

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

*

Accident No.: DCA19MM047

SANTA CRUZ ISLAND, CALIFORNIA,

*

SEPTEMBER 2, 2019

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Interview of: TODD LEAKE, Chief, Battalion 22
Ventura County Fire Department

Ventura County Fire Department
Station 51
Oxnard, California

Sunday,
September 8, 2019

APPEARANCES:

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

BART BARNUM, Marine Accident Investigator
National Transportation Safety Board

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I N T E R V I E W

(2:23 p.m.)

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3 MR. MUISE: Okay. This is Marcel Muise with the National
4 Transportation Safety Board. It's September 8th, 2:23 p.m. in
5 Ventura County -- we're at Ventura County Station 51 here with the
6 battalion chief.

7 Chief, can you give us your name and spell you last name,
8 too, please.

9 CHIEF LEAKE: Todd Leake, last name is L-e-a-k-e.

10 MR. MUISE: And Bart?

11 MR. BARNUM. I'm Bart Barnum, NTSB, B-a-r-n-u-m.

12 MR. MUISE: So we're investigating the incident involving the
13 fire on the motor vessel *Conception*.

INTERVIEW OF TODD LEAKE

14
15 BY MR. MUISE:

16 Q. So Chief, can you just give us a little bit about your
17 background, just some housekeeping questions?

18 A. I've been in the fire service for 32 years now. I started
19 out with the city of Oxnard for approximately 4 years and then
20 came to the Ventura County Fire Department, and I've been a
21 battalion chief for approximately going on 7 or 8 years now.
22 About 8 years.

23 Q. Can you describe your first-due area?

24 A. The area of responsibility that I have goes from Malibu to
25 Piru. It covers Fire Station 56 down in Malibu, 53 is in Port

1 Hueneme, 51 is here in El Rio, 26 in Santa Paula, 29 in Santa
2 Paula, 27 in Fillmore, and 28 in Piru.

3 Q. Okay. And on the evening of the 2nd, or the morning of
4 2nd, I'm sorry --

5 A. The morning of the incident?

6 Q. The morning of the incident what was -- what were you doing
7 that night or that evening?

8 A. That evening I was here at the Station and I got -- anytime
9 53's crew goes out with the Coast Guard or offshore, I get a
10 notification from our dispatch center. And so I got a
11 notification that they were going to be going out for a medical
12 call, and then -- I think it was a broken leg. And then shortly
13 thereafter it turned into some form of notification from the Coast
14 Guard to our crew that it was going to be a boat fire.

15 Q. Can you walk us through the --

16 A. So I --

17 Q. Yeah. Walk us through the rest of the evening.

18 A. So in turn, I get dispatched to head down toward to the Coast
19 Guard Station to be the -- usually I'm the incident commander, but
20 since Captain Barrera was going to be the first on scene actually
21 at the boat fire, we assigned him IC and then eventually it
22 transitioned it back to myself after we got more resources on
23 scene and figured out what was going on.

24 The fact that he maintained that is in the sense that a boat
25 ride out there I think is about 40 minutes. I don't recall exact

1 time frames. Coast Guard, I think they can get out there in about
2 25 to 30 minutes, so they're a little bit faster than our Fireboat
3 15.

4 So we had 53's crew on the Coast Guard boat. We had 54's
5 crew who came from Camarillo to cover Fire Station 53; we move up
6 engines to cover when they're not available. So 54's came and
7 then they hopped on Boat 15, the fireboat. And right as they were
8 departing the dock is when I pulled up to the Coast Guard Station
9 and went upstairs to meet up with the Coast Guard crew that was
10 working the radios upstairs. And then I was made aware that 26
11 was being dispatched, Engine 26, to go to Fireboat 1 out of
12 Ventura City and head out there, as well.

13 Q. So you set up a little ICP there in the station?

14 A. Yes, at the Coast Guard Station.

15 Q. So talk to us a little bit about what was going on at the
16 station.

17 A. So I'm listening to radio traffic. I would get an update
18 from the Coast Guard crew that's there and, typically, it's our
19 fire responsibility for, I believe it's 3 miles around that
20 island. Then I found out it's actually Santa Barbara County's
21 jurisdiction. I was -- it's -- we have the responsibility of
22 Santa Cruz. No, Anacapa. The boat -- fireboat was off Santa
23 Cruz, so that is Santa Barbara County's jurisdiction. So we --
24 anytime there's other agencies involved in it, whether it's Coast
25 Guard's jurisdiction, we set up a unified command.

1 And at the time, the crew that was running the Coast Guard
2 Station, there wasn't a commanding officer there. There was a
3 couple people running the thing. So I waited for the officer in
4 charge to show up, and then we talked and then we blend in with
5 what their operation is because it's their jurisdiction,
6 theoretically, until Santa Barbara County shows up.

7 Q. Did Santa Barbara County show up at the ICP there?

8 A. Santa Barbara County Fire showed up later on. The first
9 representative from Santa Barbara County was the Sheriff's
10 Department. So there was a Santa Barbara County Coroner's Office
11 that showed up, and we talked to him and then we talked to the
12 Coast Guard and with Gene, the battalion chief, Gene Fong. He --
13 they all confirmed that that was Santa Barbara County's
14 jurisdiction for that boat fire, the 3 miles that surround that
15 island.

16 So once we got there, then we talked about if Santa
17 Barbara's going to send any resources. We found out they --
18 eventually they did send a boat. I don't know the resources that
19 were on that boat. I believe it was two harbormaster personnel.
20 I don't believe there was an engine company on their boat.

21 Q. Okay. What is the relationship between you and Chief Fong?

22 A. Chief Fong. I am the battalion chief here in Battalion 5 on
23 day shift. He is the battalion chief here on B shift. We have
24 three battalion chiefs that work out of the station on a 24-hour
25 shift basis, 56 hours a week. So he is -- I'm A shift, he's B

1 shift, and we have another chief that's here on C shift.

2 Q. Okay. So he was actually -- one of you was actually off
3 duty?

4 A. I was -- he was working an extra day up in Ojai. So that day
5 when he came in, he was -- we were both on duty. He was just
6 working an extra shift up in Ojai to cover for another battalion
7 chief that was off duty.

8 Q. Okay. Dispatch. Are you normally dispatched to the Coast
9 Guard Station for every time that --

10 A. Anytime our resource goes off offshore, I'm notified of it.
11 Sometimes I will go there and set up a command post if the
12 incident is large enough, and other times it's more of a
13 notification that one of my engine companies is going to be out of
14 their battalion and offshore with the Coast Guard.

15 Q. Okay. Was the ICP preparing for an MCI at all? Were we
16 ramping up EMS and hospitals and --

17 A. A representative from our county EMS did show up. And
18 actually, he called me on the phone and let me know concerning --
19 once he heard the potential for fatalities, he informed me that
20 when we had the aircraft crash offshore 10 years ago -- I don't
21 remember the flight that crashed off the island, off the --

22 Q. I don't. I only heard about it today, so --

23 A. Okay. There was a large airplane that crashed offshore a
24 number of years ago, and so when they brought the bodies back in,
25 they brought them into the Port Hueneme because it was a secured

1 Naval Base area. So that was a recommendation that, not knowing
2 where they were going to take the bodies, and he offered up the --
3 Scott Carroll, offered up the fact that he has body bags
4 available, and if I need to reach out and touch base with the
5 coroner that showed up with Santa Barbara County. So I connected
6 those two on the phone, and Santa Barbara County coroner and he
7 spoke with our county EMS, Ventura County EMS, and I don't know
8 what they discussed but they touched base concerning that
9 decision.

10 Q. Is there a pre-incident plan for something like that
11 involving a mass casualty or mass fatality incident?

12 A. No.

13 Q. Okay.

14 A. Not according to where we're going to put the bodies, no.
15 That was -- there was some discussion about where they were going
16 to house those and evidently they all went to Santa Barbara, is
17 what I was told.

18 Q. At what point did you guys get a good count of how many
19 people were out there?

20 A. It wasn't too far. I don't recall the time, but the owner of
21 the boat arrived at the Coast Guard Station and so there was some
22 discussion between the Santa Barbara County coroner and the Coast
23 Guard, and I was part of the conversation but not directly,
24 concerning a manifest of who was on the boat. So there was a
25 manifest that got shipped to him. We wanted to make sure that it

1 was 100 percent accurate before any information went out. He
2 confirmed that that was the wrong manifest and another one was
3 sent, and then we confirmed the number of personnel, and then
4 he -- we said, well, we're one off; there's one missing, or
5 something to that extent. And he confirmed that there was one
6 late person that signed in, so evidently the number was accurate
7 on the manifest. That's all I know concerning the total number of
8 personnel, was the manifest that he got from back in Santa
9 Barbara.

10 Q. Was there any, like a 207 or a 204 form filled out there that
11 we can have?

12 A. I don't have one, no.

13 Q. Okay.

14 A. We do not fill out that.

15 Q. How about communications? It was good? Bad? Blank spots?

16 A. We have blanks spots. The handheld talkie that Captain 53
17 had was working, some times were better than others. The radio on
18 Boat 15, higher wattage it worked better. So there was a lot of
19 traffic that we had to ask to be repeated, but it was sufficient
20 to get the point across, even though we had to repeat it a number
21 of times, that the messages were understood.

22 Q. How about equipment? Everything work okay, apparatus? I
23 understand there was a problem at one boat.

24 A. Boat 1 out of Ventura Harbor had a, I believe it was an
25 engine issue. They got out there on scene and then had to be

1 towed back.

2 Q. That's Boat 1?

3 A. Boat 1.

4 Q. That had Engine 26 on board.

5 A. Yes.

6 Q. Okay. Where are they stationed?

7 A. Boat 1 is out of Ventura Harbor.

8 Q. Ventura Harbor. Okay.

9 A. Channel Islands is the harbor where the Coast Guard is, and
10 Ventura Harbor is up off -- I can give you the street.

11 MR. BARNUM: It's where the boatyard is.

12 MR. MUISE: Where the boatyard is?

13 MR. BARNUM: Ventura Boatyard.

14 MR. MUISE: Okay.

15 BY MR. MUISE:

16 Q. How about mass casualty training? Have you guys done any
17 training with the Coast Guard?

18 A. Not with the Coast Guard. We've been involved more training
19 with the Coast Guard this last year or two than we have in the
20 past, and it's been very productive training and we're scheduled
21 for two more and -- but we haven't involved them with mass
22 casualty. It's more of a understanding each person's language at
23 this time. Anytime you deal with a hazmat incident, they have
24 their own terminology. So one of the last trainings we had is I
25 instructed after the trainings, and I said, hey, we have to talk

1 very clear text because your acronym may mean something totally
2 different than to us.

3 Q. Right.

4 A. So we're in the process of understanding that and then having
5 them understand, from a federal aspect, what our -- how we divide
6 up and how we manage an incident as far as unified command and how
7 we grow the incident. So it's a learning process, for sure.

8 Q. Okay. How about Battalion 14? Who's that?

9 A. Battalion 14 is --

10 Q. Dan Horton?

11 A. Dan Horton. And Dan is -- he's actually down south right now
12 on an incident that's right down Riverside.

13 Q. Did he relieve you or Chief Fong?

14 A. I'd have to check the date that he came in. He just came out
15 of our Human resources bureau at headquarters --

16 Q. Okay.

17 A. -- and I don't recall who relieved me the morning -- yeah, he
18 was. Matter of fact, yes, he was. Yeah, I remember him being
19 down at the boatyard now -- I mean at the Coast Guard Station,
20 yes.

21 Q. And Joe Dolan (ph.), who is that?

22 A. Joe Dolan was another battalion chief and he was relieving
23 Gene Fong out of Battalion 2.

24 Q. As assistant IC. Is that right?

25 A. Yes. Now, I maintained -- until we got out of unified

1 command, which was approximately 1330 on the next day, we didn't
2 have any other resources involved, so we stepped out of unified
3 command and the command post moved to Santa Barbara.

4 Q. Okay.

5 A. So I actually stayed as the IC until we stepped out of
6 unified command and they moved the ICP. So he came and relieved
7 me as Battalion 5, but I stayed as the IC until 1330.

8 MR. MUISE: Okay. Bart, do you have anything?

9 CHIEF LEAKE: Now when I say IC, that's with the Coast Guard
10 and everybody else. It's not just myself.

11 MR. MUISE: Yes. Yeah. Okay.

12 BY MR. BARNUM:

13 Q. Yeah, Chief. What -- do you guys have any dive assets with
14 your fire department?

15 A. That falls under the responsibility of the Sheriff's
16 Department.

17 Q. So you have no scuba training? It's all Sheriff's
18 Department.

19 A. Uh-huh.

20 Q. Do you recall when they -- did you -- did they launch any
21 dive assets, the Ventura County Sheriffs?

22 A. I was not informed of that decision, when that was -- I heard
23 that they -- Santa Barbara was deploying some. They were at the
24 meeting when we moved the ICP from the Coast Guard to Station 50,
25 there was a representative from the Ventura County Sheriff's

1 Department there, their dive team. But there was no in-depth
2 discussion with me concerning resources deploying to the scene. I
3 just know -- I heard that there was going to be some, so that may
4 have been coordinated with the Coast Guard and the Sheriff's
5 Department.

6 Q. The only thing I just want to -- I think you said it, I just
7 didn't write it down. You said you showed up to the U.S. Coast
8 Guard Sector Channel Islands right around the time that Boat 15
9 was leaving or --

10 A. Yeah. Right as I drove in, and you can look down at the
11 docks behind the Coast Guard Station, and I saw the guy -- Boat 15
12 departing.

13 Q. Okay. Do you remember approximately what time that was?

14 A. What time did the incident get dispatched? I don't recall.

15 BY MR. MUISE:

16 Q. That's actually why I wanted to talk to you because there's
17 different stories out there.

18 A. Okay.

19 Q. I mean, exact -- the story is all the same, it's just exact
20 times are different, depending on what log you look at, which is
21 understandable in an incident of this magnitude.

22 A. I would -- if I got -- I think I got dispatched out at -- was
23 it 1:30 or 2:30? I don't recall the time.

24 MR. BARNUM: Yeah, it would have been after 3.

25 MR. MUISE: Yeah, 3.

1 CHIEF LEAKE: Okay. 3:30 then?

2 MR. BARNUM: Yeah.

3 CHIEF LEAKE: Okay. So if I got dispatched out of here, and
4 I can pull up the times, is when I hit en route, and I can pull up
5 the times when I got on scene, if you would like a copy of that.

6 BY MR. MUISE:

7 Q. Christine has given me all of that information.

8 A. Okay.

9 Q. That's all on her --

10 A. That's all on our VisiNet.

11 Q. Okay. It should be -- yeah, it should be there.

12 A. So I would assume that it takes me from when I left here, I'm
13 going to guess it took me 12, 15 minutes to get there, around
14 there. So maybe a quarter to 4 that I got on scene.

15 Q. Okay. On-scene weather?

16 A. At the Coast Guard Station it was calm. I got out of the
17 vehicle and there was no wind. It was just a calm evening. Calm
18 early morning, I guess you could say. I did talk to Captain
19 Barrera -- or was it the Coast Guard person on the boat, and they
20 said it was a little rough out there, but on -- right where we
21 were at, it was calm.

22 Q. Was it foggy at all?

23 A. I believe it was foggy.

24 Q. Is there a formal agreement between you and the Coast Guard,
25 between your agency and the Coast Guard?

1 A. We have an agreement. Yes, we do.

2 Q. A written mutual aid agreement?

3 A. Yes. Uh-huh.

4 Q. Okay. Is that something I can get from Christine?

5 A. Yes.

6 Q. Okay. What went well? Was it a piece of equipment or some
7 training or a procedure that you were glad you had that you would
8 want to share with the rest of the country?

9 A. I'm glad Chief Fong showed up with his knowledge of the
10 terminology that they use in maritime, which I'm not familiar
11 with. It's a steep learning curve for me. So he was there to
12 explain when the Coast Guard would use some terminology, he would
13 explain something that was going on. Glad to have Boat 15 there.

14 You know, it's a little sad to -- for the length of time it
15 takes to get there. I know we've been talking about getting a
16 faster boat, I guess they call it a fast attack fireboat, and so
17 to cut down on that time. But by the time the other resources
18 that were there, the Good Sam boat, he already described it as
19 well involved.

20 Q. Right.

21 A. So I don't believe there was going to be much firefighting
22 that was going to go on. I know Captain Barrera, you probably
23 heard the radio traffic that he wasn't going to put water on it
24 initially. He was going to look for the personnel in the water.
25 So from that perspective, I believe Paul, Captain Barrera, did a

1 very good job of figuring out what the priorities are, and there
2 was going to be no survivors on that boat that were in the boat at
3 the time because it was so involved with fire, that the priority
4 was to do a search around the boat and look for people that may
5 have jumped overboard or were still in the water.

6 Q. Right. Okay. There was no first responder injuries that you
7 know of?

8 A. None that was reported to me.

9 Q. Okay. Is there anything else you'd like to share with us?

10 A. I think it's great that we have the mutual aid system we have
11 here in Ventura County. We have a very good relationship with the
12 Sheriff's Department and with the Coast Guard. And whether it's
13 with other fire agencies, that we have the closest resource that
14 responds, I believe it puts forth a very good footprint for the
15 citizens and is a very good service provided. It's -- we kind of
16 lay down the jurisdictional boundaries. We kind of flatten them
17 out and we just help the citizens the best, with the closest
18 resources, and I think that's paid dividends over the years.

19 MR. MUISE: Okay. Bart, anything else?

20 MR. BARNUM: No.

21 MR. MUISE: Okay. With that it's 2:42 and we'll end the
22 recording.

23 (Whereupon, at 2:42 p.m., the interview was concluded.)
24
25

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
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ACCIDENT NO.: DCA19MM047

PLACE: Oxnard, California

DATE: September 8, 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.


Beverly A. Lano
Transcriber