed that the weather was not  
14 blowing and maybe not even icing conditions. I just  
15 know he said it was pretty nice.

16 Q. Do you follow any of the weather up there?  
17 Where were you on the 11th of February?

18 A. I was in eastern Washington, Lake Manache.

19 Q. Do you follow any of the weather channel or  
20 any weather reports on what's going on in Alaska when  
21 the Destination is up there fishing?

22 A. No.

23 Q. Okay. I'd now like to ask a question about  
24 bait and going back to purchasing. I'm a little  
25 confused about what you were saying. Earlier you were

1 saying that the vessel would go out and purchase items  
2 on a card and then you would pay for it. So I'm  
3 confused with the bait.

4 A. No. I never said on a card.

5 Q. Okay.

6 A. Is that what you said, a card?

7 Q. Okay. Can you explain to me how bait is  
8 purchased on the Destination?

9 A. I have to think that the Captain would go  
10 tie up to a dock where the bait is available. Call  
11 in, if he wanted to go through Peter Pan, you know,  
12 call somebody there and say we need X amount of pounds  
13 of bait, and they would deliver it. Then the bill  
14 would come to me much later.

15 Q. Do you remember receiving a bill from Peter  
16 Pan?

17 A. I think I stated earlier I received so many  
18 bills from Peter Pan, I don't explicitly know this  
19 one. There may have been bills from them. I have a  
20 lot, I'm sure we can make it a record, I see on the  
21 witness that Mr. Dale Schwartzmiller (phonetic). I  
22 don't know who Schiffler is. Maybe it's misspelled.  
23 Though he'll be able to tell, I think, what bait was  
24 purchased on what date.

25 Q. Are you aware of how much bait was purchased

1 during cod season?

2 A. I would only know that after the fact by the  
3 settlements that the bookkeeper makes up and I  
4 haven't -- I don't have those numbers in my head.

5 Q. After the incident, have you went back to  
6 through your invoices and looked at them to see what  
7 you've purchased?

8 A. No.

9 Q. I realize that we've asked you a lot of  
10 questions on a lot of topics, but I would like to ask  
11 you if there is something we may have missed that you  
12 would like to include for this public hearing as well  
13 as asking you if there is anyone not listed on our  
14 hearing list that we should speak to?

15 A. I can't think of any, but, you know, as I'm  
16 sitting here right now in front of you, but if I do  
17 think of something I could pass it on to Svetlana  
18 maybe, but right at this moment I can't think of  
19 anyone.

20 MR. GILLETTE: Thank you, Mr. Wilson.  
21 Commander, that's all of the questions I have.

22 CDR MULLER: Thank you, Mr. Gillette.  
23 Mike Karr, NTSB.

24 MR. KARR: No questions, Commander.

25 CDR MULLER: Thank you. Ms. Spivak.

1 MS. SPIVAK: No questions.

2 CDR MULLER: I have one or two follow-up  
3 questions.

4 DIRECT EXAMINATION (continuing.)

5 BY CDR MULLER

6 Q. In your experience, either as a fisherman  
7 talking with other vessel masters, captains and  
8 particularly Jeff, in terms of when they mentioned  
9 weather, and mentions the weather is fine, what -- can  
10 you place any context? I mean, there's weather about,  
11 you know, the current place and situation. And then  
12 there is weather forecasts and actual weather that one  
13 may anticipate a day, two days, three days from now in  
14 an entire different location hundreds of miles away.

15 So with your conversations or in your  
16 experience, is that kind of conversation happening  
17 about projected weather patterns? Not just the then  
18 here and now?

19 A. As far as when I fished, you were talking  
20 about? Is that what you meant when I fished?

21 Q. Your experience and as well as in the  
22 examples with Jeff?

23 A. Well, you know, when I fished and they had  
24 weather forecasts back then I found them to be fairly  
25 unreliable. We could -- better than we could predict

1 by looking out the window, you know, we had to go by  
2 the weather predictions. I'm sure Jeff did, too go by  
3 the weather predictions. As far as the accuracy of  
4 weather predictions, I don't know.

5 Q. Okay. Switching a little bit more to the  
6 bait, and can you explain the process -- well, you  
7 explained the process of how you pay for the bait,  
8 eventually the bill catches up to you. But if you can  
9 make a connection with the contracts. Let me ask it  
10 this way: I heard that you don't necessarily  
11 categorize or keep track of how much bait or how much  
12 money they're spending. Is there a certain amount  
13 that would alarm you? Like, let's say is it 20,000  
14 pounds, 30,000 pounds in a month, X amount of  
15 thousands of dollars; would any one of those amounts  
16 raise your attention?

17 A. Of course I, you know, do keep track of the  
18 monetary value of the bait, but I have no input into  
19 telling someone like Jeff on the boat to use less  
20 bait. That is a personal judgment of the Captain, and  
21 to go on a general term I can tell that you cod  
22 fishing takes a lot more bait. So I know that in  
23 general that cod fishing takes a lot more bait. I  
24 can't quote any pounds or dollars off the top of my  
25 head, but those are records that are readily available



1 to you. If you can't get them, I can help. You'll  
2 have guy here named Dale Schwartzmiller from Peter  
3 Pan, I'll bet they have records of it. But no, I have  
4 no -- you know, I just know generally cod fishing  
5 takes more bait than crab.

6 Q. So can you confirm then, though, at the end  
7 of a season for a particular species of crab, which  
8 might be any number of a few weeks or a month, at the  
9 end of that season, it's the crew that eventually pays  
10 for all of the bait; is that right?

11 A. Partially so. Mostly paid by the boat  
12 owner. We take the fuel off the top of the gross  
13 stock on this boat.

14 Q. Okay. What about the bait purchases? Do  
15 you purchase the bait or do you tax your employees, so  
16 to speak, the crew members, before they get paid?  
17 Does the bait cost come off the top as well just like  
18 fuel and food?

19 A. Just like fuel. Fuel and bait come off the  
20 top. The crew does purchase their own food. So the  
21 bill, when the crew goes and gets food, for example,  
22 they put it on the boat later, maybe a month later, I  
23 get the bill and pay it. But we then back bill the  
24 crew on their settlement. That's the food. The fuel  
25 is just taken right off the -- so the person, yes,

1 does write the check, not necessarily write a check,  
2 the cannery that we buy the fuel from just takes it  
3 off of our pay.

4 Q. Right. All right. So in practical terms,  
5 you might monitor the amount of fuel and bait, in  
6 other words the expenditures, to make sure your bank  
7 account is still able to absorb those, has enough cash  
8 to maintain those operations. But essentially, you  
9 will re-collect, essentially, those costs after you've  
10 taken off from the profits?

11 A. And what's the question?

12 Q. Well, it wasn't a question. I'm just  
13 confirming basically in simple terms the crew pays for  
14 the bait at the end?

15 A. Part of it. Let's just use a rough, if the  
16 crew share is paid 35 percent of whatever it might be,  
17 they would amongst all of them pay 35 percent of the  
18 fuel and bait. And the owner of the boat would pay  
19 the other 65 percent. That's essentially taking the  
20 fuel and the bait off the top of the gross stock.

21 CDR MULLER: Okay. Understood.

22 Okay. Is that note for me?

23 MR. KARR: Can I follow-up on your  
24 questions.

25 CDR MULLER: Okay. Mr. Karr, NTSB any

1 follow-up questions?

2 DIRECT EXAMINATION (continuing.)

3 BY MR. KARR

4 Q. I just want to square away the math on this  
5 issue of who pays for what. I'm looking at the crew  
6 contract and I think I was confused by a little note  
7 in here that says, crew pays for food.

8 A. That's correct.

9 Q. Right. So and then the last sentence says,  
10 the net proceeds from the sale of the catch of the  
11 vessel is the defined as the gross proceeds from the  
12 sale of the catch of the vessel less deduction for  
13 bait and fuel?

14 A. That's correct, but not all of it. It comes  
15 off the top.

16 Q. Not all of it comes off the top?

17 A. All of it comes off the top. So how can I  
18 --

19 Q. That explains it. That explains it. So if,  
20 yes, that explains it.

21 CDR MULLER: Anything further, Mike?

22 MR. KARR: Nothing.

23 CDR MULLER: Okay. Mr. Gillette.

24 MR. GILLETTE: Nothing further.

25 CDR MULLER: Okay. Ms. Spivak.

1 MS. SPIVAK: Nothing further.

2 CDR MULLER: Mr. Wilson, this concludes our  
3 questions for your testimony for today. I know it's  
4 been a long day so we absolutely appreciate your  
5 participation and your patience, and the information  
6 you provided to the Marine Board today.

7 Just want to take a quick opportunity again  
8 to express on behalf of the board our condolences. Is  
9 there anything else you would like to add for the  
10 record before I close?

11 THE WITNESS: I can't think of anything at  
12 the moment. I can still say as I was in February to  
13 this day, I'm still in shock.

14 If I can think of something later that could  
15 help the investigation, I will pass it onto you or to  
16 Svetlana.

17 CDR MULLER: Thank you.

18 With that, we are now complete with your  
19 testimony for today; however, I anticipate that you  
20 may be recalled to provide additional testimony at a  
21 later date. If we decide to recall you, we will  
22 contact Ms. Spivak. Therefore, I am not releasing you  
23 from your testimony at this time. And you will remain  
24 under oath. Please do not discuss your testimony or  
25 this case with anyone other than your counsel, the

1 NTSB or members of the Coast Guard Marine Board. If  
2 you have any questions about this, you may contact my  
3 legal advisor, Commander Tamara Wallen.

4 So we will recess for the day and reconvene  
5 tomorrow at 9:00 in the morning.

6 That is all. Thank you.

7 (Whereupon, the hearing adjourned for the  
8 evening at 3:15 p.m.)

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## 1 REPORTER'S CERTIFICATE

2 I, Jeannie A. Milio, Registered Professional  
3 Reporter, an Official Court Reporter for the United  
4 States Coast Guard, do hereby certify that I  
5 stenographically recorded the proceedings in United  
6 States Coast Guard's Marine Board of Investigation  
7 Formal Hearing RE: Fishing Vessel Destination, held on  
8 August 7, 2017, at 9:00 a.m. (PT) at Henry M. Jackson  
9 Federal Building, U.S. Coast Guard Thirteenth  
10 District, 915 Second Avenue, Seattle, Washington  
11 before the U.S.C.G. Marine Board of Investigation.

12 I further certify that the page numbers I-1  
13 through I-126 constitute an official transcript of the  
14 proceedings as transcribed by me from my stenographic  
15 notes to the within typewritten matter in a complete  
16 and accurate manner.

17 In witness whereof, I have affixed my signature  
18 this 7th day of September, 2017.

19  
20  
21  
22   
23 Jeannie A. Milio, RPR  
24 Official Court Reporter  
25