

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FIRE AND SINKING OF THE *CONCEPTION* *
WITH LOSS OF LIFE NEAR *
SANTA CRUZ ISLAND, CALIFORNIA, *
SEPTEMBER 2, 2019 *

Accident No.: DCA19MM047

* * * * *

Interview of: MILTON DOUGLAS FRENCH
Deckhand, *Conception*

Wednesday,
September 4, 2019

APPEARANCES:

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

BARTON BARNUM, Marine Accident Investigator
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CAPT. JAMES SNODGRASS
Santa Barbara County Fire Department

DETECTIVE TRAVIS HENDERSON
Santa Barbara County Sheriff's Office

GLEN FRITZLER, Owner
Truth Aquatics

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I N T E R V I E W

(10:49 a.m.)

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2
3 MR. EHLERS: Good morning. It's approximately 10:49. We're
4 in Santa Barbara, California. We're here for an interview in
5 conjunction with the NTSB and Coast Guard investigation into the
6 accident involving the dive vessel *Conception*.

7 Can you state your name?

8 MR. FRENCH: Milton Douglas French. My last name is
9 F-r-e-n-c-h.

10 MR. EHLERS: Okay. The purpose of the investigation is to
11 increase safety. It's not to assign fault, blame or liability,
12 and our aim is to prevent accidents such as this from happening in
13 the future. Having said that, the NTSB cannot offer or guarantee
14 confidentiality or immunity. Do you understand that this
15 interview is voluntary?

16 MR. FRENCH: Yes.

17 MR. EHLERS: Okay. We intend -- or we are recording this
18 interview. A transcript will be made available in the public
19 docket when it is open. Do you understand that this is a recorded
20 interview?

21 MR. FRENCH: French: Yes.

22 MR. EHLERS: Okay. All right. I will go around the room and
23 ask everyone in the room to introduce themselves, tell you what
24 their name is and who they represent.

25 MR. MUISE: This is Marcel Muise. I'm also an investigator

1 with the NTSB.

2 MR. BARNUM: Good morning. My name is Bart Barnum. I'm a
3 marine investigator with the NTSB.

4 LT [REDACTED] Good morning. Lieutenant [REDACTED]
5 Coast Guard, MSD, Santa Barbara.

6 LT [REDACTED] Lieutenant [REDACTED] Coast Guard
7 Investigations, National Center of Expertise.

8 MR. [REDACTED] Coast Guard Investigations,
9 National Center of Expertise.

10 MR. HENDERSON: Good morning, Mr. French. My name is Travis
11 Henderson. I'm as detective with the Sheriff's Office here in
12 Santa Barbara.

13 CPT SNODGRASS: Good morning. Captain James Snodgrass with
14 Santa Barbara Fire, fire investigator.

15 MR. [REDACTED] Good morning. My name is [REDACTED] I'm
16 with the Coast Guard Investigations, National Center of Expertise.
17 Thank you.

18 CDR [REDACTED] Good morning. My name is Commander [REDACTED]
19 [REDACTED] I am at 11th Coast Guard District. I'm in charge of
20 oversight for vessel inspections and investigations for the states
21 of California, Nevada, Utah, and Arizona.

22 MR. EHLERS: And currently Adam Tucker, who is the
23 Investigator-in-Charge for the NTSB is not in the room, but he may
24 join us at some point. Okay?

25 MR. FRENCH: Okay.

1 MR. EHLERS: Last thing before we get started is, my
2 experience in interviewing folks involved in accidents is
3 oftentimes the sequence of events can get mixed up. Some of the
4 details -- oh, I'm sorry -- Mr. Fritzler, please introduce
5 yourself.

6 MR. FRITZLER: Glen Fritzler, owner of the vessel *Conception*.

7 MR. EHLERS: Okay. Sometimes when you're recalling events,
8 the timing can get mixed up. Sometimes even the events get a
9 little bit foggy, but as you talk through them, sometimes it
10 becomes clearer. If you say -- tell us something during this
11 interview and then later on, as you're talking through it, you
12 realize that you remember it a little bit differently, please
13 speak up. We're not here to try and catch you in a misstatement
14 or anything like that. We just want to know what happened and
15 what the facts are. Do you understand?

16 MR. FRENCH: I do.

17 MR. EHLERS: Okay. All right. So I'll begin.

18 INTERVIEW OF MILTON DOUGLAS FRENCH

19 BY MR. EHLERS:

20 Q. Can you tell me a little bit about your experience working on
21 boats?

22 A. Basically my boat experience started -- I don't know what
23 year, maybe 7 years ago now. I'll have to check my ASA
24 certifications. But friend of mine and myself took a ASA, like,
25 sailing course in Santa Cruz. Got through bareboat charter so we

1 can rent boats by ourselves.

2 Then we both started working for a sailboat up there, a 70-
3 foot -- basically booze cruise, 2-hour tours of the Monterrey Bay
4 area through like Santa Cruz Capitola, sometimes across to
5 Monterrey. Been working on -- it's called the *Chardonnay*. Been
6 working on that boat for 3 years. And then been out on these
7 boats, Truth Aquatics boats as a passenger twice, once in 2015, I
8 believe, and then in 2017. And I really enjoyed them and thought
9 I might want to do it for a job, just viewing it as a passenger.
10 And then applied last November-ish. I think I was hired in
11 November and been working on this boat. It's slow during the
12 winter, and really picked up at the end of spring, and I've been
13 working pretty much every day since spring, and --

14 Q. You said you were hired in November. Did you receive any
15 training when you came on board with the company?

16 A. Yes. So the way that the hiring process goes is you'll go
17 out on the boat as like an extra crew member. It's called the
18 deadhead. It's unpaid. You just kind of see what the job is like
19 and they kind of teach you what they do. And then if you like it,
20 and there's an opening and you're a good fit, and the captain
21 wants you and everybody agrees, then it's kind of on-the-job
22 training at first. And, yeah, as far as training goes, it was
23 mostly on-the-job. You're explained everything, like shown where
24 all the safety equipment is. And, yeah, I mean --

25 Q. As far as the deadhead trip, is that a single trip or is that

1 multiple trips? How does that --

2 A. I think it's often a single trip. I don't know. My
3 experience was it was just the one trip, and then I was hired. We
4 actually had an incident, and the Coast Guard helicopter had to
5 evacuate a passenger, and I guess I helped out enough that, you
6 know, that thought I'd --

7 Q. On that deadhead trip?

8 A. Yeah.

9 Q. Okay. All right. Can you explain a little bit about what
10 your duties were on board the vessel?

11 A. Yeah. So we would -- I mean, I could tell you about a normal
12 day. We would leave the dock. I would do an engine room check,
13 oils and coolant, on the two main diesel engines and the two
14 generators and the -- or the two compressors, sorry, and the
15 generator. I would check all the oils and coolants that were on
16 those. The compressors didn't have coolant, but -- then we would
17 fire up the generator, turn over to ship power from the shore
18 power, you know, get things going. Get the boat squared away to
19 cast off. Make sure that our manifest was -- copy of the manifest
20 made it to the office, made sure all the dive gear was properly
21 stowed for the voyage out to the islands. And then the captain
22 would take care of the lights and everything, go around the boat
23 and make sure everything is squared away.

24 We'd be standing on the dock, and he'd come down and, you
25 know, the first few times he's going over how we're going to cast

1 off and anything we needed to know about. Then we'd cast off and
2 head out just like normal boat stuff. Once we're out, we'd start
3 transferring our manifest onto a roll board, make sure that we do
4 a tank count, so that we verify everybody's on board before we
5 move spots. Then we would check in with the captain usually, and
6 go to sleep if there was nothing else going on.

7 If we're traveling down to the southern islands, maybe we'd
8 do like a shift watch, set up a watch shift. But Jerry liked to
9 drive most of the time, so when we were going out just to the
10 close runs, he would just handle it.

11 In the morning, we'd wake up early, try not to clean the
12 heads if there's a bunch of people using them. But we'd do a
13 little cleaning. Set up the boat for the day. And the first
14 morning was always safety briefing. Had bullet pointed cheat
15 sheet, so we would cover all those things. I was usually doing
16 the safety briefing lately. Jerry would listen in and oftentimes,
17 you know, he was -- he's a very hands-on captain, and would make
18 sure that things were conveyed to the passengers how he wanted
19 them conveyed. So it was always really complete.

20 And then we'd start the dive day, anchor up at a spot. And
21 my duties included, like, dropping and pulling anchors, filling
22 tanks, helping people with their gear, pulling the skiff along the
23 side, and safety watch all the divers as they're entering the
24 water, exiting the water. I'd help them out. And then while
25 they're in the water, we're watching and kind of keeping track of

1 bubble groups, and see if anybody's getting away, are they heading
2 towards the current, are they -- you know, have we not seen all
3 the bubbles that we expect in so much time. And just keeping an
4 eye on all those things, and filling tanks and just all sorts of
5 just routine throughout the day, you know.

6 And there are two deckhands and second captain. Our second
7 captain was basically working as a deckhand as well, so we would
8 have three people on deck pretty much at all times. We'd
9 communicate to each other. If you had to go in, use the head or
10 get a cup of water or get something to eat, you'd call out to
11 everybody and make sure that they knew where you were going.
12 Because, you know, anything can happen at any time, so try and
13 keep the watch going.

14 Other responsibilities, like, pumping out the bilges and
15 keeping the boat dry, changing filters on the A/C units. Opening
16 the black water holding tank when we were traveling, when we were
17 far enough away from the island, and just making sure everything
18 was running. Report any inconsistencies, anything that they
19 reported. Jerry would want to know everything all the time.
20 Maintaining, like -- you know, tracking fuel and fresh water and
21 usage and stuff, and checking in with the galley if they needed
22 anything. Just a lot of stuff.

23 Q. Okay.

24 A. Maybe some directed questions would help me like --

25 Q. Well, we'll get to that, yeah. Okay. That's fine. Thank

1 you for doing that. You mentioned your ASA cert. What cert did
2 you have? What's the highest cert you have?

3 A. I was, like, 104, I think, is the bareboat rental basically.

4 Q. Okay. And did you have any Coast Guard licenses or
5 qualifications?

6 A. No. Just like just regular first aid and stuff.

7 Q. Okay. Throughout this you'll get a lot of questions that we
8 just need to know for the record, so that's one of those.

9 Had you worked with the crew that you were working with, was
10 it the same crew you worked with since you came on board or did it
11 rotate? How did that work?

12 A. So on the *Conception* the crew was not as permanent for the
13 season as -- I think, the other boat, the *Vision*, had the same six
14 people on there every single trip. The *Conception* had trouble
15 having a second captain stick around, and we had just replaced our
16 lead galley and the deckhand, the other deckhand, had both gotten
17 a job within the last few weeks. So I was training -- we were
18 training, everybody basically was training the deckhand. And the
19 lead galley had finished his training. He was running the galley
20 end of everything. But his second galley was -- had been working
21 on the boat for 2 years, and was a very consistent crew member.
22 And then myself, I told you, from November.

23 Q. With the crew that was on board for this last voyage, had
24 they been on board for the previous voyage or was this the first
25 voyage that they were all -- you were all together?

1 A. For the -- this was the first that we were all -- that
2 complete unit was together. We had -- so it was the head galley,
3 Ryan's, third, fourth trip maybe. We had a 6-day -- I forget the
4 dates. It all kind of runs together for me. But we had a 6-day
5 and then a 5-day. No, it was a 5-day, then a 6-day. And he got
6 trained -- Kelly trained him during the 5-day. Kelly Kohls was
7 the other lead galley; I don't know if you guys know that, but --

8 Then his first trip was the 6-day, and then we did -- then we
9 had a different captain and everything for a 1-day, and then we
10 had a 3-day. I think I might have had a day off in between. Then
11 we had a 3-day. So it was his -- 6-day he ran, Mike did the one-
12 day, then he did the 3-day, and this was his third trip that he
13 was running himself, I believe.

14 For second captain, I had worked with Cullen a few times.
15 The second captain position was kind of a revolving door, but it
16 was basically the same four or five faces that would kind of share
17 it, because they all had different jobs on different boats. I've
18 worked with Cullen a number of times. He worked on the other
19 boats too. I don't know what number of trip this was on the
20 *Conception* for him, but he seemed to have the job mostly down.
21 And then Allie was the other deckhand, and it was her second trip.

22 Q. Okay.

23 A. She worked as galley on the Truth. She was familiar with
24 that side of the boats, and had been really interest in being a
25 deckhand and was trying to learn as much as she could on that

1 boat. And then when the other deckhand, Hunter, he quit about a
2 week ago. She replaced him, and we were training her.

3 Q. Okay. How many total trips do you think you've made?

4 A. How many days or trips? I don't know.

5 Q. Trips.

6 A. Yeah. Dozens.

7 Q. And that's anywhere from 1 day to 6 days?

8 A. Yeah.

9 Q. Okay. All right. Now, I'm going to ask you to recount what
10 happened on the vessel. I want you to start from when you got on
11 board, whether it was Friday night or Saturday morning or prior to
12 that, and just kind of all the way through the trip. You can kind
13 of summarize the first couple days, and then when we get to the
14 morning of the accident, then I'd like you to give me as much
15 detail as you can. Take as much time as you can, and we can
16 always take a break. Okay. So, and I'll just leave it up to you.
17 Okay. Start with when you got on board the vessel.

18 A. Yeah. So Allie and I were seeing each other. I don't know
19 if you'd call her my girlfriend or if she would have, but we spent
20 the night in my car and then got on board. Supposed to be there
21 3:30 to start getting things ready. We showed up 10 minutes
22 earlier. So started the regular routine of signing in and firing
23 up the generator and stuff. I know the -- we had a problem with
24 the coolant, so I filled the coolant and took extra care to check
25 all the systems because our (indiscernible) was -- there was like

1 a little discrepancy of sharing power between certain appliances
2 at the same time, was putting a strain on our generator. So we
3 made sure that everything was as it should be, or I did
4 personally.

5 Kind of walked her through. This was the second time she was
6 going to be casting off as a deckhand. So I walked her through
7 what lines were going to be released when, and what we prepped
8 and, you know, what spring lines to take off, and tank counts, and
9 did the regular stuff to start it off.

10 Cast off, and stayed up pretty late that night because I had
11 told her about these bioluminescent dolphins that are pretty
12 incredible to see. So she was, like, looking forward to seeing
13 that finally. She, like, looked every time she goes out but had
14 never seen them yet. But I think we fell asleep or just decided
15 to go to bed at a certain point. And then in the morning, we were
16 traveling. We went to the back side first, I believe, which is
17 the south side of the island, and so it took a little longer. It
18 was kind of an extended morning.

19 Checked in and filled what tanks needed to be filled, and got
20 everybody up eventually. Everybody was kind of like late waking
21 up, all the passengers I mean. So we started the safety briefing
22 a little bit later than we usually would. I was giving it and
23 Jerry was listening in as usual. And where I give the safety
24 briefing is like standing at the entrance to the galley over the
25 escape hatch.

1 And there was this guy, Sunil or -- yeah, Sunil, one of the
2 passengers, had woken up kind of late, like halfway through the
3 briefing, and then ended up fainting like randomly in the middle
4 of the briefing. And he like fainted into Mikey's arms. I
5 thought he was giving him a hug. So I was like stunned, and then
6 I saw him drop to the -- like, slowly lowering to the ground. And
7 so we stopped the briefing and attended to him. Got him to sit
8 down and drink some water and go outside and lay down. And
9 there's a -- I think somebody was a doctor, had been a doctor,
10 took his blood pressure. Just kept an eye on him the rest of the
11 day. Asked him not to dive. He said he was feeling better by the
12 end of the day.

13 But the safety briefing got interrupted like -- it was
14 towards the end. I was about to go over, you know, what we do
15 with fill tags and filling tanks. So I had gone over all of the
16 plan of where to meet when, and who gives out life jackets, and
17 where our safety equipment is, and hatches and stuff like that.
18 So all that stuff was covered. It was just like the diving stuff
19 that we didn't get to really. And then Jerry gave like an
20 abridged version of that at the end.

21 Then we got the day going. It was a pretty regular diving
22 day. Seems like there were a couple new divers so we were taking
23 extra care with them. And there was one guy had a rebreather
24 system and liked to do everything himself, and got to talk to him
25 about equipment. And teaching Alley how to pull anchors and drop

1 anchors this time, because the first trip was pretty mellow; I did
2 everything. Was like a watercolor, ladies just drawing.

3 So, yeah, just normal diving stuff like all day. Nobody to
4 save and nothing remarkable. No problems with the generator
5 overheating or anything like that. Anchored at Smuggler's, I
6 think. And it was a normal night. I think it was windy, if I
7 remember. Kind of -- oh, we did a night dive. Yeah, anchored
8 over at Smuggler's kind of late. Went to bed like midnight.

9 And got up the next day at a few minutes after 6. Went
10 downstairs. Went into the bunk room, woke up Allie, and I think
11 she pulled -- I pulled up the anchor in the morning. I don't
12 know. Had breakfast. Another regular day. Got the diving going.

13 It was like two little events that happened. This guy pulled
14 off his -- forgot to take off his mask when he was pulling off his
15 hood and threw it overboard, and it was like sinking. So I jumped
16 in as a rescue swimmer for the mask. And all the customers were
17 stoked, impressed, eight of them that were on board at least.
18 Everybody else was diving.

19 And then I -- couple hours later, there was a lady, her name
20 was -- I forget her name, but she was one of the students of
21 Kristy Finstad, and she was there with her husband, was a Indian
22 lady. And she, like, got separated from her buddy, and came up
23 alone and was like -- not like flailing or in trouble really, but
24 like uncomfortable. So I was trying to shout like commands. She
25 was just a few yards away, really, from the boat, and trying to

1 shout like, hey, just put your regulator in and stuff, and she was
2 just like wide-eyed. So I jumped in after her and just helped her
3 over the boat. And then got -- we anchored at Quail (ph.). That
4 happened at Quail, that little micro rescue.

5 And then we had an issue with the head system. It was -- I
6 don't think it either emptied between dives. So it was like full
7 and overflowing into the port bilge in the engine room, which
8 happens. It's just like the piss gets to the top, and it sucks,
9 but we deal with it. So we were planning on making a move even
10 though everybody wanted to stay at the dive site.

11 So we make a move, and I try to, like, open the tank and get
12 everything to drain out, but it's like plugged or something. I
13 don't know. But as I'm working on it, I'm -- then I start working
14 on vacuuming out the bilge with our bilge pump, which is attached
15 to the starboard main. It runs off those RMPs basically. And
16 worrying about that and, you know, I'm thinking about -- I just --
17 it was like a little oversight, I burned out the bilge impeller by
18 not opening the valve of the hose I was using, and I felt it get
19 really hot, and just shut it all down right away.

20 And then switched over to the fire pump using -- you just
21 have to manipulate a couple valves. I went up and talked to
22 Jerry, of course, about it first, and then he told me to go down,
23 and walked me through the fire pump, and there's a little diagram
24 in the engine room. So I just opened and closed valves, and used
25 the fire pump as a bilge pump. Got the pee out, put some bleach

1 down. And then in the meanwhile, I opened the holding tank, and
2 Jerry increased the speed, and broke up the little plug, and was
3 able to empty the tank so we can continue diving.

4 And then it was on my agenda to get to fix the impeller. If
5 there was no night dive, I was going to do it that night, but
6 there ended up being a night dive, so I was going to do it at the
7 dock the next day after we got back.

8 But before I went back upstairs, I figured that the fire pump
9 should be how I left it in case something happened. So I changed
10 all the valves back to where I found them, how they should be left
11 usually, and definitely thought about that as I was standing on
12 the back deck later. It was like, shit, I just touched all these
13 valves. I could -- if I could get in there, I could probably do
14 something, but --

15 We went over to I forget where. Cueva, Cueva Valdez. It was
16 a little dock side with some (indiscernible), but the visibility
17 was bad so everybody wanted to get back to Quail for the night
18 dive. So right at sunset we went back to Quail and anchored for
19 the night dive, and 17 people got in the water with flashlights
20 and stuff, and it was uneventful. Got everybody back on board.
21 They got in at 8:30-ish. Tried to have a really short gate time
22 so that everybody starts at once and ends at once usually.

23 Then we wanted to anchor at Platts or wherever Jerry was
24 going. He doesn't really tell us. He just knows where to go. So
25 got everybody back on board, got the skiff up, and ready to

1 travel. And I filled tanks after the night dive, 17 tanks, so
2 they'd be ready to be just topped off in the morning and then
3 ready for the day diving.

4 When we anchored up, I dropped the anchor because it was
5 dark. Anchored up on one, put on the chafing gear for the
6 bowline. And set up the squid light on the starboard side because
7 there was quite a lot of activity during the night dive. People
8 were trying to catch red crabs and stuff. So they were all into
9 it, and they wanted it again for the anchorage. And there was,
10 like, crazy bioluminescence in the water. And one of the ladies,
11 Marybeth, had never seen it before. So a few of the passengers
12 and Allie and myself went out to the bow away from -- it was like
13 the darker part of the boat, and took the bow hook, and just
14 started drawing in the water, and then had the passengers do it
15 too, and we turned off the squid light so we can see more. And we
16 were watching seals glow and play underwater and everybody was
17 stoked.

18 Allie and I took a shower together, and then there were still
19 a few people up, and went to bed right after that. Kissed her
20 goodnight, went upstairs, and she went down below. Fell asleep in
21 like 6 seconds, soon as I hit the rack. Then woke up to Mikey
22 yelling fire. I don't know what time I went to bed. I wear
23 contacts so I couldn't see when I woke up. Rolled out of bed
24 because, you know, all the commotion. Went out back to -- like
25 started to go out back to look, and saw like the orange glow.

1 If you guys have been on this boat, do you know the layout?

2 Q. We've been on board the *Vision*. So --

3 A. The *Vision*. So it's similar, but the bunk system, our
4 situation is different. Do you know our bunk situation? Have
5 you, like, been given the layout?

6 Q. We have been given the layout, yeah.

7 A. Okay. So rolled out, and I was in the port side -- we call
8 them the dog kennels. But so I rolled out, you know, flipped the
9 curtain and look aft down the little hallway with -- the galley
10 bunks had their door, the captain has his door and then there's a
11 shower door, and the rear door entrance and exit to the
12 wheelhouse. So I looked to that exit from my bunk, and take a few
13 steps maybe to the door. But I'm like pretty confined. So I just
14 see like orange glow coming up on the starboard side by the
15 stairs.

16 And my other crewmates -- I think I saw Jerry come out of his
17 room, and I don't really remember if Cullen was in front of me or
18 if he got up right after me. But I went back to grab my glasses
19 so I could be useful. And then by the time I was -- you know,
20 grabbed my glasses and was heading back on to the sun deck,
21 everybody was coming back my way. So then we like moved past each
22 other, and I went and looked to see what was going on, because
23 they were saying like you can't go that way basically. So I went
24 and just verified that that was the case, and definitely couldn't
25 get down the stairs. Might have been able to jump over it, but

1 that wasn't -- I didn't see where the fire stopped really, there
2 was so much smoke and stuff.

3 But decided that the best exit from the wheelhouse was going
4 to be off the wing stations where the captain will drive. There's
5 little doors. Somebody opened those. And then Mikey was already
6 down -- like, as he walked by me, he must have jumped, because I
7 didn't see him again until I was on the deck.

8 And I don't really remember waiting for anybody to get off.
9 But I went off the port wing station onto the main deck, and then
10 went to turn left to get to the galley, but that was blocked by
11 fire. I couldn't walk down the edge of the -- the side of the
12 boat to get to the back. It was coming out of the windows, like
13 black smoke and flames, and it was wrapping around the edge. It
14 was pretty gnarly.

15 So I think that's -- I think Ryan had, like, kind of crawled
16 away from all that. So I landed softly. It's kind of the same
17 move that I used to ease myself into the skiff that's tied to the
18 side of the boat. So I knew what to do; didn't hurt myself on the
19 way down. Ryan broke his leg, and he was laying there, was just
20 saying my leg, my leg. But, oh, I -- there was one little bit.
21 So before I jumped, I kind of -- I didn't really, maybe didn't
22 really realize it when I first woke up, but I could hear like some
23 alarms, but they sounded really quiet, really distant. Or I
24 didn't even recognize it as distant at the time, but just quiet,
25 really quiet alarms. I thought they were coming from the dash.

1 And I just remember thinking, like, what kind of alarm sounds like
2 that? It's like barely, barely a little chirp.

3 And then Jerry was working the radio as we jumped off or I
4 jumped off, at least. And then I went for the center window. I
5 think I just stepped over Ryan. I didn't really -- his leg was
6 broken; he was crawling. He wasn't in the flames, so whatever. I
7 went for the center window to try to get into the galley. And it
8 opens up, and there's a rim that if you're on the outside you can
9 get your fingers under it. I was able to get my fingers under it
10 a little bit. But the latch system is like a screw with a little
11 -- basically a three-prong wing nut plastic knob that will flip
12 down into a plastic guide that will keep that window locked in
13 place. And those -- the hinges don't allow the nuts to really
14 stand up; they want to fall down. So it didn't feel like it was
15 locked in closed, but it was latched, at least. I couldn't rip it
16 open.

17 And I pounded on it a few times, and didn't break. And I
18 remembered the fire ax that was on the wall above my bunk. So I
19 went to call up for Jerry to throw me down the fire ax, and it was
20 like -- before I went for the window, I looked back up, and I
21 could see him on the radio like leaning towards the window. I
22 think he was watching us and -- or maybe just trying to stay away
23 from the smoke, because you could see the smoke pouring in behind
24 him. But I could see him before I went for the window, and then
25 when I went back up to call for him, the windows were blacked out.

1 And, you know, I don't know -- I've never been up there when
2 people are trying to yell at me. So I wanted to go over to the
3 side to yell his name so that he could hear me through the door
4 opening, and before I could even really call his name or fire ax
5 or anything, he just like went flying, jumped from the side into
6 the water, and he was over me like shirtless in a pair of jeans,
7 and black smoke like engulfed him. And I thought he was on fire
8 himself because the glow behind him made him look like he was just
9 on fire. And his cries, you know, oh, no, like I thought it was,
10 like, oh, no, like it's happening to me like I'm on fire or
11 whatever. That didn't turn out to be the case, but Cullen and I
12 didn't know that at the time.

13 So Cullen was next to me at that point and saw him go into
14 and, you know, watched him like sail basically through the air and
15 land in the water. And Cullen jumped in to help Jerry. And I
16 looked over the side and saw that Jerry was floating like okay-
17 ish. Wasn't sinking. Wasn't splashing. He was just on his back
18 like collecting himself, I'm sure. And Cullen realized that, I'm
19 sure, once he jumped in, and I saw him swimming for the stern.

20 So I turned back, and tried that window again pounding. It
21 didn't break. Tried the other one. It was kind of, like -- it
22 was so thick black in there you couldn't see inside anyways, and
23 they were pretty warm. So I started thinking maybe I don't even
24 want to break these things. There's no wind so everything was
25 just like going straight up. It wasn't like we were getting a bow

1 wind that would've cleared smoke out the back if there was a space
2 or whatever. It was just pouring out.

3 And then Ryan was at our feet. Mikey was still on board, and
4 Ryan and myself were still in the bow. Jerry's in the water. I
5 think he was shouting for us to get off, and like he was saying
6 try the windows and stuff, but -- and he was saying jump. I kind
7 of forget if I was even communicating with him or just like --
8 just trying my best to do what I thought was -- could be done.

9 And Ryan was saying that his leg was broken, leg was broken.
10 I told him that he had to get off the boat. Mikey was trying to
11 tell him that too, and like no, I can't move, I can't move. And
12 both of us were just saying, dude, if you don't move, you're dead.
13 So we like -- Cullen before he jumped off, the first thing he did,
14 I guess, was open the bow gate because the bow gate was open. I
15 just -- I guess that's a -- take a little time. So I talked with
16 the other crewmates over the last few days, and kind of got their
17 edge too. I'm aware that I'm trying to just tell you what I
18 remember. So I guess from that perspective the bow gate was open,
19 is what I know.

20 So then we dragged -- Mikey and I dragged Ryan over to the
21 gate, and kind of halfway tossed him. He jumped off. But got him
22 in the water. And then Mikey went in shortly after, and I was --
23 last one on the bow, and tried again to, like, look around and see
24 if anything changed in the situation up there. And was like
25 thinking about what other possible way I could get into the galley

1 from there and into the bunk room, and just like open the engine
2 room hatch or the -- not the engine room hatch, the anchor
3 compartment hatch just to see if like something was going on down
4 there that would have given me an option. But of course there
5 wasn't.

6 When I first hit the deck, I don't even know if I was
7 thinking about the fire hose, but I knew that I couldn't get down
8 that port side. But I'm not sure if the fire hose was on that
9 line at that moment, but the windows where I was just trying to
10 get into the galley. And just kind of looked around after I
11 closed the anchor compartment hatch, and decided that if anything
12 was going to be possible, it wasn't from the bow. I just wanted
13 to make sure because I knew I wasn't going to be able to get back
14 to that spot if I jumped off.

15 So I jumped off, and swam directly to the stern of the boat,
16 got up on the swim step. By the time I got there, it's like this
17 blue line, probably the line that holds the swim step on when it's
18 in the down position it's like the support line. And so I grabbed
19 onto that, and tried to pull myself up, and right then the swim
20 step started moving down, being lowered. So I just made sure I
21 wasn't going to get pinched in anything, got on board safely,
22 jumped up the stairs, and tried to -- I was thinking about the
23 fire hose. I think I was thinking about it on the way home or on
24 the way during the swim what I was going to next. But the hose
25 was like completely engulfed because the flames were pouring out

1 of the back and, like, the whole fucking house was on fire.

2 And I knew that -- I knew the starboard side was like was
3 totally on fire from -- I was on the port side is where I got up
4 (indiscernible), and I could see the starboard side was -- I don't
5 know worse or it was just all bad. But the port side was on fire
6 too, and I couldn't access the hose. I couldn't even get close to
7 it. And the port side has the controls for it until it can gauge
8 the fire pump from above.

9 And then I think this is where like the events I keep
10 replaying in my mind, like, what move came before what move? But
11 I know that I -- I saw Jerry like swimming on his back getting to
12 the back of the boat, calling for us to put down the skiff, get
13 the skiff down. And Cullen was already like 10 steps ahead. Got
14 the skiff and did all the chains and stuff, and got it -- working
15 on getting it free, and Jerry's calling out cut the lines.
16 Because we tied up the bow and steering of the skiff during
17 traveling at night in case we need to get out somewhere in a hurry
18 and go somewhere and it's ready to go. And I had a filet knife I
19 used to cut fish in the -- we call it the shit catcher. Just
20 random stuff. There's a little compartment with a door at the
21 back of the boat. So I grabbed the two filet knives there, and
22 cut the bow end for the skiff, which is tied to the port side.

23 And then looked over down the skiff, and saw Cullen working
24 on the stern. He was getting the engine done. I think the skiff
25 was floating at this point, and he was just -- was still tied on

1 the stern, and he was working on the engine. I think we pulled
2 Jerry in at that point. Got him into the back of the skiff
3 towards the engine. And then I ran back upstairs to see if I
4 could get like into the engine room to fire up the fire pump
5 because there's controls down there that I was, like I said, just
6 using earlier that day, going up. And Jerry was like telling me
7 not to go back into the fire, but I told him I could get to the
8 engine room hatch. The fire wasn't quite all the way there. It
9 was there but not over it.

10 So I slid it open and looked in, and it was just smoke. I
11 could maybe kind of see the generator, the top of the generator,
12 but anything forward of that was -- I just remember it was like
13 gray-ish white-ish kind of dark, but not black like the rest of
14 the smoke. Just like too much smoke. And I considered going down
15 anyways holding my breath, but I just knew that I could bang my
16 head in there when I've got my eyes open. And Mikey and Ryan
17 never got back on board. They were drifting away, and Cullen was
18 working on the skiff. So if I go down, chance that I come back up
19 -- was thinking about that. And just the amount of fire, and like
20 I was just looking at what was happening in the galley.

21 If I fire up that fire pump, it's going to lead to the hose,
22 which is still trapped on the left side on the port side right
23 there, and you have to like throw a valve at the hose anyway to
24 get it to spill. So it would be like in the piping like ready to
25 go but not going anywhere -- unless that all burned off, wouldn't

1 be able to use the hose anyway, but it would be getting water on
2 board. At this point I don't know if it's -- the question, yeah,
3 the generator was running, powered to the stern of the boat.
4 That's how we got the skiff down. Yeah, I just thought about the
5 fire pump, and didn't think I'd be able to do anything with it
6 even if I survived getting to it to activate it. And then I
7 looked in the galley, and I mean I think there's fucking 34 people
8 down there the whole time that we were trying to get to, but then
9 like specifically Allie popped in my head. (Indiscernible).

10 Q. You want a little break?

11 A. No.

12 Q. You all right?

13 A. I was like in my -- shorts and work shirt, shoeless. Anyway,
14 fucking scuba gear is at the back of the boat not on fire. I
15 could keep breathing. For how long, I don't know, but it was like
16 a furnace. So I just kind of stood and looked, and like tried to
17 work up the nerve to fucking run into it. Jerry was yelling to
18 get in the skiff. So I turned to him and asked him, like, how do
19 I get into the bunk room? Just tell me how. I'm like pleading
20 with him to tell me like the fucking magical solution here because
21 I wasn't finding one. And he just kept saying we can't, we can't
22 get there. I'm, like, no, that's not the answer. You've got to
23 fucking tell me how. And he just, we got to get in the skiff; we
24 got to get out of here.

25 And I just looked around again, and was just like helpless.

1 And went to go launch the skiff. Obviously (indiscernible) give
2 up on -- got on the skiff. Cullen fired up the engine, and went
3 to pull away, and he didn't untie the line that was tying the
4 stern to skiff to the boat. And I had dropped that filet knife at
5 some point on the way to the engine room. So I jumped back off
6 the skiff onto the boat, and went looking for the fucking filet
7 knife as he was trying to untie it, and I found it like by some of
8 the scuba gear, I think, on the way to the engine room. I looked
9 around a little bit, and I grabbed the knife, and then just kept
10 staring at the flames like maybe there's something now, you know,
11 maybe something changed.

12 But started yelling at me again, and like I fucking knew that
13 there's nobody alive in there, and if I did anything I wasn't
14 going to be alive. Took the knife and cut the rope free, and we
15 got like a foot and a half before we got wrapped in the prop.
16 There's no way to pull it on board.

17 And then Cullen was driving still. So I got to help him
18 raise the engine and free the line from the prop. And Jerry was
19 saying we got to get away, got to get away. And I was lifting the
20 engine to get the prop out of the water because I tried it under
21 the water, and couldn't feel what was going on. So had to see it.
22 So I lift the engine, and Jerry is like get it started, like,
23 fucking get the thing back down, and told me to put it back down.
24 But maybe he didn't know that it was all tied up. I didn't really
25 -- we didn't really say anything. It was just like it died and I

1 knew. But just telling me to hold on.

2 And Cullen and him started rowing. So we got like a little
3 bit distance, couple feet. There was like no wind and no swell
4 and no current really that I noticed at all. And I got the
5 fucking line untied or like unwrapped, and then just put it on the
6 back, and then fired up the engine, and went to tear out of there,
7 and the fucking line slipped back into the water, and wrapped the
8 engine again. And I did the whole thing again, and everybody's
9 the same thing, like, get the fucker started. And pulled up the
10 engine again, and undo the line again, and I sit on it this time,
11 and then dropped it back down, and got it started.

12 Went over and picked up Mikey and Ryan. They were yards
13 away, like 30. I don't know. Closer to our boat than -- much
14 closer to the *Conception* than the *Grape Escape*. And got them in.
15 Ryan was all -- you know, finally saw his leg. It was like broken
16 below the knee, but not puncturing the skin or anything. And we
17 pulled him in. He's kind of heavy dude. Took a little doing.
18 And tried to pull Mikey in; he said he got it. He's sitting on
19 the side with a leg in the water. As we got going and -- he like
20 slipped a little bit, and Jerry yelled at him get the fuck in the
21 boat. And I took us over to that boat that was in
22 (indiscernible).

23 And we were coming up to it. Jerry was telling me to slow
24 down because I was going like full speed right up to it like I do.
25 I've been running that skiff all summer. I know how it runs. And

1 parking at the back of the boat. So just doing what I usually do.
2 And he's just -- it's his way. And told me to slow down, so I
3 slowed down, and kind of pattered into it. And he's telling me to
4 be careful not to pop the skiff. And then we were yelling like
5 the whole way, right, or when we were close enough to have yelling
6 mean anything. And I went to go aboard, and Jerry told me not to,
7 not to jump onto their boat.

8 So I looked back, and I had been -- it was weird. As I was
9 pulling up to it, I saw the shape of the boat. It was a 70-foot
10 Sword Fisher. I'm sure you guys saw it. I forget when it was,
11 like, early this year I went out on the owner of the *Chardonnay*.
12 His lawyer has like that exact boat. As I was pulling up to the
13 back, I almost expected to see the word Kodiak on the back of it.
14 But they knew the layout of the boat and knew that the master
15 cabin was in the very front, like, there's 70 feet of boat between
16 us and whoever is sleeping, and there's no way they were going to
17 hear us yelling.

18 So I begged Jerry to let me go aboard, and didn't look for an
19 answer really. I just jumped. Started slamming on the door as
20 hard as I could. I thought I was going to break it. And then it
21 was too much time passed. There's no lights on, no movement. So
22 I started slamming on the hull because that would wrap around to
23 the front, and then couple seconds or whatever, felt like forever,
24 later saw a light kick on in the hallway, and his name is Bob
25 came, and was like unsure of what was happening. And I just threw

1 my hands up, and was just like help us, right. And he opened the
2 door and saw the fire, and everybody got on board. And Jerry got
3 on the radio, and Ryan was just where he was in the skiff.

4 Couple minutes go by, we listen to the radio call, and break
5 down in tears, and think about stuff. Then I was like sure that
6 nobody got out, but then I started thinking like we came -- fire
7 was already developed by the time we came. Maybe people got off
8 before us. So I said I was going to get back in the skiff and go
9 look for people, and Bob's wife, I forget her name, handed us --
10 Cullen and I were going to go, and handed us like this -- the
11 worst flashlight you can imagine, but it was something, and I
12 didn't really care. So we -- I was trying to get Ryan off, and he
13 said he wasn't going to move. Because I told him I was -- either
14 going to drag him and it was going to hurt a lot or he was going
15 to move and it was going to hurt a lot or a little less. So he
16 started helping himself up, and we dragged him.

17 Cullen and I tore off in the skid. And glad he was there
18 because I was going to go like straight to the back staff of the
19 boat, which was now pretty much on fire, the whole boat like bow
20 to stern, I think, but I was just going to get up next to it. And
21 then he started talking about fuel tanks and scuba tanks and
22 oxygen tanks and shit, and I was, like, oh, fuck, like, yeah, of
23 course, duh. And we kept a -- I don't know what the perimeter
24 was, but it was as close as he felt comfortable. I just kept
25 asking him, like, what about this, what about this? And just

1 started making big circles, and looking for stuff, and saw the
2 squid light floating. Thought that was somebody. Like a shoulder
3 it kind of looked like, but it was the fucking squid light.

4 Then we saw a bunch of splashing. It was pretty calm, and it
5 was like between us and the boat. It was pretty close. So we got
6 in closer, and realized that it was sea lions like fins. Because
7 we saw them like here and there and there, and it was the same
8 like ripping splash. And I, you know, thinking back, and I guess
9 they were hunting because they hunt with like the light. Fire was
10 bright. So there was just -- there was fish everywhere, hunting
11 fish.

12 Started making circles, and didn't see anybody. And we
13 headed in towards shore a little bit. Didn't see anybody, and
14 didn't hear anything, and didn't see anybody. We stayed out there
15 for I don't know how many minutes. A while. And then if there
16 was a radio on board Cullen was operating it, and we were just
17 listening. I don't remember if we had one at that point. I think
18 so, but not sure.

19 I was just trying to keep the boat out of the smoke, and
20 available. Went back to the *Escape*, and checked in to see what
21 was happening, and they had like put a blanket or something on
22 Ryan. And everybody was just kind of losing it like emotionally.
23 And we were all really happy to be alive, but just started crying.

24 Then like the boat swung away. It was basically stern
25 towards *Conception* for the first part. I don't know, maybe it

1 changed when I pushed the boat when I docked it, came in pretty
2 hot. But, yeah, it changed. So I went out the side rail, and
3 everybody was a little concerned I was walking somewhere, I guess,
4 told me to be careful. Walked to the front and just stared at the
5 fire. Shirt was wet. Took off my shirt; I think I took it off
6 then.

7 I just kind of sat there and watched for any movement, and it
8 was like a fucking inferno. And we got -- the last little bit we
9 did was when the Coast Guard came back on was talking to Jerry. I
10 wasn't really listening. Just anything in between I was just kind
11 of staring. But I had heard them say like is anybody like
12 circling the boat? They understood we had a skiff, I guess, and
13 like will you please get back in the water and look for survivors.
14 And I heard it come over the transmission, and ran to the skiff,
15 jumped in. Finally a job to do. Cool.

16 So then Cullen and I just -- I think he grabbed a better
17 flashlight. We definitely had radios that time. Cullen and I
18 just sat out there until, I mean, after the first boat came and
19 the second boat and the helicopter. And then one of the boats
20 went over to attend to Ryan. Then a boat approached us, and they
21 heard we were taking on water, but that wasn't true. Initially
22 when we launched, like, Cullen forgot to put the boat plug in so
23 it was like filling with water when we were first getting cut
24 free, and like we're not cut free. It was all fouled up. But he
25 used the -- plugged it, and then he -- we had the bilge pump in

1 there. Did we have the bilge pump in there? Must have. We must
2 have left it in there. Maybe he grabbed it. I don't know. But
3 he was pumping it out. So we -- the water situation was, I mean,
4 there was water in the boat, but there's always water in the boat;
5 it's a shitty skiff. So we told them that we were good, and just
6 kind of sitting out there until like a lot of boats were there,
7 and then we wanted to go over and check in on everything, see if
8 there was anything else.

9 And then we were give the option to either stay or to go, and
10 I was just crying, and it was -- Jerry said that it's your
11 decision, guys. Like, I'm not your captain anymore. And my head,
12 I was, like, yeah, I know that because our boat just is -- look at
13 it. I looked over at the Coast Guard, the leader on that boat. I
14 think he just saw Cullen and my face, and I was like through tears
15 telling him I'd like to stay, and he told me that there wasn't
16 enough room, which was a good call. So we got back on the *Grape*
17 *Escape* and (indiscernible) away. I called my mother eventually.
18 You guys know the rest, I guess.

19 Q. Okay. All right, thanks. I'm going to ask you some follow-
20 up questions, but what I'd like to do right now is take a break.
21 Okay?

22 A. Okay.

23 MR. EHLERS: It is about 3 minutes to noon. We'll start
24 again at 10 after 12. Okay. I'm going to pause the recording
25 while we're on break.

1 (Off the record at 11:57 a.m.)

2 (On the record at 12:12 p.m.)

3 MR. EHLERS: Okay. It's about 12:12, and we are recommencing
4 the interview with Mr. French.

5 BY MR. EHLERS:

6 Q. So I'm going to ask you just some clarification questions
7 based on what you said, just some facts to make sure it's straight
8 in my mind some of the things. Okay?

9 A. All right.

10 Q. Going back to before you got underway, when did the
11 passengers get on board?

12 A. They usually board the night before for an early departure
13 like that.

14 Q. Okay.

15 A. They'll spend the night on the boat so it's not too chaotic
16 when we're leaving. It's just everybody is already in place, and
17 then we get going.

18 Q. That was the case with this group?

19 A. Correct.

20 Q. Okay. And were they on board early evening? Did they get
21 them in late or is it --

22 A. So we usually -- there's nobody there to greet them as far as
23 crew, not necessarily. So I don't exactly know when -- who got on
24 when, when the earliest ones were. We had the days off leading up
25 to it. I think it was 2 days off leading up to that departure,

1 and I was just spending time with Allie. We were getting dinner
2 and --

3 Q. So they were all on board when you came on board you said
4 about 3, 3:30, somewhere around there?

5 A. Yeah, oh, yeah. I think I stopped by in the afternoon, and
6 there were a few people there because I -- we had bought some swim
7 fins you could use without boots so that we could just be barefoot
8 on deck instead of having to be like in a wetsuit and ready
9 position for boots like fins to work with your feet, right. So we
10 just put some stuff on board that we bought, and saw a couple
11 faces. I might have grabbed like a speaker or something.

12 Q. Okay. All right.

13 A. Right. But, yeah, in the afternoon like probably got there
14 around 5 to -- 5 to whenever at night.

15 Q. Okay. You mentioned that occasionally you had to pump out
16 the bilge. You went into detail about the problem that happened
17 on the voyage, the last voyage. But in general, how often did
18 those bilges get stuff in them, and was it always the sewage
19 system or was there other liquids that got in there?

20 A. I mean, it depends on the bilge. The one in the bunk room,
21 the A/C unit would condensate, and I mean is what we assumed it
22 was. But there was water in the bunk room bilge every maybe four
23 like running days I would pump it out. But I would check it like
24 pretty much every time we moved. I mean, not every time, but like
25 especially in the mornings. Any time we departed, I'd look in all

1 the bilges every time and pump out what needed to be. And then at
2 least once a day during a long move we would -- I'd go put eyes on
3 every space and see what needed to be removed. And since I was
4 showing Allie and teaching Allie, I was like really diligent about
5 it for the last week because she wanted to learn.

6 Q. How did you access the bilge in the sleeping compartment?

7 A. There's a port hole on the floor, like one of those West
8 Marine white screw in port hole -- like inspection ports. That
9 was for the starboard side. And then you'd have to remove the --
10 it was one of the A/C vents -- just one that was in a little seat.
11 You take down the grate, remove it, and then stick your head in
12 with a flashlight. That was the port side. And you could pump
13 out the starboard side from the engine room because there was
14 plumbing to it, but you'd have to move water from the port side to
15 the starboard side or into a bucket.

16 So I always preferred moving it. I'd go look at them, pump
17 out the starboard side, get it dry-ish. I mean, there's always a
18 little bit, but and then move water, and then pump it out again.
19 And I would do the same thing in the shower compartment. There
20 are two hatches in the floor. Well, there's a few more hatches,
21 but the two hatches that you could access the bilges were by the
22 stairs. And it was the starboard -- the port side on that one had
23 power, and you'd have to move water from starboard to port or had
24 plumbing, right.

25 So --

1 Q. Other than that ability to transfer from the engine room were
2 the bilges separate between the berthing compartment and the
3 engine room that you know of based on your experience?

4 A. Oh, you mean like they weren't connected?

5 Q. Right.

6 A. Right. Yeah. That would be a nightmare because that's where
7 the holding tank was, and there would have been piss all over
8 underneath everybody sleeping. So --

9 Q. Okay.

10 A. -- yeah, they were definitely separated.

11 Q. Okay. And then the bilges in the engine room are open
12 bilges, correct?

13 A. Yeah.

14 Q. In other words, you could access them freely?

15 A. Yeah, yeah. You don't have to look at anything.

16 Q. All right. Was there ever any -- in the engine room, was
17 there ever any fuel or lube oil that got in the bilge?

18 A. You said what?

19 Q. Fuel or lube oil.

20 A. Lube oil?

21 Q. Yeah. Like oil.

22 A. Engine oil.

23 Q. Engine oil, yeah.

24 A. Yeah. So the engines dripped. I mean, diesels just drip
25 everywhere. So we always had oil rags in the bilges, and tried to

1 do our best not to just bilge out oil into the environment.
2 Somewhat unavoidable, but I feel like we were pretty responsible
3 about it. But, yeah, there was oil in the bilges at times,
4 especially under the diesels.

5 Q. Any sense of how much oil would build up before you'd get it
6 out?

7 A. Would build up?

8 Q. Yeah.

9 A. Oh, not much. I mean, I'd throw a couple rags down there,
10 and it would mostly suck everything up. We'd wipe down under the
11 engine occasionally, but not like super diligently keeping it, you
12 know, operation room clean.

13 Q. Okay.

14 A. Surgery clean.

15 Q. You mentioned the Nitrox was having issue with you said
16 something about the effect of it was sharing with appliances.

17 A. Yes.

18 Q. Can you explain that a little bit to me?

19 A. Basically during the day we would fill the Nitrox tanks, and
20 the way we -- Glen knows this better. I mean, I think I know it
21 well, but Glen knows the absolute details, and so does Jerry. But
22 our -- we had three compressors on board. There's the forward
23 compressor, which is a little bit bigger than the aft compressor,
24 and we use those to fill air tanks. And then when we want to fill
25 Nitrox, we'll have both of those running in addition to a Nitrox

1 compressor, which basically sucks in atmospheric air, then filters
2 out nitrogen through a membrane, and then stuffs the enriched air
3 into the feeds that are with the other two compressors. And then
4 we'll let that build up to the proper percentage, and then put
5 that into the tanks.

6 But with all three of those units running, it was a -- it's a
7 big draw on the generator in addition to the lighting and
8 electrical and everything else that it's working on. So with
9 those three plus like an oven or a flat top grill or the barbecue
10 or the two burners. So basically anything in the galley that's
11 drawing massive electrical, that's where we ran into problems with
12 overheating with the generator. So any time I would want to fill
13 Nitrox, I'd have to prepare and go check in with the galley and
14 see what they had running. And then we would see what the best
15 course of action is. Do we turn off the flat top, and then you
16 can cook eggs for like 15 minutes, and maybe it just works that
17 way or maybe I wait on filling the Nitrox, and talk to the guy and
18 say, like, hey, we can do air now, or you can wait 20 minutes to
19 get in for Nitrox, if you insist on it. But it was just like a
20 power dance basically, juggling power.

21 Q. How often did the generator overheat?

22 A. It was like once. Well, it -- I saw it happen twice in the
23 entire time I worked there. The first time was like the surprise
24 time when we were like, oh, I guess, we can't run the entire boat
25 at once, everything on the boat at the same time. And we figured

1 that out, and then we put that agenda or that operational
2 procedure in place to communicate. And we would check with Jerry
3 until we got, like, if we had any questions basically, oh, can we
4 use it with like one of the burners or whatever, the oven's
5 already temp so it's drawing a little bit of power.

6 And basically during the last two trips, no matter what was
7 happening, any time the Nitrox system was on we would go down and
8 check the temp like every minute or 3 minutes tops. Basically any
9 time you had a free moment you just go down and take a look at the
10 temp. And if it got to 205 you just shut it off, and it never hit
11 205. Highest temp I saw that whole trip was 203. And we were
12 thinking that it probably popped at 205. So we just wanted to
13 keep really close eye, and make sure it didn't get anywhere close
14 to that number.

15 But the first time was the surprise time, and then the second
16 time was when Hunter and -- the second time -- second captain at
17 the time was Jeff, and basically they just like, they just went
18 for it, and tried to -- we forgot to fill a Nitrox tank the night
19 before. And they were filling air, and I was eating breakfast or
20 something, and I think I was cleaning the shower room, and then
21 they kicked on the Nitrox, and then it went over temp, and we all
22 got yelled at, but I didn't really know what was happening.

23 Q. Did it --

24 A. But it -- screwed up the trip. Nitrox wasn't an option. We
25 lost a bunch of coolant, and it dumped like half a gallon of

1 coolant when it overheats to cool itself down or whatever. So
2 then we were worried about the generator, and just went really
3 easy after that, and that's why -- was keeping really close eye on
4 it from then on out. It was running perfectly at the time.

5 Q. When you had these issues or at any other time did the
6 breakers ever trip on the breaker board?

7 A. That I -- so the breakers would trip on the aft compressor.
8 I mean, breakers would fire, especially on the capstan, if you
9 overworked the capstan trying to get a anchor loose.

10 Q. Is that the forward capstan?

11 A. Yeah, the forward capstan. That would, I mean, I -- we got a
12 really good feel for it, but it would trip usually like if neither
13 me or hunter were the one pulling the anchor, the second captain,
14 he just didn't know when to release it right, when to ease off on
15 it. I saw that breaker trip a few times. The aft compressor
16 breaker would trip if you fired them up without giving the
17 generator a chance to come back to life, right. So it's a big
18 draw, and then you wait 20 seconds or whatever, fire the next one.
19 So if somebody was rushing, then that would trip that one. Those
20 are really the only two breakers that I remember.

21 Q. Where is the breaker panel located? Do you remember?

22 A. Yeah. The one in the engine room is on the starboard side,
23 aft wall underneath the stairs. So it's -- you go down the
24 stairs, and the generator is on the port side, and then the port
25 main, and then the holding tank is basically the forward wall, and

1 then there's the starboard main, and then the two generators are
2 side-by-side. And then there's the breaker panel like right
3 behind it. And that's, I don't know, I couldn't tell you what --
4 verbatim, but it's all listed, and the aft compressor is obviously
5 run off of that one and a few other things in there. And then the
6 other breaker panel was basically if you're going into the shower
7 room stairs, it was on the wall to your right as you're going down
8 the stairs. That was like the A/C and galley lights. And we used
9 that one more often. Just replaced all the lighting in the
10 interior of the galley with LEDs. It was running fine.

11 Q. Those LEDs just replacing the bulbs with LED bulbs or --

12 A. The unit.

13 Q. -- was it a whole new --

14 A. The unit itself.

15 Q. Oh, okay.

16 A. Yeah.

17 Q. Do you remember how many lights got replaced?

18 A. All of them.

19 Q. Do you have any idea how many?

20 A. Six.

21 Q. Six?

22 A. Yeah.

23 Q. Okay. And that was just in the galley area or the whole
24 salon?

25 A. The whole salon. We don't use the word salon. It's like

1 forward galley and the --

2 Q. Oh.

3 A. -- galley is like the eating area, right?

4 Q. Okay.

5 A. Yeah. I don't know.

6 Q. So the whole --

7 A. Weird names (indiscernible) got used to it.

8 Q. -- the whole, that level -- interior --

9 A. Yeah.

10 Q. -- space of that level?

11 A. Exactly.

12 Q. Okay. All right.

13 A. Actually, I didn't even think of those. You know --

14 Q. Sure.

15 A. My mind's been going off, but --

16 Q. Okay. Well, you mentioned you gave the briefing the morning

17 that you got underway once everyone got up, correct? Is that

18 correct?

19 A. Yeah.

20 Q. The safety briefing to --

21 A. Yeah.

22 Q. -- all the passengers. You did mention that it was

23 interrupted a couple times. But does the briefing include the

24 escape routes for the berthing area?

25 A. Yeah.

1 Q. Okay. Is that a demonstration or just a description or --

2 A. It's a description. You say stairs that you'll be using or
3 there's one at my feet here basically.

4 Q. Okay. So you point to the --

5 A. Yeah.

6 Q. -- the hatch there that's --

7 A. Yes.

8 Q. -- the alternative escape hatch?

9 A. And it's labeled and --

10 Q. Okay. And that's similar to the one on the *Vision*, is that
11 correct? If you're familiar with the *Vision*.

12 A. I don't know the --

13 Q. Okay.

14 A. -- the *Vision* that well, but I think so. I was just on it
15 like a month ago or two, but I just --

16 Q. Yeah. Don't -- I don't ask you to --

17 A. Yeah.

18 Q. -- to assume. So, okay. During the briefing are emergencies
19 discussed such as fire, man overboard?

20 A. We don't go over man overboard procedures with the
21 passengers, but we discuss -- basically I say if there's any
22 emergency we're going to ask that everybody gathers -- it's
23 basically by the barbecue, the entrance to the galley area.
24 There's a little assembly point sign, and then essentially the
25 crew will be giving you guys instructions at that point. Usually

1 I'll throw in if it's safe to gather here of course, but sometimes
2 I forget to say that part.

3 Q. Does the crew run drills or did the crew run drills?

4 A. The only -- I've been explained like the fire systems have
5 been explained to me. I've never pulled the hose out. I've never
6 done dry runs of anything with the exception of the Coast Guard
7 inspections. We did MOV drills with a couple of you guys, and I
8 worked on the *Truth* and -- I think I did the *Truth* and the *Visions*
9 on that one or just the *Truth* maybe. And we did like a mock fire,
10 but go down there in a perfect world you're able to walk down and
11 say, like, hey, get out of the bunk room, and grab a fire
12 extinguisher, do sweeping motions.

13 Q. So you did that drill for the Coast Guard?

14 A. Yeah.

15 Q. Do you remember when that was?

16 A. Before the busy season. Yeah. Glen was the Captain. I
17 mean, yeah.

18 Q. Okay.

19 A. Have to check the paperwork, but it was within the last 6
20 months I'm sure. Yeah.

21 Q. Okay. Were you trained on the fire extinguishers that were
22 on the vessel?

23 A. Like locations.

24 Q. How to use them, locations?

25 A. Yeah. I mean, I don't know. Not like explicitly, but I

1 think I remember Jerry asking me if I can use one, and I explained
2 it to him. So demonstrated knowledge more than like he's showing
3 me how, right?

4 Q. Do you remember where the fire extinguishers were on the
5 vessel?

6 A. I could -- I'm sure that I'll forget some, but I know that
7 there was one under the dash up in the wheelhouse.

8 Q. This isn't a test so --

9 A. Yeah. I know, I just like --

10 Q. Do you remember where they --

11 A. -- thinking about this.

12 Q. How about in the berthing space? Do you remember where
13 there --

14 A. In the berthing space there were -- there was one. Where is
15 it located? By the trashcan, I believe.

16 Q. Okay.

17 A. Which is at the bottom of the stairs. Yeah. And then, yeah,
18 there's one at the base of the stairs in the engine room going
19 forward on the post about where we keep the drill, I think. Yeah.

20 Q. Okay. All right, fair enough.

21 A. Should have been able to X all those on the boat.

22 Q. Sure. When you anchored the night before the fire, was that
23 a single anchor or a two-anchor?

24 A. Single anchor.

25 Q. Okay.

1 A. Yeah. For the sleeping portion. During the diving we do two
2 anchors, but any -- pretty much any time we anchor to sleep it's
3 one anchor.

4 Q. Oh, okay. All right. When you're underway, do you stand a
5 set watch or how does that work for your duties on board?

6 A. The driver -- there's always one person awake to drive
7 obviously, but not necessary like they're doing set watch.

8 Q. Okay. There's not a second person?

9 A. Yeah, patrolling.

10 Q. Yeah.

11 A. No, nothing like that.

12 Q. Okay. How about when the boat is anchored?

13 A. Once we set everything down just there's no, there's no like
14 anchor watch or -- I was talking to a buddy today, and he called
15 it a fire watch. There's no fire watch.

16 Q. Okay.

17 A. Not in our procedures.

18 Q. So all the crew was asleep that night --

19 A. Right.

20 Q. -- before the fire started?

21 A. Yeah.

22 Q. Okay. And when the fire started, you said that you woke up.
23 You didn't have your glasses on. You looked back, and saw a glow.
24 Any sense or maybe even after you put your glasses on at that time
25 where the fire was? You did mention that you -- the stairway was

1 engulfed. Was it entirely aft or can you kind of think through
2 where that fire was when you first saw it?

3 A. It was closer to port side. It was -- sorry, the starboard
4 side of like the aft part of the house where those stairs go down
5 towards the port rail, right? By the bathroom. That whole corner
6 was on fire, and around through like to the middle near where the
7 entrance would be between the rails of the kayak rack, and then I
8 can't positively say there were flames on the port side corridor,
9 corner right there.

10 Q. Was there any --

11 A. There was --

12 Q. -- flames forward of that by the sun deck, like on the sides
13 of the sun deck at that time that you remember? Could you see it?

14 A. That's not really what I was looking for. So I can't say
15 they were. Because once I saw that the stairs were locked down,
16 and everybody ran back forward, there was smoke coming -- I don't
17 really remember the port side at that moment. I was just like
18 looking at the starboard.

19 Q. Okay. I'm going to back up just a second. You mentioned
20 rigging the squid light the night before.

21 A. Yeah.

22 Q. Where is that mounted at?

23 A. It's at that starboard side. It's basically a big like heat
24 housing with -- I don't know what the kind of bulb is, but it's
25 like a massive halogen or incandescent or something. And it's on

1 a post that sits like 3 to 4 feet off the side of the boat, and
2 that post sits into a little housing, metal hole with a stop so
3 that this light doesn't twist freely. And then it plugs into like
4 a marine external outlet kind of similar to our shore power, but a
5 little less duty, I think. It might be the exact same outlet,
6 but, yeah, that plugs in forward of like where the bathroom would
7 end basically, on the other side of the fire hose on that side.

8 Q. Does it generate a lot of heat?

9 A. The bulb itself does. I've never felt the cable get hot one
10 time. It's not like a crazy amount of heat. It's like you touch
11 for a few seconds, but you don't want to hug the thing. Yeah.
12 And it's something that, it's something that we often leave on
13 because people stay up really late, and want to see the fish.

14 Q. You mentioned you had turned it off, I think, when you were
15 looking at the phosphorescence.

16 A. Yeah.

17 Q. Did it get turned back on?

18 A. It did. Allie plugged it back in.

19 Q. Okay. And as far as you remember it was plugged in for the
20 rest of the night?

21 A. As far as I recall, yeah.

22 Q. Okay. All right.

23 A. I didn't put it away, and since I saw it floating, I knew it
24 didn't get stowed, and I figured if anybody were to have unplugged
25 it, they would have stowed it. So --

1 Q. Where is it normally stowed?

2 A. In the aft compartment next to where we dry the wetsuits, and
3 it's above our chest freezer which --

4 Q. Oh, okay.

5 A. -- gets like -- there's little lines of clips so it sits up
6 there.

7 Q. Okay. All right. When you went back, you again when you
8 first woke up, when you went back aft again when you -- and then
9 went forward, did at any time you hear any other voices or
10 anything other than the crew that was up on the upper deck?

11 A. During the entire?

12 Q. Yeah.

13 A. Oh. I didn't mention that?

14 Q. I don't think so.

15 A. No, I didn't hear a single noise.

16 Q. Okay.

17 A. No pounding, no yelling, nothing. Or else this would have
18 been a much different -- well, this wouldn't have been a
19 conversation.

20 Q. Okay. You mentioned hearing an alarm, hearing alarms when
21 you were up there. Can you describe the alarms a little bit for
22 me? For instance, was it a high pitched? Was it a beeping? Or
23 was it a solid tone?

24 A. It was like a intermittent like regular but -- not like a
25 buzzer, but like a higher pitch like --

1 Q. Was it high pitched like a smoke detector or --

2 A. Yeah. It was --

3 Q. -- more like a --

4 A. -- like smoke detectors in my house. I mean, you're standing
5 under them though, and they're just -- they just feel like they're
6 constant with a little high point, right? They go high low, high
7 low, high low. This one I couldn't hear the lows if that was what
8 was happening. So it was like high, high, high, high. You know
9 what I mean?

10 Q. Yeah. It was high pitched like that?

11 A. The same kind of tone, yeah.

12 Q. Okay. All right.

13 A. And I remember just, like I said, like I was looking at the
14 dash for like a half a second like what the fuck is that noise?
15 I've never heard that before. And it's the quietest thing in the
16 world. Like, what is that loud that even be up here? This is an
17 assumption, but then I was thinking maybe it was just farther away
18 than I realized.

19 Q. Your initial thought though it was coming from the dash?

20 A. That's what I -- I mean, I -- that's -- I was just staring at
21 all these instruments, and I heard the noise, and I just --

22 Q. Was anything flashing on the dash or anything like that?

23 A. Not that I could have distinguished that it was unusual or
24 whatever.

25 Q. Okay.

1 A. Yeah.

2 Q. Okay. The last thing for me, and then I'll pass it to one of
3 my colleagues, is the berthing arrangement up there on the upper
4 deck, we did go on board the *Vision*, but I think you said it was
5 different, and I don't think we have the plans for that. What I
6 do have is a drawing of the *Vision*. Do you mind on this drawing
7 kind of showing me how it's different on the --

8 A. Yeah. Can I --

9 Q. Hold on a second.

10 A. -- maybe just start with a clean box instead of --

11 Q. Yes. Yes, you can.

12 A. So this is the back, right? Down below. I have the wheel
13 and all of the instruments are here. There's a seat here. And
14 then there's the wing stations on the side, and there's doors here
15 to get to the wing stations that slide, and they slide out. My
16 bunk kind of -- there's like a walkway in the middle. Pretty much
17 this whole area is for the galley with their bunk beds on the far
18 wall.

19 Q. Do you mind writing galley bunks there?

20 A. Yeah. And just like that space kind of there's hooks and
21 towels and whatever, their bags. Jerry's room shares with the
22 shower. Never really been in like past -- here's little bulletin
23 board that he has pertinent information for us on, a couple keys
24 and stuff hanging there. But has a narrow entrance, and then the
25 bed opens up -- if I were to do this to scale it would be more

1 like --

2 Q. It's okay.

3 A. Yeah. More like that shape because this whole area is a
4 shower.

5 Q. Okay. You mind labeling that shower?

6 A. And that has a door here. And then Jerry's door, and then
7 it's like -- it's pretty arrow, and then opens up, right? So
8 then, yeah, it's all bed over here.

9 Q. Okay. Do you mind writing captain's bunk there?

10 A. And then mine's over here under a little shelf, and it's no
11 more than like got to pop up a little bit to sit on it, ass high.
12 And then the second captain's bunk is over here, and they kind of
13 extend into the back of the wing station a little bit.

14 Q. Are they open like they're in the wheelhouse?

15 A. Yeah.

16 Q. Okay.

17 A. Yeah. And then there's a pad over here that we sit on. So
18 this would be the second captain's bunk, and then deck bunk. And
19 I -- they're flush with this though so --

20 Q. Okay.

21 A. -- I think. No. There's a little trashcan here. So it's
22 just offset a little bit, just a little bit offset. And there's
23 shelving right behind his. So that's offset too. And then
24 there's shelf there, and compartments here, and this is where the
25 fire extinguishers would have been underneath the dash.

1 Q. Okay.

2 A. And then --

3 Q. Can you go ahead and draw those in? Do you mind? The fire
4 extinguisher.

5 A. I think it's on --

6 Q. Unless you don't remember clearly. Then --

7 A. It's on the left side, port side.

8 Q. Okay.

9 A. I just don't know if it was like raised or if it was on the
10 side of that little cabin.

11 Q. Okay. If you don't remember, don't worry.

12 A. Yeah. Just leave it off.

13 Q. Do you mind writing fore and aft here just for clarity? And
14 then -- can you put

15 (Simultaneous comments.)

16 Q. Don't worry about it. Can you put wheel here just for --
17 okay.

18 A. Wheel, shower.

19 Q. Any other detail you think is relevant?

20 A. We access these bunks through curtains that are along the
21 side.

22 Q. Okay. All right. Any other detail you think is relevant?
23 Is there a door here or is that a open --

24 A. Yeah, that's a door.

25 Q. That's a door. Okay.

1 A. And it will swing out that way.

2 Q. Okay.

3 A. And we usually leave that open throughout the night for air
4 flowing. I don't know why we had these closed.

5 Q. Okay.

6 A. I don't -- yeah. Actually, I don't remember if they were
7 closed.

8 MR. EHLERS: Okay. What I'm going to do is I'm going to pass
9 this around. The folks here may ask you more questions on this,
10 but I'll pass it around so they can take a look at it. And what
11 I'm going to do then is turn it over to my colleague here, Marcel,
12 to ask you a few more questions. Thanks.

13 BY MR. MUISE:

14 Q. So I'm Marcel Muise from NTSB also. And you've been really
15 detailed. So thank you. I've only got a few follow-up questions.
16 You talked about extinguishers a little bit, some first air
17 training. Is there any other emergency training that a new
18 deckhand would get with your company, maybe some life saving, life
19 floats, EPIRBs?

20 A. Yeah. The EPIRBs and stuff they're covered by first aid. We
21 just show everybody where everything is. When Allie was on board,
22 we brought out or big red bag is under that dashboard too with our
23 O₂. And has the AED and all the masks that we use. And a med kit
24 in there is in a little tackle box next to it. But the red bag is
25 like the stuff, and it has the blood pressure cuff. And so when

1 Allie came on, we opened that up and tore through everything.
2 There's a little black pelican case that has most of the supplies,
3 and just showed her everything. And the same thing was done to me
4 when I was first brought on board. And pretty much every new
5 person we've seen. So we've done it a good number of times.

6 Q. How about the life floats themselves?

7 A. Yeah. They're on the back deck, on the sun deck, on the
8 raised portion underneath the green little lids where all the
9 seating is.

10 Q. Did you ever practice launching those?

11 A. Not practice launching, just shown, and when we did the Coast
12 Guard inspections we took everything out, made sure it was all
13 good, and put back in, but that was on the trip, and it's a very,
14 very similar setup to what we have.

15 Q. Okay. How about phone reception? Is there cell phone
16 reception where you guys were --

17 A. Almost never for Verizon, but I guess AT&T has it most time,
18 and there was another one, T-Mobile has better than Verizon, but I
19 was always out to dry.

20 Q. As far as you know all the communications from the Captain or
21 from the *Grape* were by radio to the Coast Guard?

22 A. Yeah.

23 Q. There's no cell phone conversations?

24 A. I mean, I didn't see anybody on the phone during --

25 Q. Okay.

1 A. -- the event until the *Grape*. We were on our way, and
2 started thinking to call up ones that they were in here like this.

3 Q. And, lastly, do you know if any of the passengers were
4 foreign nationals? Were they visiting from --

5 A. That, I didn't get any indication that they were, but I only
6 did the roll call one time.

7 Q. If you're not aware, that's okay.

8 A. Yeah.

9 Q. Okay.

10 A. Allie took care of it most of the time. So --

11 MR. MUISE: That's all I have.

12 MR. EHLERS: Okay. Bart.

13 BY MR. BARNUM:

14 Q. Thank you, sir, very much. My name is Bart Barnum with the
15 NTSB as well. I'm going to jump around a little, but I just had
16 some follow-up questions for some of the things you've said
17 already, and then I have some more questions about. You said when
18 you first got on that morning you filled up the generator with
19 coolant water. Was that because it had an issue or was that a
20 normal procedure you usually do?

21 A. It was something that we check. I didn't expect it to be as
22 low as it was, but we had just had that issue. It was the 6-day
23 trip that Hunter quit on. That happened earlier that trip. So we
24 ran -- we were running the generator low the whole time for the
25 rest of like 4 out of the 6 days. And then when we got back to

1 the dock, I filled it up the next morning before I worked a one-
2 day trip with a different captain -- Miguel. So I filled up the
3 generator to full at that point, and then now that I am saying
4 this, I think I didn't fill the generator this time around because
5 it was -- I checked it, and it was full. I think I filled it on
6 the other 3-day with the ladies after that one-day, and I checked
7 it again on this one. But I didn't -- oh, we did an engine room
8 check the night before or the day before without because we were
9 doing maintenance in the morning that day. And, yeah. So, sorry.
10 I was --

11 Q. That's okay.

12 A. -- confusing that morning engine room check -- didn't happen
13 because I did it the night before, and I was thinking about the
14 one, the 3-day before this last trip.

15 Q. Okay. So that morning the engine room check what you
16 normally do wasn't completed because you had done it the night
17 before?

18 A. Correct.

19 Q. You --

20 A. Yeah. Checking fluids, and making sure everything was
21 completely topped off, and then we locked the engine room so that
22 nobody could access it without going through us basically, and
23 then --

24 Q. You mentioned that the night before when you did that engine
25 room check you were doing some maintenance. What kind of

1 maintenance were you doing?

2 A. Our skiff was having troubles, like, holes and stuff in the
3 bladders, and I changed the oil. I changed the oil the first day
4 that we had off, and then patched the holes and let it sit
5 overnight, and then filled up the bladders that morning, and just
6 got the boat ready for the passengers. I think we were done
7 around 11 or noon or something. I kind of forget. But I was in
8 contact with Jerry telling him what I was working on. And Mikey
9 came in, and loaded groceries. But that's when we did that engine
10 room check was before we took off and locked it up. I was just,
11 yeah, just working on the skiff mostly. She was cleaning vents
12 and stuff making sure that the ice maker vent and the galley
13 fridge vents weren't dusty, and all the vents and every bunk were
14 clean.

15 Q. Where could you start the fire pump from?

16 A. It was two locations. Number one was up top where the hose
17 is on the port side. There's like a little -- shower, and it has
18 a little guard, and then basically the fire pump is just forward
19 of where the house meets. If I'm explaining that incorrectly or
20 vaguely then --

21 Q. No. That's good.

22 A. Like little shower guards, right. They're just right across
23 -- or the hose is right in front of that, and has an on and off
24 switch there. You grab the hose, turn it on, open the valve, and
25 then you're blasting water. The other place is down below in the

1 engine room next to where we would check the fuel. There's a
2 fire pump control panel there same on and off black and red
3 switches, and some valves there that you can direct seawater
4 either overboard off the port side or up to the hose, and we would
5 -- part of the nightly engine room checks once everything is
6 cooled down, we would run that fire pump while we're checking all
7 the oils. Basically turn off the fire or the route up top, and
8 then open the route to the side, and then run the pump just so it
9 just stays like not corroded and --

10 Q. You'd run it a daily nightly run --

11 A. -- we know it's working. Pretty much every single night we
12 were running, yeah.

13 Q. You mentioned you had started from the port hose -- port
14 station. There was also a starboard hose station?

15 A. Yeah. But no start.

16 Q. But no start.

17 A. No connection or control box there.

18 Q. When you got back on board that night and attempted to enter
19 the engine room, did you see flames at all from the engine room?

20 A. No flames.

21 Q. Just --

22 A. The lights were on.

23 Q. Lights were on.

24 A. Yeah.

25 Q. Just smoke.

1 A. Just smoke. I couldn't really see the floor. I couldn't see
2 the bottom of the generator. Couldn't really see forward of the
3 stairs. There's a storage compartment in the middle that serves
4 as a table and storage on the far side, and I don't remember
5 seeing that. Usually see that from just looking in.

6 Q. So jumping around here. You mentioned you had recently
7 replaced the lighting in the galley. Did you do this personally?

8 A. Yeah. Myself and Hunter, the old deckhand. We did it during
9 a Navy trip out to sea.

10 Q. Who was supervising that?

11 A. I mean we just made sure they all worked, and we took extra
12 care. It was basically snipping wires, twisting them, and making
13 sure that we just used the twist-on electricians like caps and,
14 yeah.

15 Q. Did you have any formal training in electrical work prior to
16 that?

17 A. I didn't have any formal training.

18 Q. When that maintenance was completed, who was notified that it
19 was done?

20 A. Jerry. Yeah.

21 Q. Do you know if he recorded it, the maintenance?

22 A. I don't know if he did. We just, I mean, the galley lights
23 worked, and they were all brand new, and I don't know if Hunter
24 has formal training. I know he's been doing construction and
25 things for quite some time. You might want to have a talk with

1 him too. But, yeah, I don't have like an electrician's license,
2 and I'm not sure if he does or not. I wouldn't be surprised if he
3 did, but he didn't mention it.

4 Q. Are you -- is there (indiscernible) are you considered the
5 engineer?

6 A. I would say that Jerry is considered the engineer. I just do
7 what he tells me to do.

8 Q. Were you the one making most of the engine room rounds? Was
9 there others doing that as well?

10 A. The last week it was me mostly.

11 Q. Did you see any issues with any machinery on board?

12 A. No, not -- I mean, aside from the stupid pump that I burned
13 out.

14 Q. Right.

15 A. And that was just an impeller.

16 Q. How would you compare the condition of this ship in
17 particular its machinery with other vessels you've been on?

18 A. So that's where my experience is lacking. The sailboat I
19 work on has a lot less systems. Like, it has a diesel engine and
20 sales basically. Has like a fridge and some tab systems, but it's
21 a leisure (indiscernible) cruise vessel, and it's like, you know,
22 in pretty damn good shape. As far as dive boats, I've been on
23 these. I've seen some really gnarly fishing boats. It's in a lot
24 better shape than most of the fishing boats I've ever seen, and
25 they have some gnarly equipment too. But I've never worked on a

1 fishing boat. I'm not intimately familiar with any other vessels
2 like guts, you know, so.

3 Q. Talk about the galley, the salon wire arrangement and the
4 receptacle and the outlets. You mentioned earlier you reset
5 breakers for the capstan and the compressor. Was there any --
6 have you ever had to reset breakers for lightning or receptacles
7 in the galley?

8 A. Never.

9 Q. What was usually plugged into the receptacles in the --

10 A. Everything. Like cameras, phones, laptops, lighting
11 batteries for dive lights.

12 Q. Can you explain the batteries a little more for my knowledge?

13 A. The batteries?

14 Q. Yeah. Are they a large battery or --

15 A. On this trip I saw a bunch of stuff. It was basically both
16 of the aft tables were covered in cameras and electronics. And, I
17 mean, it's not outside of what we do. But like the camera is
18 still like drying, and it's sitting next to the battery that's
19 charging, and that's just how it has always been every single
20 time. It's not even something I was considering.

21 Q. Are these plugged into a power strip or are they plugged --

22 A. Sometimes. Sometimes people will bring their own strip.
23 There was one on this trip that I remember distinctly because
24 somebody had written not yours on it. So that was plugged in with
25 however many other things. Yeah. So power strips are pretty

1 common.

2 Q. And they're usually provided by the --

3 A. The passengers bring them themselves, yeah.

4 Q. At the time of the fire when you were awoken, do you recall
5 -- do you remember what equipment was running on the vessel?

6 A. The generator, the fridges, A/C.

7 Q. No galley -- any galley equipment?

8 A. No.

9 Q. Okay.

10 A. None. I mean, yeah, that's -- to my knowledge, there was no
11 galley equipment. So --

12 Q. Question about the generator. That was the only one. Was
13 there also a pony -- and a pony generator off your main propulsion
14 engine, backup power?

15 A. Not that I know of. Once we lose the generator then the ship
16 goes dark pretty much.

17 Q. Okay.

18 A. Pony would just be a smaller one, right?

19 Q. Yeah. It's usually coupled to the main engine --

20 A. Yeah. I mean, nobody ever pointed it out. So I would assume
21 it wasn't there. Something I would have been told about I'm sure.

22 Q. I just have one last question before I pass it on. How often
23 would you test your -- the smoke alarms on the vessel? Were you
24 ever there for that?

25 A. I was never there for a smoke alarm test. I heard about it,

1 but I was never there for it.

2 MR. BARNUM: Okay. Thank you.

3 MR. EHLERS: [REDACTED]

4 LT [REDACTED] Thank you. Lieutenant [REDACTED] [REDACTED]

5 Coast Guard, Santa Barbara.

6 BY LT [REDACTED]

7 Q. I just had a couple of questions as well. You mentioned at
8 one point you said we were anchored on one. Can you explain what
9 that means?

10 A. One anchor.

11 Q. Just one anchor.

12 A. Yeah.

13 Q. Okay.

14 A. Bow anchor.

15 Q. Was that the same condition as the evening of the incident
16 or --

17 A. Correct.

18 Q. Okay. Great. You also mentioned that the -- and I
19 apologize. I'm going to jump around a little bit too, but I've
20 only got a couple of questions. The wing station doors were open
21 that evening. Is that a normal condition? What is the normal
22 condition?

23 A. So the wing station doors were open. I didn't open them to
24 exit.

25 Q. Okay.

1 A. I'm not sure what their condition was when I went to sleep.

2 Q. Sure. That's fine.

3 A. Yeah.

4 Q. What about the other doors on the superstructure or
5 throughout the vessel that you know of?

6 A. Oh, everything else would have been open. We never close the
7 galley doors while people are on board, of course. And there's no
8 doors to the stairs. The only other door on -- well, there's
9 hatch doors, I guess. The only one that was closed was the engine
10 room. We always leave the aft compartment open. The anchor
11 compartment hatch serves as a seat, and there's really no way to
12 leave the one open safely. It just kind of leans. Because nobody
13 goes in there. It's just a -- it's just for like we have some
14 safety supplies. It's where we keep our lines when we're underway
15 and, you know, of course the two piles of chain. Like a knife for
16 cutting kelp off the hook, and like a little thing that we use to
17 right the anchor to pull it up. But, yeah, all of the doors were
18 open. And even the, like I said, the aft wheelhouse door was --
19 we usually leave that open at night.

20 Q. Okay.

21 A. Unless it's real shitty weather.

22 Q. All right, great. Thank you. So you mentioned that after
23 you descended from the wheelhouse that you were attempting to open
24 one of the galley windows. What did you see through the window?

25 A. Nothing. Black.

1 Q. Nothing.

2 A. Yeah, absolutely nothing.

3 Q. Black smoke. Any light whatsoever coming --

4 A. No. It was black.

5 Q. All right.

6 A. And it wasn't even like really moving like smoke. It was
7 just darkness like I don't know.

8 Q. What did the window feel like when you touched it?

9 A. It was, I mean, warm. Not like hot. I don't know. I don't
10 remember it like it didn't burn me. It didn't -- the temperature
11 doesn't stand out to me. I was banging on it. I didn't even
12 really feel it so much. I was just banging.

13 Q. Sure.

14 A. But it didn't burn my hand when I was banging. So --

15 Q. Would you mind telling me again where on the boat that window
16 was that you were working on?

17 A. Absolutely. Forward, all the way forward of the galley.

18 Q. Okay.

19 A. And behind the bow of deck basically. I think it's identical
20 on the *Vision*.

21 Q. All right.

22 A. Yeah.

23 Q. What would have been immediately on the other side of that
24 window in that spot where you were at?

25 A. It would have been the sink. Now you -- because I use the

1 sink hose sometimes if I like -- because if I need to clean
2 something up there, and I want -- so if I need fresh water to
3 clean these windows, then I'll lean in and get the sink. So it's
4 a dead space. It's nothing there, right, immediately right there
5 under that window that opens. But the sink is just to the right.
6 So maybe we keep a little (indiscernible) of cleaning supplies,
7 but that's even more to the left. So that's a dead space right
8 there.

9 LT [REDACTED] Okay. Great. I think -- the -- I think
10 that's all I have for right now. Thank you. I appreciate your
11 time.

12 LT [REDACTED] This is Lieutenant [REDACTED] [REDACTED] from the Coast
13 Guard Investigations, National Center of Expertise.

14 BY LT [REDACTED]

15 Q. Who would you say taught you what you know? So who have you
16 trained under during your time on board?

17 A. Almost exclusively Jerry for details of the boat for sure.

18 Q. So that goes for pretty much all of your daily
19 responsibilities, duties?

20 A. Yeah. I mean, as far as the *Conception* is concerned. I've
21 learned a lot throughout my life and everything.

22 Q. Sure.

23 A. I've brought stuff to the table. But he's definitely
24 directed me into the specifics of the boat operation. So --

25 Q. Okay. Tell me about the atmosphere on board with the crew,

1 relationships amongst the crew, relationship with the crew and the
2 captain, et cetera.

3 A. Well, it depends on who -- like just during this trip you
4 mean?

5 Q. Sure.

6 A. Okay.

7 Q. Or in general.

8 A. Yeah. Jerry is a very meticulous particular guy. He likes
9 it his way. He's willing to have a conversation, but it's --
10 unless you've really got something that is worth hearing then it's
11 going to go his way for sure. I've always understood and
12 respected that because he's -- you know, from experience, seeing
13 this time and time again, he's rarely wrong. Not the easiest to
14 work with, of course. He has his way of doing things, and like
15 not letting you speak sometimes just because he's got the answer
16 anyway like mostly. It's frustrating, but you got to know your
17 place, I guess, on the boat. He will listen to you if you, like,
18 tell him, like, hey, man, I have something to say, and he's going
19 to hear you out, and he's going to have a real conversation with
20 you, and that's also something I really respected about him. He
21 wasn't like blind to other people's opinions. He just knew what
22 he was doing.

23 Yeah. So our communication especially since the other
24 deckhand quit, and we were both training Allie, he was looking to
25 me to, like, give her the initial, like, go at training, and then

1 he would step in, and give her any of the details that I missed.
2 And Cullen and he got -- the second captain and he got along
3 really well, and Cullen was always up in the wheelhouse during
4 anchoring, learning. And he was like just a -- it was just a
5 good, happy, good spirited time for the last week.

6 And Jerry and Allie were interacting fine for a new person.
7 He was being really patient trying to just, you know, trying to
8 just make sure that she had a good chance at doing the job well.

9 Ryan was pretty brand new too. He mostly just cooked and
10 slept, didn't really -- wasn't interested in diving. Didn't hang
11 out with us like the other galley cook was, Kelly, Mikey's
12 daughter. And she was like -- you know, when she wasn't cooking,
13 then she was out on deck, like, really probably helping us more
14 than anything, but also just talking and killing time. Mikey was
15 kind of the same way. He just -- he wasn't fishing, he was
16 cleaning basically or sleeping.

17 And, yeah, everybody's interactions with Jerry were kind of
18 what -- kind of like mine; like sometimes he's in a mood and
19 sometimes he got a good nap in and got his coffee and he's like
20 the happiest guy, making jokes, telling stories about the old
21 days. And sometimes you're like, why the fuck do I work for this
22 old guy? But, you know, every job is like that. Yeah.

23 Q. Was there ever a time you could think of that you -- there
24 was a problem, an issue, maybe something was unsafe, that you
25 raised it, and it was squashed or --

1 A. Oh, no. He was the one that raised everything that was
2 unsafe. And I mean not everything. Like we would just say
3 something, and I just can't remember a time that I saw something,
4 and I was like well I wouldn't do it that way or -- and, like,
5 where it was being unsafe.

6 Q. Okay. As far as -- I want to go back to fire drills. Have
7 you ever participated in the fire drills with the Coast Guard like
8 an annual inspection?

9 A. I mean, yeah. So it was that, at least that one time. I'm
10 sure we did twice. I feel like -- it's not déjà vu, but I'm
11 pretty sure we did it on the *Vision* and the *Truth*. And we did a
12 fire drill on both occasions, and we just located fire
13 extinguishers, and pointed out the vents that we would close.
14 There are other vents that we stuff foam pieces into that are in
15 those fire cubbies where the hoses are kept. There's foam sitting
16 right there. But, I mean, they were most engine fire drills
17 because that's what everybody is expecting.

18 Q. I was going to ask where did you --

19 A. Yeah.

20 Q. -- simulate a fire being somewhere and --

21 A. The one time --

22 Q. -- where was that?

23 A. The one time, I guess, was the engine. I forget which boat
24 was which, but we did one in the engine, and then one in the -- in
25 like an immediate -- a single bunk like this --

1 Q. Sure.

2 A. -- area is on fire. So --

3 Q. Like in the bunk room?

4 A. Yeah, yeah, exactly.

5 Q. Okay.

6 A. On the *Truth*. It must have been the engine on the *Vision*
7 then.

8 Q. Okay.

9 A. Because it was the bunk room on the *Truth*.

10 Q. Have you ever been in a fire besides this?

11 A. No. Just playing with fire as a kid.

12 Q. Have you ever used a fire extinguisher?

13 A. I fired one off like a quick squirt that was like expired,
14 but so did all my friends. I never used it to put out a fire.
15 I've put out many fires with water and dirt and stuff, but not
16 anything close to what was this -- what this was.

17 Q. During your time on board has there ever been any other fire,
18 even small --

19 A. No.

20 Q. -- where you guys had to discharge a fire extinguisher?

21 A. Not, no, not even.

22 Q. During this particular trip, at any point, did you notice any
23 of the passengers with anything that would have stuck out as being
24 flammable, candles, incense, fireworks?

25 A. One -- not candles or incense. The only things that come to

1 mind were the guy with the rebreather brought his own oxygen
2 bottles and was using -- was transferring oxygen from his bank
3 bottles into the tank that he was using, and that was happening
4 the night before. But with experienced rebreather technical scuba
5 divers, like that stuff that I don't even know about, I kind of
6 watched him do it for a minute, and he -- just the guy the whole
7 time just seemed like he was locked the hell down on what he was
8 doing. So I didn't even question that it could be unsafe. And
9 I'm not sure that I understood the process of what he was doing,
10 but it seemed to me like he was using a machine to get it from one
11 to the other.

12 But I was also, like, he was doing it pretty late at night.
13 I was doing other things. I wasn't keeping a close eye on that.
14 I just kind of noticed it, and I just took a look at it, and was
15 like okay, he's all squared away. So aside from the outlets and
16 stuff, there was a -- I saw as I was doing my one round of getting
17 everybody's name on the roll board, there was like one of those
18 CPAP breathing machines in one of the bunks downstairs. I just
19 saw the tubing for it, and just stuck out to me. I was just
20 thinking I'm glad I don't have to use one of those, to be honest.

21 Q. Thank you. Nothing else you can think of?

22 A. Yeah. As far as candles and stuff go --

23 Q. Nothing like that?

24 A. No.

25 Q. Did any of the passengers vape or smoke?

1 A. I don't remember anybody doing any of that.

2 Q. Could you help me out with the O₂ bottles again? I'm not a
3 scuba diver. I apologize. So could you describe those bottles,
4 and did they contain pure oxygen or the --

5 A. Yeah. So --

6 Q. -- elaborate for me a little bit, please.

7 A. The O₂ bottles contain pure oxygen.

8 Q. Okay.

9 A. Apparently when you have a rebreather system, you have --
10 this guy was using a sling bottle of pure oxygen to basically
11 supplement the oxygen that was in his system.

12 Q. Okay.

13 A. Because you inhale atmospheric pressure -- you exhale, you've
14 only used, like, maybe 4 percent of the available oxygen. So it
15 goes back into the system, gets scrubbed a little bit, and then
16 you can breathe the same breath of air, and get a little bit more
17 oxygen out of it, right, so you're not wasting anything. But
18 every once in awhile it needs a little squirt to up that O₂
19 percentage. That's how I understand that it works. So he had
20 pure O₂ bottles on board and a pony tank. And for a 3-day trip he
21 was always gloating, like, oh, I only used 500 psi on this 3-hour
22 dive or whatever he was doing. Not 3 hours. More like 90
23 minutes, I think, was one of his longer ones. So then he was just
24 topping off his tank for the next day that it would be enough
25 basically.

1 Q. And how big were those bottles?

2 A. I don't know dimensions. I can tell you that there were two.
3 One was -- one of the smaller maybe 2½-foot thin cylinders, and
4 then one was just a slightly bit thicker and longer, 3½ foot. I
5 don't know. I couldn't tell you like --

6 Q. No, that's fine. Where were they kept during the trip?

7 A. He had them in a black pelican case that were -- I think it
8 was on the starboard side.

9 Q. Which deck?

10 A. On the main deck. The lower deck, yeah. That's where all
11 the extra baggage was kept along the sides.

12 Q. Well, elaborate on that, extra baggage.

13 A. Yeah. So dive equipment is kept by everybody's -- we have
14 limited space for dive equipment. Some people bring a ton. So
15 the stuff that people use like every single dive, masks and fins
16 and stuff, that all usually is kept right above their cylinder.
17 We have the rows of cylinders strapped to the back. I'm sure you
18 guys saw on the *Vision*. Same thing on the *Conception*. And their
19 immediate gear is kept somewhere in that area. If they have
20 excessive amounts of backups and redundancies and stuff then
21 they're not going to use, so we just keep that up on the side
22 decks out of the way so that people can function.

23 Q. Last line of questions for me. You mentioned that there was
24 an assembly point for passengers during an emergency. What's your
25 role during an emergency?

1 A. It depends on the emergency, but it's, I mean, first and
2 foremost take instruction from the captain, try to execute those
3 orders. If it's a fire, then it goes without saying that we try
4 to extinguish it, and get people clear of it. If it's man
5 overboard, we designate a pointer, and somebody throws a life
6 ring, and somebody -- go put on a life vest, and stand by to pull
7 them back on board. And it varies situation-to-situation. If
8 it's a diving emergency -- I really enjoyed being the rescue
9 safety diver. So if anybody needs help, then I like being the
10 person to go swim out to them. Cullen was on -- we went to Cortez
11 Banks awhile back, and Cullen was the one that swam out because he
12 happened to be safety diver right there, and very capable guy.
13 Yeah. It just depends, and, you know, listen to the captain.

14 Q. Did you guys ever talk about your roles -- various people's
15 roles during an emergency, like, as a group or individually?

16 A. When somebody new comes on board we like greet them, but it
17 depends on the person. Like, if you've been working on boats long
18 enough, then we'll just ask you like what's your experience? And
19 they're, oh, I've been working on this. And if something happens
20 then -- if they're far away we get the skiff. If this happens,
21 then we do this. It's not like an official discussion. Jerry
22 usually will just come down, and if he notices something out of
23 place, he'll just like hey I like this life ring this way, and the
24 trashcan needs to be this far away from it so that it's easier to
25 grab. And in this situation you'll throw it this way. And, like,

1 I want the one with the thinner line back here because it goes
2 farther, and the boogie board needs to be oriented this way just
3 because it -- and you always take this. And he'll just -- he does
4 it all the time, but like we didn't have like a conversation.
5 It's more like --

6 Q. Okay.

7 A. -- him constantly lecturing.

8 LT [REDACTED] I understand. Thank you very much. That's
9 actually it for me.

10 MR. EHLERS: Very quickly before you go [REDACTED] did you have
11 an administrative question?

12 MR. FRITZLER: I do.

13 MR. EHLERS: Okay. Yes, sir.

14 MR. FRITZLER: Glen Fritzler, owner of the *Conception*.

15 BY MR. FRITZLER:

16 Q. I'm real curious about where -- I believe you answered the
17 question where that O₂ was transferred from the Haskel pump for
18 the guy's rebreather. That was on the back deck?

19 A. He was operating that unit at the -- on the back deck, the
20 starboard gate, that little bench, that first little corner of the
21 bench after the (indiscernible) --

22 Q. Yeah, uh-huh.

23 A. -- he was sitting right there working his stuff. And --

24 Q. Okay. So that stuff never entered the galley?

25 A. No.

1 MR. FRITZLER: That's all I needed to know. Thank you.

2 MR. EHLERS: [REDACTED]

3 MR. [REDACTED] [REDACTED] [REDACTED] Investigations, National Center
4 of Expertise.

5 BY MR. [REDACTED]

6 Q. I only have two questions for you. The barbecue grill, just
7 to be clear, how was it powered?

8 A. Electric.

9 Q. Okay. Second thing. You said that crew and passengers would
10 come on, and you said some of the passengers brought their own
11 power strips?

12 A. Yeah.

13 Q. Did you ever notice, like, you ever see anybody plug another
14 power strip into another power strip?

15 A. Not overtly. I didn't go around checking power strips
16 though. I just kind of trusted that people weren't that extreme
17 with it. But I -- yeah. I never saw one plugged into another or
18 else I would have -- I definitely would have corrected that
19 situation.

20 MR. EHLERS: Travis.

21 MR. HENDERSON: Detective Henderson with Santa Barbara County
22 Sheriff's Office. Thank you, Mr. French. I have no questions.

23 MR. EHLERS: Okay.

24 CPT SNODGRASS: James Snodgrass with Santa Barbara Fire.

25 BY CPT SNODGRASS:

1 Q. I have a list of questions. I'm going to bounce around too.
2 And some of it is going to be clarifying stuff that you've already
3 said. But was there a water heater on the boat?

4 A. Yes.

5 Q. Where would that be located at?

6 A. That was -- where is the water heater? I never did any work
7 on it. It was in the -- it wasn't aft. It was in the engine
8 room.

9 Q. Okay.

10 A. Yeah. But I'm just -- give me a second to think about all of
11 it. Oh, the -- it was the starboard main. It was forward of the
12 starboard main, yeah.

13 Q. Okay. And that was --

14 A. It was just like on the other side of the holding tank
15 batteries and like little batteries there, yeah.

16 Q. Okay. So that would have been down below in the engine room
17 area?

18 A. Yeah.

19 Q. Okay. Let's see here. What time does the crew usually wake
20 up in the morning?

21 A. In the wheelhouse we set an alarm for 6 o'clock on the
22 dashboard pretty much every morning. And then we'll all get up in
23 the next 2 minutes basically. Get your pants on or whatever for
24 the day. And then we'll go down, and one of us will wake up the
25 sixth crew member sleeping in the bunk room shortly thereafter

1 within bathroom break. So between 6 and 6:15.

2 Q. 6 and 6:15?

3 A. Yeah.

4 Q. And that was for the cook as well?

5 A. Sometimes they get up earlier than that. Mikey liked to get
6 up early, and just get things going before -- very regularly would
7 do like a 2:30 or 3 o'clock sweep of all the cups, and clean up
8 the galley and just -- because nobody is there usually. So it's
9 just easier to work with nobody in the way, and he was just an
10 early riser kind of guy.

11 Q. Do you know what time he'd usually wake up and get going?

12 A. Officially, like, 5:30. Probably a half-hour before us. It
13 varied though depending.

14 Q. Let's see. So I want to go back to before the fire. You
15 said that you took a shower, and then you worked your way back up
16 to the top to go to bed, correct?

17 A. Um-hmm.

18 Q. You said a couple people were still up. How about the crew?
19 Was there any other crew still awake?

20 A. Just Allie and me.

21 Q. Okay.

22 A. She used the bathroom. One other lady was using the
23 bathroom. I was waiting for Allie to get out of the -- we call it
24 the indoor or like the center head because one is -- to starboard,
25 and then there's on like the inboard starboard side, and then

1 there's one on the port side. So there was a lady in the port
2 head. Allie was in the center head, and I was just standing there
3 waiting to give her a kiss. We were kind of deciding if she was
4 going to sleep in my bunk or down below, and we decided we want to
5 get some sleep, better sleep instead of a tight space with two
6 people in. She went down below. And, yeah, so there was at least
7 one other lady up. I didn't check to see if anybody was still in
8 the bow playing with the bioluminescence. I'm not sure. I
9 wouldn't have been surprised if they were.

10 Q. Okay.

11 A. I didn't really hear the voices though.

12 Q. Okay. But no other crew was awake? It was just you two.

13 You guys parted ways. Went to the --

14 A. Yeah. I went up to a dead quiet bunk room.

15 Q. Okay.

16 A. And there was nobody on the back deck.

17 Q. Okay.

18 A. Yeah. Everybody went to sleep before, like immediately after
19 our duties ended, I think, pretty close.

20 Q. Was there anybody in the galley that you recall when you went
21 to bed?

22 A. Nobody sitting in the galley just then.

23 Q. Okay.

24 A. Not sure about the shower room. I think people were brushing
25 their teeth.

1 Q. Okay.

2 A. Yeah.

3 Q. And about what time was that when you guys went to bed?

4 A. Maybe just before midnight. I think I saw 11:45 on the
5 clock.

6 Q. Okay. And then you don't recall if -- how many people are
7 awake or what they're doing?

8 A. Not precisely.

9 Q. Okay.

10 A. I just for sure know that one lady was walking from the
11 bathroom.

12 Q. Okay.

13 A. I think that was Vy (ph.) was her name.

14 Q. Okay. Now in the galley area you mentioned that there was a
15 couple things plugged in. Try to get more specific of what you
16 remember being plugged in or how that place looked? Was it one
17 table of gear, six tables of gear, and --

18 A. Two tables.

19 Q. Two tables of gear?

20 A. Yeah.

21 Q. On what side of the boat?

22 A. Aft, both sides. It was the aft-most tables.

23 Q. Okay. Do you remember what was on those tables?

24 A. Not precisely. I couldn't -- probably if I looked at it. I
25 couldn't identify everything. But underwater cameras with their

1 housings, big strobe lights, assorted dive lights. I think there
2 was a laptop somewhere over there too, some jackets. In like the
3 seating, more seating areas, a lot of baggage around because I'd
4 have to move those every day to try to eat around that area
5 because all the other tables were filled, people eating. So we
6 eat among like the cameras and phones and stuff.

7 Q. Was there phones there as well?

8 A. I think there were phones. There are definitely phones
9 tucked in the -- there's outlets underneath the seats. Like it
10 has a little -- right at your lower back there's a little pocket
11 and outlets there. And a lot of people -- I will plug my phone in
12 there just because it's out of the way of everything. And people
13 stuff sweaters and all kind of stuff in there.

14 Q. Do you recall seeing phones plugged in that night or?

15 A. I don't know if I saw the phones. During the day for sure
16 there were phones all over.

17 Q. Okay.

18 A. I just -- yeah.

19 Q. Anything else that you can remember in that area?

20 A. Couple guys were drinking whiskey. There's couple wine
21 bottles going on. Not like -- not a real heavy drinking crowd,
22 but it was there. And yeah pretty much it.

23 Q. Now as far as all the stuff charging, you said it was the
24 back two tables on both sides?

25 A. Yeah.

1 Q. Okay.

2 A. I mean, as far as like the lights and cameras and big stuff.

3 Q. Correct.

4 A. Maybe there were laptops and stuff forward more in the dry
5 areas, but I think there were laptops aft too.

6 Q. Okay. And then let's see. So when you woke up, and you saw
7 the fire, you said you didn't have your contacts on. Did you see
8 flames or did you only see a glow at that point?

9 A. At first just the glow, like, I mean, it's what I would
10 identify as flames because I know how my vision is in both
11 scenarios like seeing and not seeing, right, blurry and not. But
12 it was like blurry dancing. It wasn't just like a glow of
13 whatever on smoke. It was just blurry flecks of fire.

14 Q. Okay.

15 A. Yeah.

16 Q. And you said in that same area was that squid light?

17 A. Yeah. That would have been right around there, maybe a
18 little bit forward, but right around there.

19 Q. Looking at the flames, do you remember seeing the squid light
20 being on?

21 A. No. It points directly down, and I was still inside the
22 wheelhouse.

23 Q. Okay.

24 A. Yeah. I didn't see, like, the squid light on after I went to
25 bed.

1 Q. Okay. You talked about a -- you woke up to Mikey yelling.
2 Do you know where he was when he was yelling?

3 A. Not when I woke up, but when I first saw him he was on the
4 sun deck out back. And it was blurry, but I could tell it was
5 Mikey.

6 Q. Okay. So he was up top, same general areas as you guys --

7 A. Yeah.

8 Q. -- on the sun deck? Now I'm jumping in quite a bit here, but
9 when you got to the anchor room hatch, and you said you opened
10 that hatch, was there any smoke, fire, anything in the anchor --

11 A. Nothing in there.

12 Q. Nothing. And then shortly after that you went -- sounds like
13 you tried to get into the -- or the engine room hatch, and you saw
14 the smoke. Was there any heat coming out of there, abnormal heat?

15 A. I didn't really feel any heat.

16 Q. Okay.

17 A. I didn't go down there.

18 Q. Okay. And then I'd like to go back to the window too up
19 front. And so you said you -- for the very first time you got to
20 that window, what were the conditions when you looked in at that
21 time?

22 A. When I looked into the window?

23 Q. Yeah.

24 A. It was blackout.

25 Q. Completely blacked out?

1 A. Yeah.

2 Q. And that's when you said the smoke was still not really
3 swirling around or anything?

4 A. Yeah. It didn't look like there was movement inside.

5 Q. Okay.

6 A. As far as smoke goes. It was just like -- and I could -- you
7 can usually use that window to look all the way through the galley
8 to see what the person working the rear anchor is doing or anybody
9 on deck. Certain situations we post a safety diver at both points
10 of the boat.

11 Q. Okay.

12 A. So it's a window that's clear, and we clean it every single,
13 every single day or any time it's dirty, pretty much so.

14 Q. From that window, can you usually see the stairs that go down
15 the --

16 A. You can see people walking down the stairs, not the stairs
17 themselves.

18 Q. Okay.

19 A. But you can see like a head. If it was disappearing into the
20 bunk room, you could see them walking in.

21 Q. And you couldn't see any flames, any glow --

22 A. I couldn't see --

23 Q. -- or anything from that location?

24 A. No, nothing.

25 Q. Now, in all your times walking around, I know there are

1 several windows that go down the sides. Which -- what of those
2 windows would have fire coming out of them when you walked around
3 -- when you first saw those windows for the first time?

4 A. That's what I've been trying to remember correctly. And it's
5 hard to say. I know the aft ones had fire, and there was smoke in
6 all of them. I just can't remember if it was like pumping flames
7 out of -- because there's three sets of the windows on each side.
8 Yeah. I can't say for sure if the flames were all the way to the
9 first or just the two aft ones. But, yeah, I just remember
10 knowing that I couldn't get all the way back to the fire hose or
11 -- I didn't think about the hose at that time, but all the way
12 back to the galley entrance without swimming around it.

13 Q. Were the two aft windows broken or were they just you were
14 able to see flames through them?

15 A. I think they had -- I imagine they were left open because it
16 was a pretty night.

17 Q. Okay.

18 A. And it gets stuffy in that galley if it's all closed up. But
19 I'm not sure if they were burned out or whatever. But, yeah.

20 Q. Okay. And then did -- do you recall passing the window that
21 was directly above the stairs at all or directly at the stairs?

22 A. No. I didn't go down the port side.

23 Q. Okay. But on the port side you said --

24 A. Oh, sorry. The starboard. I didn't go down the starboard
25 side.

1 Q. The starboard side.

2 A. Yeah. I was thinking about it because -- yeah, that's the
3 starboard side window. I didn't go down the starboard side. I
4 only went down and looked on the port side. Until Jerry jumped
5 over, I glanced, but that was all aflame too. But I didn't look
6 into any of the windows or see them.

7 Q. Okay.

8 A. It was just fire out of it. So --

9 Q. But you were able to pass that one window? It was the ones
10 further back that you weren't able to pass?

11 A. I wasn't able to pass. I didn't try passing any windows on
12 the sides, I don't think. Because I couldn't get all the way
13 back.

14 Q. Okay. And there was so much smoke coming out of the forward
15 one, the one maybe I could get to, it -- I couldn't get into it
16 without like -- like I, that black smoke, like, that wasn't going
17 to be an option.

18 Q. Okay. Besides the *Grape Escape*, was there any other boats
19 that you remember being anchored in that area?

20 A. No. On the way out we saw a ton of boats at relatively
21 nearby harbor. I forget what it was. But there was nothing like
22 right next to us except for them.

23 Q. And then when you were able to get out of there, and you
24 called -- you said you called your mom, what phone did you use to
25 make that call?

1 A. I think I used Bob's phone, yeah.

2 Q. He was from the *Grape Escape*?

3 A. Yeah, the captain or the captain or the owner or both, I
4 guess. Yeah. I mean, we were like on our way, and there was a
5 lot of whatever you call it down time. Cullen and I were up with
6 the captain listening to the radio still, and talked to him about
7 the details of the trip, and helping him, like, I mean, he was
8 telling us that he used to have like a 14-foot boat, and then
9 upgraded to this thing, a 70-foot monster, and he would have a --
10 he used to hire a captain to run it. So you could tell that he
11 was like -- be like if I was trying to run that thing. Like, if
12 somebody told me what to do a couple times, and now it's all on
13 me. So he was like solid but nervous.

14 So Cullen and I were just like up there just looking at
15 things, and trying to figure it out too to see if we could help.
16 And got underway, and he got the autopilot going, and got an ETA,
17 and I was thinking about stuff, and asked him for his phone, and
18 let Cullen use it first, and then I called my mom after that on
19 his phone.

20 Q. Okay. Did any of the crew have their phones or make their
21 phones off the boat?

22 A. No. Nobody had anything except clothes.

23 Q. Okay. Jumping to the lighting that you guys changed out the
24 LED lights. How long ago was that?

25 A. I'd have to look at when that Navy trip was, but month or so

1 ago.

2 Q. Okay.

3 A. I don't really remember, weeks maybe, multiple weeks.

4 Q. Were they new lights like new in box?

5 A. Yeah, new in box.

6 Q. Do you remember the type or the brand?

7 A. No. But shit I guess I was on board. I mean, they were LED.
8 Like, I could point them out. They had like a metal bar accent
9 around the plastic housing.

10 Q. Okay.

11 A. So if I saw it again I would know it for sure.

12 Q. If you come across --

13 A. They were 14-inch. Because our other ones were slightly
14 smaller, and they were cut into the, like, roof tile material and
15 clocked in. So we had to cut out the old ones, and then clean up
16 the wiring, make sure everything was good to go. And then when we
17 put it back in, it was a real clean look because it was bigger
18 than the old hole. So --

19 Q. Okay. Do you know where they were bought from or anything?

20 A. Yeah. I personally don't. Jerry just told me where they
21 were in the storage room, and we installed them. I put in one the
22 day before that trip, but just one because we were missing one of
23 the glass domes on that one. Hunter and his brother were -- they
24 like met me there, and checked it out after I was done.

25 Q. Okay.

1 A. That was on the port side, the middle one.

2 Q. Okay. You guys ended up changing all of them on --

3 A. All of them on the next trip --

4 Q. -- the *Conception*?

5 A. So yeah, one was done like the day before, 2 days before,
6 then five others during the trip on *Conception* or on the Navy
7 trip.

8 Q. Let's see. Got a couple more questions that I've written
9 down, and then I'm almost done. So you mentioned that you didn't
10 hear anything other than the smoke alarm or that chirping sound?

11 A. Yeah. I mean as far as pounding or --

12 Q. Yelling.

13 A. -- I mean, it was like -- it was actually just pretty quiet
14 except for Ryan talking about his leg, and us trying to
15 communicate to each other to get some plan kind of going.
16 Communication was -- so those lights, you know, you guys were
17 asking about the electricians, whatever. The instructions on the
18 lights like said disconnect the wires and basically just follow
19 the instructions. So I'll bring that up. Yeah. As far as
20 hearing anything.

21 Q. Okay. Did you ever go up to the wheelhouse after you woke
22 up?

23 A. I was in the wheelhouse when I woke up.

24 Q. Okay. Was it -- so did you look at the control panel? Did
25 you see any lights whatsoever?

1 A. Right, yeah.

2 Q. Nothing?

3 A. Not that I would recognize as being attached to those alarms.

4 Q. Okay. I think somebody asked about any of the customers
5 smoking. How about any crew members? Were any crew members
6 smokers?

7 A. Jerry.

8 Q. Jerry is a smoker?

9 A. Is the only one. And he has two little ash cups half full of
10 water that he's been -- I mean, he's diligent with. So --

11 Q. Okay. When was the last meal cooked prior to the fire?

12 A. Dinner is served at 6, and then I don't know what desert was.
13 Like banana splits or something or maybe cake. But, yeah, it was
14 ice cream and cake, I think. But they cooked the cake before
15 dinner. So everything was cooked by 6.

16 Q. Okay. Anybody allowed to use the galley except for Mikey?

17 A. Just for like a bag or something but nothing like stoves
18 or --

19 Q. No. Okay.

20 A. Yeah. I don't even think anybody was using the microwave.

21 Q. On that starboard, yeah, starboard side where you saw the
22 fire originally, what other items would have been in that area?
23 What can you think of that would be in that area that the fire may
24 have originated from?

25 A. I mean, as far as like speculation what started the fire in

1 that area, like, the numbers or the items are going to be the
2 squid light. I don't know, man. Like, everything is plugged in,
3 but that was all inside the galley.

4 Q. I'm not looking for you to guess. I was just trying to get a
5 list --

6 A. Yeah.

7 Q. -- of things in there that you --

8 A. That is just like guessing. There's a bunch of passenger
9 baggage, but I don't know what was in the baggage.

10 Q. Okay.

11 A. Yeah. Nothing else was like out of the ordinary essentially.

12 Q. No boat components that would be mounted in that area or
13 operate in that area --

14 A. No.

15 Q. -- that you can think of?

16 A. No, nothing like that.

17 CPT SNODGRASS: Okay. Thank you.

18 MR. EHLERS: So we're unfortunately not done yet, but do you
19 need a break?

20 Does anyone else need a break?

21 I'll allow you to ask questions. Just do you need a break?

22 MR. FRITZLER: No. Sorry.

23 MR. EHLERS: Okay. In that case, Glen, go ahead.

24 MR. FRITZLER: Yeah. Glen Fritzler, the owner of *Conception*.

25 BY MR. FRITZLER:

1 Q. You mentioned the thing that was on is the squid light and,
2 of course, the squid light is outside, right? It was never
3 brought into the galley. It was always mounted on the rail --

4 A. Oh, yeah.

5 Q. -- hanging off the rail?

6 A. Yeah, yeah. It never enters the house.

7 Q. Okay. So that potential that warm bulb never entered the
8 inside of the boat?

9 A. No.

10 Q. Okay.

11 A. And I found it -- saw it floating afterwards which --

12 Q. This is after the vessel sunk?

13 A. Not after it sunk, but while I was making my rounds, the
14 first round. I don't remember if the light was in it, but I
15 remember the -- I saw the housing outside floating away from
16 everything. So it was hanging over basically the whole time.
17 Again, assumption, but I was like thinking about that because I
18 immediately on the way from the vessel on fire before we even got
19 to them, I don't know, well, maybe it was, maybe it was while we
20 were on board, but I was, like, trying -- Jerry, what the fuck do
21 you think happened? And was like the squid light, it was right
22 there, right? And he didn't seem to think so. It's something we
23 -- it's just, like, not outside of our normal operation is to have
24 that thing on. So but I don't know.

25 Q. And then one other thing, and I understood this just recently

1 that Jerry has initiated a procedure of shutting off breakers to
2 galley items at night. Is that true?

3 A. Yes. I'm not sure if it was followed with -- I didn't check
4 the breaker box. So the galley would be the one that would have
5 shut those off, if they were shut off -- the galley crew, I mean.
6 I know that the last trip in Ryan left one of the burners on when
7 we got -- I don't know when Mikey he was just -- Mikey was just
8 telling me that he left a burner on after he was cooking soup or
9 something, and Mikey put a cleaning box or it was like a box with
10 a watermelon or something on the burner, and it was melting the
11 bottom. So, like, Mikey was on a high alert for shit in the
12 galley being on. So he was like checking and double checking
13 before -- he was like going into that trip with that knowledge,
14 you know, like I got to be on that. And I'm sure he brought it up
15 to Ryan too (indiscernible) for conversation.

16 MR. FRITZLER: That's all I have.

17 MR. EHLERS: Okay.

18 MR. [REDACTED] Yes. Hi. I'm [REDACTED] [REDACTED] with the Coast
19 Guard.

20 BY MR. [REDACTED]

21 Q. We asked a lot of lighting questions. So I'm just going to
22 ask a couple quick follow-ups really fast. One of them, when you
23 were coming out and you were going to bed that night, was all the
24 lighting in the galley in the dining area was that on or was it
25 off?

1 A. Yes.

2 Q. Does it always remain on?

3 A. Yeah.

4 Q. Okay. And then the other question is when you guys were
5 replacing the light fixtures themselves, do you remember the
6 wiring itself? Was the wiring solid wire or stranded wire, the
7 ones that you twist them together? Do you remember what --

8 A. It was stranded.

9 Q. Was the wire that was already installed, was that stranded or
10 was that solid? The one not attached to the fixture.

11 A. So the two -- the three wires that we were working with were
12 the ones that were attached to the boat essentially, right, the --

13 Q. Yes.

14 A. -- wiring in the boat. Then the wires we were removing, and
15 then the wires we were installing. Everything was stranded. And
16 the wire in the boat was larger gauge than the ones we were
17 working with. So our caps were working -- we made the caps fit
18 the larger gauge, and the other ones were tucked in. And I'm not
19 saying that I'm a pro, but --

20 Q. Sure. But the installed wiring that was already there that
21 you were hooking up to, that was stranded as well?

22 A. Correct. Yeah. It wasn't to a solid wire.

23 MR. [REDACTED] Okay. Thank you very much.

24 MR. EHLERS: Commander [REDACTED]

25 BY CDR [REDACTED]

1 Q. Hi. I'm Commander [REDACTED] [REDACTED] with the 11th Coast Guard
2 District. I just have a couple of questions, follow-up on some of
3 the earlier questions. You said you do a safety brief. Where
4 does that safety brief typically take place, and do you go around
5 the boat showing different safety features?

6 A. It takes place in the galley. We have everybody sit at the
7 tables and seating area. I'll stand in the center towards the aft
8 entrance to the galley. The rest of the crew will either stand
9 behind me. Jerry was sitting on the port side forward closest to
10 the fridge just kind of observing, and making sure that I didn't
11 miss anything. Mikey was standing next to him by the fridge. I
12 think Ryan was in the galley. And I think the two other crew
13 members, Allie and Cullen were standing behind me in this one.
14 Everybody was sitting around the tables. And we do not usually
15 take a tour of the boat.

16 Q. Okay. So --

17 A. All information is conveyed verbally.

18 Q. -- is there any --

19 A. And point at like different spaces, but not like come see
20 where the life jacket is or anything like that.

21 Q. Okay. Is there any point where maybe somebody from the crew
22 would have shown the egress space out of the bunk room?

23 A. I would have pointed it out because it's at my feet at that
24 point.

25 Q. Okay.

1 A. I just say it's --

2 Q. But not from below?

3 A. No, not from below.

4 Q. Who usually does the -- any kind of cleaning and maintenance
5 in the cooking galley area?

6 A. Cleaning would be the cooks, the galley crew.

7 Q. Do they --

8 A. As far as the grill and stuff. I'll clean the floor. We
9 hose off the floor.

10 Q. Do you recall them ever cleaning the galley hood?

11 A. The hood, I don't remember them deep cleaning the hood.

12 CDR ██████████ Okay. That's all I have.

13 MR. EHLERS: Okay. I'll do a couple of quick follow-ups.

14 BY MR. EHLERS:

15 Q. Barbecue grill, was it used during the trip?

16 A. They did (indiscernible) the first night. We usually do.

17 Q. Okay. That was just the first night though?

18 A. Yeah.

19 Q. Okay. All right. One last thing with the squid light. Were
20 you -- once you were in the water, especially when you first got
21 in the water do you remember seeing it on or off?

22 A. It was on starboard, and I --

23 Q. Came off the port side.

24 A. Yeah.

25 Q. But when you got back to the back deck, you don't remember

1 seeing it?

2 A. It was fire over there.

3 Q. Okay. All right.

4 A. Yeah. I don't remember the light.

5 Q. Okay. You mentioned the guests drinking alcohol. You said
6 it was fairly (indiscernible), I believe.

7 A. Yeah.

8 Q. The crew ever drink alcohol?

9 A. No.

10 Q. Okay.

11 A. Yeah, we were all above bar in that regard. We didn't mess
12 around like that.

13 Q. Okay.

14 A. It was important to us.

15 Q. Okay.

16 A. Called it Seahab.

17 MR. MUISE: Marcel Muise, NTSB.

18 BY MR. MUISE:

19 Q. Just one question I forgot. Did you happen to notice the top
20 racks either side of the escape hatch down below? Were they
21 taken? If you didn't see it, that's okay.

22 A. No. I'm pretty sure that everybody stuck to the sleeping
23 like the arrangement.

24 Q. Oh. People are assigned racks?

25 A. Yeah. There's a --

1 Q. Okay.

2 A. There's like a rack arrangement or like a bunk room list.

3 Q. Okay. How about the -- in the aisle between the bunks? Is
4 that -- people put gear there or is it clear?

5 A. No. We have storage below some of them, and above some
6 and --

7 Q. That stays clear --

8 A. -- (indiscernible) area.

9 Q. -- all the time?

10 A. Yeah.

11 MR. MUISE: That's all I have.

12 UNIDENTIFIED SPEAKER: Nothing else.

13 BY UNIDENTIFIED SPEAKER:

14 Q. Two quick ones. So back on that starboard aft side, I only
15 saw the *Vision*, but on that one there's a bookcase on the -- on
16 that side. Is there a bookcase on the *Conception*?

17 A. No. That's where the doors fold in. There's like a coat
18 rack, and then it starts the seating.

19 Q. Okay. So there is no book shelf? It was just all --

20 A. Yeah.

21 Q. -- storage or people --

22 A. Like the *Vision* has all those power racks, it doesn't have
23 that on the *Conception*.

24 Q. Okay. So in that area, there was nothing; it was just empty?
25 It was the door that --

1 A. Yeah.

2 Q. Okay. And then the cord to the squid light you said it was
3 warm. Was that a recent even where it started getting warm?

4 A. No. I was saying it wasn't warm.

5 Q. It wasn't warm?

6 A. Yeah.

7 Q. Okay.

8 A. I never felt it, and it was like, oh, that's a hot cord or
9 anything like that. It was just exactly as you would expect it.

10 UNIDENTIFIED SPEAKER: Okay. Thank you. That's it.

11 MR. EHLERS: Glen, anything else?

12 MR. FRITZLER: I'm good. Thank you

13 MR. EHLERS: Okay. All right. Listen, you've been through
14 an incredibly traumatic experience, and the fact that you've sat
15 here and talked to us is incredibly helpful to our investigation
16 and try and prevent this in the past [verbatim], and I want to
17 thank you for doing that, and for standing in here. I can't
18 express enough how sorry I am for the situation, but you're --
19 you've been extremely helpful. So I thank you for that.

20 At this time I'm going to end the recording unless I have any
21 other comments. Any questions from you? Okay. Go ahead, please.

22 MR. FRENCH: No.

23 MR. EHLERS: Let me ask one more question. That is, is there
24 anything we haven't asked you about that you think might be
25 important?

1 MR. FRENCH: I don't -- I can't think of anything. If I
2 think of anything, can I get into this later?

3 MR. EHLERS: Absolutely, absolutely. And you can contact one
4 of us. You can go through Glen. Either way, that's fine. But,
5 again, we appreciate it.

6 Okay. It is 7 minutes to 2. I'm going to stop the
7 recording.

8 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: FIRE AND SINKING OF THE CONCEPTION
WITH LOSS OF LIFE NEAR
SANTA CRUZ ISLAND, CALIFORNIA
SEPTEMBER 2, 2019
Interview of Milton Douglas French

ACCIDENT NO.: DCA19MM047

PLACE: Santa Barbara, California

DATE: September 4, 2019

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


Katherine Motley
Transcriber