

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

CAPSIZING & SINKING OF THE F/V \*

*HOTSPUR* NEAR NUNEZ ROCK, NUNEZ \* Accident No.: DCA22FM033

POINT, ALASKA ON AUGUST 2, 2022 \*

\* \* \* \* \*

Interview of: DAVE FRANKLIN, Captain  
*Hotspur*

via telephone

Wednesday,  
August 3, 2022

APPEARANCES:

[REDACTED] [REDACTED] [REDACTED]  
MSD Ketchikan Supervisor  
United States Coast Guard

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I N T E R V I E W

## INTERVIEW OF DAVE FRANKLIN

1  
2  
3 BY [REDACTED]

4 Q. Captain, if you wouldn't mind stating your first and last  
5 name for us as well, and the name of the vessel.

6 A. Dave Franklin, the *Hotspur*, H-o-t-s-p-u-r.

7 [REDACTED] Can you guys hear us okay over there?

8 UNIDENTIFIED SPEAKER: Yes.

9 UNIDENTIFIED SPEAKER: Yes.

10 [REDACTED] Okay. Just making sure since we're all kind of  
11 spread out in the room here. But perfect.

12 BY [REDACTED]

13 Q. But, Captain, before we start off, do you mind -- I know I've  
14 got the phone number and everything else for you. We've got  
15 address. We don't have an ID to go through. So that's okay. Did  
16 you guys get settled in last night okay?

17 A. Yeah. Yeah.

18 Q. Yeah.

19 A. I didn't sleep much.

20 Q. I imagine.

21 A. (Indiscernible).

22 Q. Yeah. I'm glad you guys were able to find a place.

23 A. Yeah.

24 Q. And had somebody --

25 A. Thanks for your help. That was a lot of help.

1 Q. Yeah. Definitely. The least we can do is offer the phone,  
2 and point you in the right direction. Go over it again today.  
3 The purpose of this investigation is just to kind of help  
4 determine what happened, why it happened, maybe what could be done  
5 differently, or lessons learned that might be able to keep it from  
6 happening to somebody else, and making recommendations to that  
7 extent. So that's what we're doing today. That's the purpose  
8 behind everything else we've been going through so far. So for  
9 this we're going to go through -- what I'll do first is give you  
10 the opportunity to tell your story from coming up out of Seattle  
11 up until you guys got in the raft, and just run us through  
12 everything again. I know we talked about it a little bit  
13 yesterday, but it would be good to give these guys the opportunity  
14 to hear as well. At that point, I'll kind of recap, and go  
15 through, make sure I didn't miss anything, and then we'll have  
16 some questions for you after that to follow-up and clarify. We'd  
17 like to today to -- for NTSB to be able to record. Basically what  
18 we do with that is just helping to make sure we're making -- we're  
19 taking everybody's statement correctly and honestly as we go back,  
20 and go through everything. That we're making sure we're not  
21 missing anything, or misinterpreting, or -- putting words in your  
22 mouth later on as we go on through the investigation. So and then  
23 afterwards, if you would like, he's going to do a transcription  
24 which you're welcome to the, to the transcription of the recording  
25 as well after the fact. So are you good if we record today the

1 interviews?

2 A. Yeah.

3 Q. Okay. Perfect. So like I said, if you don't mind just kind  
4 of running us through probably when you guys get ready to leave  
5 Seattle up until getting into the raft.

6 A. We stopped and picked up our net in Port Townsend  
7 (indiscernible) the skiff. Chained everything down. It was high  
8 tide in Port Townsend so we got a pretty shallow harbor there so  
9 we left. Across the shipping lanes and then the Rosario Strait --  
10 inside Rosario Strait past Bellingham, and got to the border, call  
11 in to the border, and just went up the inside passage to past --  
12 well, we got the -- to Seymour Narrows a couple of hours early.  
13 So I kind of jogged around there for an hour or two 'till  
14 (indiscernible) maybe half hour, but went through there. Got  
15 through Seymour Narrows, and then just starting coming up the rest  
16 of the way. Blackney Pass it was real foggy in there. Some  
17 kayakers called on the VHF. So we couldn't see them. So we  
18 turned on our crab lights, and then getting real close to them.  
19 They saw us, and then (indiscernible), and proceeded to still head  
20 up Inside Passage, and then got to Queen Charlotte Straits, and  
21 went through Queen Charlotte Sound. About six hours going around  
22 Queen Charlotte Sound. It was a little rollie, but not bad. We  
23 got back inside, and -- Bella Bella, back around, and went through  
24 Milbanke Sound, and that was pretty nice. Went through, and went  
25 through Grand Reach and Randall Channel, and gone up Inside

1 Passage by Prince Rupert. And so it was pretty nice weather. So  
2 I decided to just cut across to Cape Shaken; around Douglas  
3 Island. We went from -- changed our course from Ketchikan to Cape  
4 Shaken. So then we got across or attempt to cross there, and I  
5 was on watch with Ben, and started to -- we got past Cape Shaken,  
6 and then started a little list. I said I'm going to go down the  
7 engine room. He was on the wheel, and I was in the engine room.

8 And started to drain some fuel out of that tank that was  
9 below us to the day tanks. When I was down there doing that, the  
10 bilge and everything looked fine. Everything looked normal.  
11 Ben came down, and said we're really listing now.

12 Then I ran back up, and we really started rolling, really  
13 started listing. So I (indiscernible) way down, and I tried to  
14 turn the boat into the, to the opposite the way the list, but it  
15 just kept going and going and going. And it was just a matter of  
16 seconds to where we were all the way over, and I said get the  
17 other guys up, get the other guys up. And I didn't know if they  
18 were up or just down in the galley. And so at that point I said,  
19 oh, boy, we're going to need help. So then I grabbed the radio,  
20 and I called the Navy on Channel 16, told them we were west of  
21 Cape Shaken, and then I told them that I saw a crab boat and some  
22 trawlers and sport boats we're right here, were right here.

23 And then I got that out, and then I went over and started  
24 helping those guys -- get the life raft out, get the life raft  
25 out. And then I noticed the radio wasn't on. It wasn't

1 transmitting or whatever. So then I grabbed the other radio, and  
2 it was on. So then I did the same thing on that radio, and that's  
3 the one that got out.

4 And then, then we were all the way over on our side, and  
5 water was coming in.

6 And Charlie, I think it was Charlie, got the life raft off  
7 the top. We got it down to where we were. By then it wasn't on  
8 top. It was kind of a side. We got it down to where we were, and  
9 then I tried to -- well, I tried to get a knife and slit the --  
10 there's a couple, there's a couple Velcro straps on the top. So I  
11 was going to slit those, and make sure it open up, but I couldn't  
12 get a knife, and I couldn't hold the life raft to me to slit them.  
13 So I had the tag line. So then I just started pulling on the tag  
14 line, and I think someone was holding onto me because I was  
15 leaning over the water then. Then I pulled the tag line, and the  
16 life raft popped open. So then everybody started jumping in. I  
17 held it while two or three people jumped in, and then I jumped in,  
18 and then I didn't know immediately -- said Davy, Davy, where are  
19 you at? And then I started looking around the boat for him to see  
20 if he was on the other side. So he's in, he's in. So okay. So  
21 then I tried to -- I knew we had to stay next to the boat, but  
22 then when I saw the crabber come on over, I said we need to kind  
23 of get away from the boat because it's going to be -- can't get  
24 this close to (indiscernible) boat. So I started rowing with my  
25 hands. I asked them if there was any paddles in the life raft



1 kit. There wasn't. So I rowed with my hands, and I get a little  
2 bit away, but I was getting sucked back in. And then the crabber  
3 came over, but he threw us a life ring, and we grabbed it. And he  
4 backed up. We tried to hold on to it, and we did for a little  
5 bit, but that tag line was caught on to something. So we couldn't  
6 get away from him.

7       And then we saw the sport fishing boat come around the  
8 corner. Said, okay, let's get -- but I still realized I can't --  
9 they couldn't get that close either. So we pulled the tag line.  
10 We realized it was (indiscernible) something. So we looked in the  
11 life raft kit for some knives. I thought they would have put  
12 knives in there, but we couldn't find any. But right before we  
13 went in the life raft I had an orange box of -- I just bought a  
14 new box of flares, and I had those flares. So I grabbed those,  
15 and threw those in. We shot a couple of flares while I was trying  
16 to row away, and then when we couldn't get the tag line cut we  
17 opened up a flare, and cut through the tag line with the flare.  
18 Then we were able to kind of push off the boat, and kind of hand  
19 paddle a little bit. And then sport boat threw us a life ring.  
20 We held on to that, and then he pulled back a ways, and he put it  
21 in neutral. He pulled -- he had a step-down door or something the  
22 guys were able to pull themselves from that.

23       Then by then -- rolled over within minutes. Time I was  
24 downstairs, and came back up it was rolling over. And so then,  
25 yeah, so we -- those --

1 Q. That the boat that brought you back into town?

2 A. Yeah, it was the --

3 Q. The *Codfather*.

4 A. The *Codfather*, yeah. And he didn't stay around. When we got  
5 on there then he just -- we were there like 20 seconds, and he  
6 told us (indiscernible). I looked back, and it was just not doing  
7 anything. I could see that the prop (indiscernible) pretty nice.

8 Q. Yeah.

9 A. Do you know those guys?

10 Q. I don't, but we'll definitely reach out to them.

11 A. Yeah. Okay. I got -- he gave me his, he gave me his -- gave  
12 me a sweatshirt, and I got some sweaters I got to get back to  
13 them. He gave me 250 bucks to (indiscernible). He was very, very  
14 helpful.

15 Q. That's awesome.

16 A. Yeah.

17 Q. That's good that we had -- that somebody was out there.

18 A. Yeah.

19 Q. That was able to help.

20 A. I think the *Lady Kodiak* heard my mayday, and he was running  
21 over. I think he probably called the sport boat. They were  
22 anchored up there, I'm pretty sure anchored up there up there  
23 (indiscernible). So then they came --

24 Q. Okay. Well, I'll just go back through everything you kind of  
25 have there, and like to give you the opportunity if I'm missing

1 something, if it's an important thing that I didn't have here, or  
2 wrote down wrong, let me know, okay?

3 A. Yeah.

4 Q. So you guys loaded you said your net, everything else you  
5 loaded up in Port Townsend, and then you were coming north --  
6 Stoningham (ph.) to Canada. And when you got to, I think you said  
7 Queen Charlotte Strait, Queen Charlotte Sounds, it's about the  
8 point where you said, hey, it's decent weather. Instead of going  
9 to Ketchikan --

10 A. No, no. We, no, we didn't do that 'till around Prince --  
11 past Prince Rupert.

12 Q. Right. Okay. So past Prince Rupert.

13 A. Yes.

14 Q. That's where you guys --

15 A. Yeah. It was nice weather. So we'll just shoot across to --  
16 I wanted to go to Sitka.

17 Q. Right. So you're going --

18 (Crosstalk)

19 A. Well, we're just going to go to Cape Shaken, and then cut  
20 into --

21 Q. Clarence (ph.).

22 A. Cordova Bay.

23 Q. Okay.

24 A. Go up that way past (indiscernible) Channel Strait.

25 Q. Channel. Okay.

- 1 A. Yeah.
- 2 Q. Your original route was through up past Ketchikan?
- 3 A. Well, when I got to -- you can -- when you're there, you can  
4 go to -- when you're at Fendrus (ph.) Island, you can either go to  
5 Ketchikan or --
- 6 Q. Right.
- 7 A. -- hang a left and go to Craigway (ph.). So I -- it was nice  
8 weather, so I hung a left and went to Craig.
- 9 Q. Okay. And just as you guys were getting past Cape Shaken is  
10 when you noticed the list?
- 11 A. Yeah.
- 12 Q. You went down to the engine room to start draining the fuel  
13 from one of the storage tanks to the day tank?
- 14 A. Yeah.
- 15 Q. To balance out. Didn't notice any water in the engine room  
16 at that point in time?
- 17 A. No. I looked at the bilge, is there a bunch of water  
18 something down there, but there was nothing --
- 19 Q. Okay. At that point you slowed down, and were starting to  
20 turn opposite of the list?
- 21 A. Yeah.
- 22 Q. Right? At that point you woke up the crew because you were  
23 starting to lay over more already?
- 24 A. Yeah.
- 25 Q. Put out your first mayday call on what you're assuming was a

1 radio that was already off, wasn't working, right?

2 A. Well, after I called out, I looked up, and I noticed it  
3 wasn't on 16. There was no lights on. Then I grabbed the other  
4 --

5 Q. Yeah.

6 A. -- radio, and said, oh, okay, it's on. So I tried that. So  
7 I don't know if the other radio --

8 Q. Sure.

9 A. -- went off because we had such a list, and it was --

10 Q. Right.

11 A. -- pretty sure (indiscernible), but I can't --

12 Q. Okay.

13 A. -- usually I keep both of them on.

14 Q. At that point you guys had -- you had the crew start getting  
15 the life raft ready. The vessel mostly all the way over on its  
16 side. The life raft was instead of being on top was kind of out  
17 on the side. Started unhooking the life raft from the cradle to  
18 deploy it. You had deployed the raft. Everybody loaded into the  
19 raft. You guys moved out just away from the boat as the *Lady*  
20 *Kodiak* came along, and then had to cut the line in the process of  
21 getting over to the *Codfather* with the flare, right?

22 A. Yeah.

23 Q. Then you got on the *Codfather*, and they brought you back  
24 into --

25 A. Yeah. (Indiscernible).

- 1 Q. Okay.
- 2 A. Got back pretty fast. Everything happened so fast.
- 3 Q. Yeah. So jump into a couple things here just some questions.
- 4 Do you remember when you guys left Washington?
- 5 A. Probably -- no, I don't exactly. Probably three days. It's
- 6 usually about three, three days and a few hours to Ketchikan.
- 7 So --
- 8 Q. Okay.
- 9 A. -- three plus days.
- 10 Q. Today is Wednesday. Tuesday, Monday, Sunday? That sound
- 11 right? Okay. We can --
- 12 A. Yeah, but I'd have to (indiscernible).
- 13 Q. Sure. We'll sit down afterwards. We're going to do a 96-
- 14 hour work rest as well to show how, you know, how -- when you were
- 15 awake, when you were asleep leading up to it, and make sure you
- 16 had enough rest to it. So in that process we can go back, and
- 17 figure out the days of which where we were at. But we can wrap up
- 18 with that. When the boat went down yesterday was about four or
- 19 five o'clock; is that right?
- 20 A. Yeah. Something like that. I remember logging Cape Shaken,
- 21 but I don't remember if it was 1600 or 1700.
- 22 Q. Okay.
- 23 A. I know it was an even number.
- 24 Q. Okay.
- 25 A. Forget exactly which --

1 Q. That's fine. I just, I wanted to add those in to what we  
2 were just going over there. Okay. Going back in kind of some  
3 background questions. So you own the boat, correct?

4 A. Yes.

5 Q. Okay. In your name?

6 A. Well, it's in Hotspur, Inc.

7 Q. Hotspur, Inc.

8 A. I'm the sole stockholder.

9 Q. Okay.

10 A. I've owned it since the mid-'90s. Done a lot of work to it.

11 Q. How long have you been fishing for?

12 A. Since 1980.

13 Q. 1980. Fishing mostly up in Alaska here or --

14 A. Yeah.

15 Q. Okay. And what -- are you long-line, are you seining --

16 (Crosstalk)

17 A. -- long-line, and a little bit of everything, but now I just  
18 seine.

19 Q. Okay. And you're coming up each summer or quite a bit?

20 A. Yeah. Since 1980 I fished the southeast, southeast seine.

21 Q. Where were you guys heading to when you were going from  
22 Washington -- not Ketchikan --

23 A. Well, I wasn't sure I was going to go, but the more I thought  
24 about it on the way up, I said, look better if we just go to Sitka  
25 because --

1 Q. Okay.

2 A. -- it's a little bit easier fishing there, get a few more  
3 days.

4 Q. Just outside of Shaken there, just outside of Shaken what  
5 was, what was the sea state like? Do you remember?

6 A. Well, it was nice coming across, but then it got -- once we  
7 got to Shaken it started getting a little bit a wind chop from the  
8 west, and so, and so we get to Shaken a little bit, starting to  
9 get a little choppy there. We were going to cut inside the --  
10 that Eureka Passage there you get in the (indiscernible) just a  
11 little bit bouncy --

12 Q. Right.

13 A. -- cut inside there, and (indiscernible) Eureka Passage.

14 Q. Any idea on what that wave height was at the time or anything  
15 like that? That's okay.

16 A. Wasn't real big, four or five-foot, I guess.

17 Q. Okay.

18 A. Wasn't a big swell. Had a little bit of a swell, but it  
19 wasn't a big ocean swell. Just kind of a wave chop.

20 Q. Okay. And was that -- that was probably the most weather --  
21 I mean, it's not too much, but the most weather you guys saw at  
22 that -- throughout the trip?

23 A. Yeah. It could have been, let's see, similar like that at  
24 Queen Charlotte --

25 Q. Okay.



- 1 A. -- or those places can get bouncy.
- 2 Q. Okay. Do you remember you guys were northbound past Cape  
3 Shaken, do you remember about how fast you were doing?
- 4 A. Like six knots.
- 5 Q. Six knots. I know we talked about some of this yesterday,  
6 but you said the boat was insured, correct?
- 7 A. Yeah.
- 8 Q. And how much was it insured for?
- 9 A. I thought it was a million, but I talked to the insurance guy  
10 who thought it was 700 (indiscernible).
- 11 Q. Okay. More than two different pools on that?
- 12 A. West Coast Marine Fund, and the United (indiscernible).
- 13 Q. So 900 all together?
- 14 A. I'm guessing, yeah. Because I kind of had it split up.
- 15 Q. You said you -- you remember how much you bought the boat for  
16 back in 1990 -- the '90s?
- 17 A. Yeah. 350 or 4.
- 18 Q. Okay. And how much do you think it's worth today if were to  
19 sell it today?
- 20 A. 1.2.
- 21 Q. How many people did you guys have onboard at the time?
- 22 A. Five.
- 23 Q. Five. So you were onboard as the master, correct?
- 24 A. Yes.
- 25 Q. Everyone else onboard were just deckhands or --

- 1 A. Yes.
- 2 Q. Four deckhands. Have you fished with any of these guys  
3 before?
- 4 A. Yeah, two of them. Two of the guys were on my crew last  
5 year.
- 6 Q. Okay. How many years have you worked with them?
- 7 A. One guy is three years, and the other guy this will be the  
8 second year.
- 9 Q. Okay. Do you remember who? Ben and --
- 10 A. Ben and Charlie.
- 11 Q. Ben's been with you for how long?
- 12 A. This will be his second year.
- 13 Q. And Charlie's three years?
- 14 A. Yeah.
- 15 Q. At that point who was on watch when the boat started to list  
16 over?
- 17 A. I was.
- 18 Q. Okay.
- 19 A. And then Ben was -- I was sitting in the seat. He was  
20 standing there talking to me, or he was in the seat in the seat,  
21 and I was talking to him.
- 22 Q. He was up on the bridge but he --
- 23 A. Yeah. He was up there too.
- 24 Q. Okay.
- 25 A. (Indiscernible) when he said, hey, we're really listing now.

- 1 He came down. So I ran up again. He was right.
- 2 Q. Yeah.
- 3 A. Didn't realize down below you don't know how far  
4 (indiscernible).
- 5 Q. Yeah. He stayed on the bridge while you went down to the  
6 engine room?
- 7 A. Yeah.
- 8 Q. Okay.
- 9 A. Then he came down to let me (indiscernible) listing.
- 10 Q. Okay. All right. You had a commercial fishing vessel exam  
11 before, a decal?
- 12 A. Yeah. It's been a few years though.
- 13 Q. Okay. Do you remember about --
- 14 A. No, I don't.
- 15 Q. Did you maintain that at any point or was that just a one  
16 time you did an exam?
- 17 A. Oh, we always maintained everything.
- 18 Q. I mean the decal itself. Have you only done one dockside  
19 exam before? Have you done it a couple times over the years?
- 20 A. Been a few times, yeah.
- 21 Q. Okay.
- 22 A. But I can't remember.
- 23 Q. Okay.
- 24 A. I think the last we had a exam was a few years ago, but I --
- 25 Q. Do you know if that was down in Washington or up here in

1 Alaska?

2 A. I think we had one there, and we had (indiscernible) up here  
3 too.

4 Q. Okay.

5 A. Several years ago.

6 Q. Okay.

7 A. I can't remember.

8 Q. That's okay. Just curious. What was your normal route when  
9 you guys were fishing? Were you just in southeast? Were you  
10 going anywhere else in Alaska?

11 A. No. We're just -- either fish here or around Sitka pretty  
12 much.

13 Q. Fishing out of Sitka where did you guys go?

14 A. Mostly (indiscernible) or Crawfish which is Washington.

15 Q. Okay. Did you guys ever go outside, outside the boundary,  
16 outside in more open water?

17 A. No. Just fished around -- there's a hatchery right next to  
18 Sitka about a half-hour away, and there's another one three or  
19 four hours away. We usually fish one or the other.

20 Q. Have you guys ever -- how many times -- I guess, can you  
21 describe how many times or what your normal route up to Sitka  
22 looked like? And talk about your options where you're going out  
23 -- Shaken and up through Chatam (ph.) and through Ketchikan.

24 A. One time we went down up through Snow Pass, and then down  
25 (indiscernible).

- 1 Q. You feel comfortable taking the boat outside --
- 2 A. Oh, yeah.
- 3 Q. Okay.
- 4 A. We used to long-line outside, but we haven't been outside  
5 long-line about two years.
- 6 Q. The boat itself. So what was the, the hull made of.
- 7 A. Steel.
- 8 Q. Steel hull. The entire boat, was steel, superstructure, the  
9 whole thing?
- 10 A. Yeah.
- 11 Q. Do you remember when the last time you guys pulled the boat  
12 out of the water?
- 13 A. Yeah. It was this spring, couple months, Port Townsend.
- 14 Q. What sort of work did you guys do this spring?
- 15 A. Painted the bottom and then -- yeah, painted  
16 the bottom and then fixed the, the (indiscernible), sanded it,  
17 painted it. And we, and we, and we were out, and we put a new  
18 chiller in. We had to put a new condenser pump in. When we were  
19 doing that we broke off the sea chest valve. So we had hull out,  
20 and Seattle (indiscernible) new sea chest valve on it.
- 21 Q. That was this past spring or that was --
- 22 A. Yeah, that was, like, about three weeks ago.
- 23 Q. Three weeks ago?
- 24 A. Yeah.
- 25 Q. Okay.

1 A. And then when we were at Port Townsend we -- oh, then we were  
2 -- we got back in the water, I got the -- pulled over to the, to  
3 the, to the sanitation pump out there at the fishermen's terminal,  
4 and they started pumping out, cleaning out the bilge, pumping out  
5 all the filter water and all that. And that was working so good I  
6 started breaking up the sludge, and I was trying to get everything  
7 out of the bilge, and I poked a hole in the bottom. So we pounded  
8 a spike in there -- plug. Then we went Port Townsend and hauled-  
9 out, and I got a welder to fix that.

10 Q. Okay.

11 A. It was under -- usually every -- when I hull out, I go out  
12 with a chipping hammer, and go around and hit around the bottom.  
13 But this spot was on a -- it was underneath a --

14 Q. The bottom.

15 A. No. It was underneath a transducer box. There's a big  
16 transducer. We have a box in there.

17 Q. Okay.

18 A. So I could never get to it to look at it. So as I was  
19 chipping away at the sludge, sprung a little leak, so we crammed  
20 that thing in there, and then we went -- were going to Port  
21 Townsend to pick up the net. We dry-docked there, and then welded  
22 that up, and got that fixed up pretty nicely, then we put it back  
23 in the water, and sat there for awhile. Went ahead and got the  
24 net, and started loading that.

25 Q. Okay. I just want to make sure I'm understanding. So you

1 pulled out in Port Townsend spring of this year. So that was --

2 (Crosstalk)

3 A. It was --

4 Q. -- right? Spring was what, March --

5 A. We haul-out every two, three years. That's kind of an annual  
6 thing.

7 Q. Okay.

8 A. -- that was the scheduled haul-out. Then we (indiscernible)  
9 in Seattle fixing the sea chest valve, and then some more time in  
10 Port Townsend and, you know, fix that, that hole by the thing.  
11 That's all by the thing. That's why I went down as I looked  
12 that's like we hit something or something's leaking again. I went  
13 down there --

14 Q. Yeah.

15 A. -- but the bilge was dry.

16 Q. Okay. So since January you hauled-out three times?

17 A. Yeah.

18 Q. So paint and blast in Port Townsend for your two to three-  
19 year --

20 A. Yeah.

21 Q. -- regularly scheduled dry-dock, right?

22 A. Yeah.

23 Q. And no steel work at that time?

24 A. No, I don't think we --

25 Q. -- anything out or?

1 A. We had a, we had a kind of like a UMHW that was felt --  
2 that's close to the top side. So we fixed that. Might have  
3 welded all of the -- we had a little guard on the -- a line guard  
4 on the shaft so we took that apart. We did that. So we put a  
5 little weld on there, but no, nothing big. We went around and  
6 chipping hammer on the bottom see if I can find --

7 Q. UMHW, what's that?

8 A. Oh, that's a plastics on the (indiscernible). That's usually  
9 from the -- that's for the water line up to the (indiscernible).

10 Q. Okay.

11 A. So it -- there was a broken part of that. So we fixed that  
12 --

13 Q. Okay. Did you guys pull shafts or --

14 A. No, we didn't pull the shaft.

15 Q. You said it was just the rope guard?

16 A. Yeah, a little rope guard.

17 Q. Okay. Did you pull rudder post or anything like that?

18 A. No, nothing like that.

19 Q. Okay. So that was, that was -- so do you remember what month  
20 or months timeframe that one was? Trying to make sure I got it  
21 straight.

22 A. I think this -- was pulled out in May.

23 Q. May?

24 A. It went back in the water.

25 Q. And did you -- and then in Seattle you said about three weeks



1 ago you guys hauled-out as well, right?

2 A. Yeah. We were just out for a couple of days when they put,  
3 welded the new stainless steel pipe, and put a new chest valve on  
4 there.

5 Q. Okay. Where is that sea chest about located? Is that in the  
6 engine room?

7 A. It's in the engine room.

8 Q. Okay. So all of that work was directly with the overboard,  
9 the -- or the suction of the overboard?

10 A. The suction.

11 Q. Suction for seawater. That new pipe was -- where was that  
12 at? From the hull to the bow, from the bow from on --

13 A. Well, there's a big, I think it's like a 6 or 8-inch sea  
14 chest, and it was coming off of that.

15 Q. Okay.

16 A. So it was like -- say this is your sea chest, and then there  
17 was a pipe coming off of that.

18 Q. Yeah.

19 A. So we had to put a new condenser pump on. So it's -- we're  
20 taking the pipes off. I think being so far away, and it was kind  
21 of getting bad in there, and it was never a really (indiscernible)  
22 anyway thing -- that we kind of broke that off because, you know,  
23 the -- like a teeter tauter if you pull here there's more force to  
24 that. So then we (indiscernible). I got a buddy was in the Navy  
25 my welder -- he passed away now, but he said you got to get -- he

1 said we -- when I -- we got plugs in every room (indiscernible) if  
2 that makes sense, but, you know, the Navy always getting shot at.  
3 Yeah, you've got to have these different plugs, and hanging on  
4 every room they had, but sounded crazy, but I listened to -- I ran  
5 across it recently, so I drilled them up and hung them there, and  
6 they sure come in handy.

7 (Crosstalk)

8 Q. But all of that was replaced, fixed, new pipe, new valve?

9 A. Yeah, that was all --

10 Q. Before going back in the water.

11 A. Yeah, it was extra thick, extra thick stainless pipe in  
12 there.

13 Q. Okay. The rest of your piping stainless as well or?

14 A. No.

15 Q. Just that one --

16 A. Some of it is, but most of it was just, you know.

17 Q. Okay. That was Seattle. And then Port Townsend again for  
18 the -- just the area under the transducer box, right?

19 A. Yeah.

20 Q. Okay. Do you remember how big of a, of a cutout that was  
21 that you guys replaced?

22 A. (Indiscernible).

23 Q. You just did a weld, just build-up weld?

24 A. Yeah, we build the weld, and then we put a -- fill it up with  
25 weld, then we put a patch about 8 by 5.

- 1 Q. A patch of what?
- 2 A. A quarter-inch plate of steel 8 inches by 5 inches.
- 3 Q. Okay. That was on the inside or the outside of the hull?
- 4 A. Outside. The inside you couldn't really get to it. Then we  
5 pounded around there as much as we could to make sure there's real  
6 good steel around there.
- 7 Q. To make sure I'm -- where that hole was, in the engine room  
8 or in the fish hold or where?
- 9 A. Engine room.
- 10 Q. Engine room as well. Do you know what type of shaft seal you  
11 had?
- 12 A. Just the -- don't know what they call it -- the, you know,  
13 just the, the packing --
- 14 Q. Okay.
- 15 A. (Indiscernible) packing. And it's the regular stuff. What  
16 do they call that? It was --
- 17 Q. Single screw or twin screw?
- 18 A. Single.
- 19 Q. Single.
- 20 A. Yeah. (Indiscernible) we just the regular. I forget what,  
21 you know, it's the regular (indiscernible).
- 22 Q. Sure. Do you remember the last time you guys checked --  
23 sorry. Let me start first. Where does that shaft come into the  
24 vessel at? In the engine room? In the laz?
- 25 A. No (indiscernible) the laz.

- 1 Q. Okay.
- 2 A. Under the fish hold, yeah, between the -- that's where the  
3 stuffing box is --
- 4 Q. Okay. Is that the void space? Is that the laz? Where --  
5 what, what space?
- 6 A. There's a bilge area underneath. Bilge goes from there to  
7 the engineer room.
- 8 Q. Is that open to the engine room?
- 9 A. (No audible response.)
- 10 Q. So you had water coming in through that shaft --  
11 (Crosstalk)
- 12 A. -- coming to the engine room.
- 13 Q. Okay. So there's not a separate space -- divided out?
- 14 A. No. I think there's a little -- yeah, there's kind of a  
15 little beam there, but it just, it fills up. It just comes over  
16 that. Goes into the, the engine room.
- 17 Q. Okay. Back in the laz, what sort of penetration do you have  
18 through the hull there?
- 19 A. There's none. Just the rudder post.
- 20 Q. Just the rudder post?
- 21 A. Yeah. There's nothing else. There's a -- on the deck  
22 there's a, there's a couple hatches, couple Baier hatches.
- 23 Q. Up on deck?
- 24 A. On deck, yeah.
- 25 Q. How many hatches on deck?

- 1 A. Two. There's one oval and one --
- 2 Q. Okay. You guys do any maintenance on those hatches?
- 3 A. Yeah. Take them off, and put some oil on -- clean off the  
4 rims, and tighten them down. We did that -- we did -- yeah, we  
5 did, yeah, we did do that. Tighten them down, and put a seal.
- 6 Q. Do you do any new gasket material at the same time as well?  
7 Do you have a gasket on the hatch --
- 8 (Crosstalk)
- 9 A. -- gasket. Didn't appear to be (indiscernible).
- 10 Q. Okay.
- 11 A. Pretty good shape.
- 12 Q. So we've got the laz, got the engine room. You said there  
13 was a void space as well?
- 14 A. Yeah. There's voids on each side of the fish hold.
- 15 Q. Are those separate voids or --
- 16 A. Yeah. They're separate.
- 17 Q. Separate. Port and starboard?
- 18 A. (No audible response.)
- 19 Q. Okay. Are there any hull penetrations through -- in the void  
20 spaces? Any (indiscernible) anything else?
- 21 A. (No audible response.)
- 22 Q. Okay. What about hatches up on deck those voids?
- 23 A. Yeah, there's hatches to the voids.
- 24 Q. Do you know how many?
- 25 A. Just one.

- 1 Q. One on each?
- 2 A. Yeah.
- 3 Q. And do you remember for those if you guys did any maintenance  
4 like you said oiling it --
- 5 A. Yeah, those, yeah, recently.
- 6 Q. During -- would have been in Port Townsend back in May?
- 7 A. Yeah. I think (indiscernible) over there in July just --
- 8 Q. Okay. You guys ever do -- test those at all? I mean, you're  
9 just tightening them down to them? Or can you explain how you  
10 would --
- 11 A. Tighten them down, and then try to pull them up, and make  
12 sure they don't come up, and make sure they're locked in place.
- 13 Q. Okay. Have you done a water test or anything like that?
- 14 A. No, we didn't do a water test.
- 15 Q. Just the (indiscernible) see how it's working? Is there a  
16 way to test the, the gasket --
- 17 A. Done that before.
- 18 Q. Do you remember what that gasket material looked like at all?
- 19 A. Just black rubber.
- 20 Q. To get past the void is where the engine room starts?
- 21 A. Yeah.
- 22 Q. Okay. Did you guys have bilge alarms onboard?
- 23 A. Yeah.
- 24 Q. Do you know which state rooms you had bilge alarms at?
- 25 A. In the laz and then the engine room voids.

- 1 Q. And in the voids as well?
- 2 A. Yeah.
- 3 Q. Do you remember if the bilge alarms went off?
- 4 A. (No audible response.)
- 5 Q. Have you ever tested the bilge alarms?
- 6 A. Haven't tested them in awhile. I test them periodically.
- 7 I tested the engine room bilge alarm (indiscernible).
- 8 Q. But not the void or the --
- 9 A. Yeah.
- 10 Q. If those bilge alarms go off, where would you hear that?
- 11 What would that look like?
- 12 A. They'd just hear them in the wheelhouse.
- 13 Q. In the wheelhouse?
- 14 A. Yeah.
- 15 Q. And is it just a audible alarm?
- 16 A. Yeah.
- 17 Q. Do you have a light that flashes at all or anything?
- 18 A. No. No, just alarm, sound alarm.
- 19 Q. Okay. Is that bilge alarm tied into any other alarms on that
- 20 same buzzer?
- 21 A. Yeah. There's other things tied into there.
- 22 Q. Any -- do you remember what those other -- some of those
- 23 other alarms might be?
- 24 A. I had an alarm for speed.
- 25 Q. Okay.

- 1 A. An alarm for water level on the engine.
- 2 Q. So you had some engine alarms on there?
- 3 A. Yeah.
- 4 Q. And then all on the same buzzer?
- 5 A. Yeah.
- 6 Q. Okay. Do you remember the last time you heard --
- 7 A. Well, no, actually those bilge alarms -- I had two or three
- 8 different bilge alarm systems. I had one and had the -- in the
- 9 void. I had hydraulic oil -- water in the fuel, Genset, water
- 10 level for the -- water level in the bilge. I had another system
- 11 that I think was 12-volt, and then I had a 24-volt system that was
- 12 mostly the bilge alarms. Had some undercurrent alarms. Genset
- 13 was charging (indiscernible). Then I had another one just for the
- 14 main engine by itself and --
- 15 Q. Sure.
- 16 A. -- it was just -- the bell was on the hub switch. I had two
- 17 or three different alarm systems for different things.
- 18 Q. Okay. Do you remember any of them, whether it's the 12-volt,
- 19 the 24-volt or the main engine alarm system, you remember getting
- 20 an alarm at all in the -- since you left Seattle? A normal
- 21 shutdown alarm on the engine maybe even?
- 22 A. Well, when I shut it down, yeah. I got that -- yeah, that
- 23 one that's on the engine that's from the hub switch it goes on
- 24 when it's turned on, off when I turn it off.
- 25 Q. Okay.



1 A. So switch was on.

2 Q. But on the 24-volt visibility alarms, and the 24-volt you  
3 said the voids, the hydraulic oil -- things neither one of those  
4 -- do you remember going off during this voyage coming up from  
5 Seattle?

6 A. No.

7 Q. Okay. Are there any of those alarms that would be a normal  
8 thing that you would hear something from or --

9 A. Well, we, in Seattle, we changed the, the water alarm for --  
10 the generator was going off. So then we determined that -- so it  
11 went off then, and then we --

12 Q. That the 12-volt?

13 A. Yeah, I forget -- the 24, and then we started looking at it,  
14 and the water pump was leaking. So it was round down in the water  
15 pump. We put that on (indiscernible).

16 Q. Okay.

17 A. Alarms all over the place. So if water gets into the fuel  
18 those alarms will go off.

19 Q. Sure. Did you guys have, you guys have bilge pumps onboard,  
20 bilge manifold, suction for --

21 A. Yeah. There's a little pump, then there's a -- about a  
22 little inch and a half pump that I could pump out the last couple  
23 feet of fish hold with. Then I got a valve I can turn that on,  
24 and like there's a valve I can use the deck hose to pump -- out.  
25 Then there's a valve I can pump the -- use the circulation pump

1 with the pump out. So there's three or four different -- to pump  
2 out the bilge, but there's nothing in the bilge (indiscernible).

3 Q. Sure. Do you have any way of pumping out the voids or the  
4 laz?

5 A. No. There's no way to -- on the laz there's a, there's a  
6 like -- pump in there, a little pump.

7 Q. Okay.

8 A. No way to pump out the laz or the void.

9 Q. Okay. The 24-volt pump in the laz is that an automatic  
10 pump just kick straight overboard?

11 A. It goes to -- goes up to the top of the deck, and then  
12 there's pipe that goes up, and then back down -- goes to the back  
13 of the deck.

14 Q. It pumps up out of the laz onto the back deck?

15 A. Yeah.

16 Q. Okay. So that pump doesn't go overboard below the water  
17 line?

18 A. No. It goes -- it's like a -- this is the back deck, and  
19 then the pump pumps back through the, the laz, and then right next  
20 to the blower there's a pipe that goes up and then down. So the  
21 water would go in there, and go -- went all the way up to the rub  
22 rail, and then back down (indiscernible) right at the back of the,  
23 at the kind of forward center.

24 Q. Okay. Any idea how far up from where that outlet, that pump  
25 is that -- how far above the waterline normally?

1 A. Oh, well, it's got to go all the way up to the -- goes up  
2 above the rail. Goes up to the rail, and feeds in, and then back  
3 down. It goes something like this. It goes up and on and then  
4 back down. And it stops right at the -- just right at the deck.  
5 So it's -- pumps up to this underneath, and then here's the deck.  
6 So then it goes up there, and then on, and then back down.

7 Q. Okay. So it's at the level of the deck, but you've got a  
8 gooseneck on it?

9 A. To get in there, you have to go all the way up, and around to  
10 that, and this is real close to the deck itself. It's almost  
11 touching it.

12 Q. Okay.

13 A. (Indiscernible).

14 Q. Do you know if there's any, there's a -- any valves in that  
15 discharge side? Is there a one-way valve keeping any water from  
16 going back the other way or just the gooseneck and the --

17 A. Just the gooseneck.

18 Q. Okay.

19 A. And I think actually the -- I think the pipe is actually  
20 touching the ground, and we just drilled some holes in the pipe so  
21 if water came around it would have to go up those holes.  
22 Otherwise nothing that it would -- that little gap would  
23 (indiscernible).

24 Q. Okay. Did you notice that kicking on at all when you guys  
25 were --

1 (Crosstalk)

2 A. -- noticed it, no. Just had it on auto, and we had that pump  
3 on auto --

4 Q. Sure. Is there an indication on the bridge anywhere that  
5 would tell you if that's running? Like a light that comes on if  
6 it's running or anything.

7 A. There's a light that goes to that pump, but I didn't notice  
8 if it was on.

9 Q. There's a light on the bridge that tells you when the pump's  
10 running?

11 A. Yeah.

12 Q. Okay.

13 A. At least that one, yeah, but I didn't notice if it was on.

14 Q. How often are you guys checking the void to the laz?

15 A. We were down in there when we -- in Seattle we were in there.  
16 Forget what -- we put some -- we were in there (indiscernible) in  
17 Port Townsend too.

18 Q. In the lazarette?

19 A. No, the voids.

20 Q. Okay.

21 A. And we put some stuff in the lazarette too before we  
22 departed. We had (indiscernible) supplies and materials that we  
23 kind of all stowed away before we departed.

24 Q. Before you guys get underway do you do any sort of checks?

25 A. Like a checklist of things?

- 1 Q. Doesn't have to be a checklist. Or can you describe --
- 2 A. Well --
- 3 Q. -- before you get underway what you're doing before you're
- 4 pulling away from the dock, especially if you start easing out
- 5 down south?
- 6 A. We're just trying to secure everything, and put everything
- 7 away, and clean up, testing all the engine room, bilge and stuff,
- 8 you know, down there. And go through the -- I didn't go through
- 9 the voids or the lazarette make sure they was working.
- 10 Q. Okay. But you said you put gear in the voids when you were
- 11 at Port Townsend, right?
- 12 A. Yeah. We had some -- I think we put some -- we usually put
- 13 like paper products, paper towels, and paper (indiscernible).
- 14 Q. You didn't notice any water in the voids?
- 15 A. No, didn't.
- 16 Q. Okay. You guys -- I'm trying to think -- getting underway or
- 17 did you at any point in the trip did you check the hatches, the
- 18 lazarette or the voids?
- 19 A. No, I didn't.
- 20 Q. Okay.
- 21 A. (Indiscernible).
- 22 Q. That's why I'm asking.
- 23 A. Checked them and made sure they were tightly -- when we put
- 24 the stuff in there because we had a little, little lesson how to
- 25 do it, you know.

1 Q. Have you ever had any, any point since you've owned the boat  
2 of noticing water getting into the lazarette or into the void  
3 spaces?

4 A. Yeah. There was one time like 20 years ago water got in  
5 there that's when we put the alarms in.

6 Q. Got into both spaces or --

7 A. Just one.

8 Q. Into one of the voids?

9 A. Yeah.

10 Q. Okay. If you had water in the voids, how would you have to  
11 pump that out?

12 A. I had a little -- I had a 110 pump.

13 Q. Okay. Any idea what -- how much that could pump capacity-  
14 wise or anything?

15 A. Probably pumped maybe three or four gallons a minute.

16 Q. Okay.

17 BY [REDACTED]

18 Q. Can you talk about in the voids? This is [REDACTED] So  
19 in the voids you said like 20 years ago you had some water in  
20 there.

21 A. Yeah.

22 Q. Do you know what that came from?

23 A. Yeah. We're out in the ocean, and we're baiting up. We're  
24 about to go long-line (indiscernible), and then the guy didn't dog  
25 the weight down when, when he put it on, and I was -- I got up for

1 my watch I noticed we were listing. So then, what's going on  
2 here? So we went up, and then we saw there was water in there.  
3 So we put the pump -- pumped it out (indiscernible) ones of  
4 similar size to the lazarette.

5 Q. Okay. And they're on the sides of the --

6 A. Yeah.

7 Q. -- the engine room?

8 A. No. It's the engine room, then fish hold, and on each side  
9 of the fish hold is a void, and behind that is the laz.

10 Q. Each of those voids is about the size of your lazarette?

11 A. Yeah. I don't know how to (indiscernible) about 60 or 65  
12 percent of the lazarette. I think the lazarette is bigger than  
13 they are. Yeah. The laz is bigger than they are. So about  
14 probably both of them together might be as big as the laz.

15 Q. And you said like 20 years ago when you had water in -- you  
16 had enough water to cause it to list that time?

17 A. Yeah. Then I noticed it when we (indiscernible) fix this.  
18 So we dogged it off real good. And I think since I put different  
19 hatch covers on there too because those were Freeman hatches, and  
20 they didn't seal as good as the Baier hatches.

21 Q. So between the time when you noticed that you were on the  
22 bridge you noticed a little bit of a list.

23 A. Correct.

24 Q. And then by -- how long between when you noticed first little  
25 bit of list (indiscernible) go down to the engine room? Looked

1 around. You didn't see any water in the engine room. Was by the  
2 time you came back up, and Ben was it, said, hey, we're really  
3 listing now? How much time do you think had elapsed?

4 A. Between I went down and he came down?

5 Q. When you first noticed a list.

6 A. A list. About a minute or two, minute and a half and I went  
7 -- because I can get down in the engine room in less than a  
8 minute.

9 Q. Yeah.

10 A. Right down couple ladders. Went down there, and looked in  
11 the bilge, and there's nothing there. Opened up that, opened up  
12 that fuel tank. It was on the, on the low side. So we'll drain  
13 that out, try to get level. I didn't think it was anything. I  
14 felt we just got a little fuel list here. And I was over looking  
15 at the other side to see how -- what the level of those sight  
16 glasses were. Then Ben said you'd better come up. It's really  
17 listing. But it wasn't -- didn't take long.

18 Q. Okay. So the only real way water gets into the void is from  
19 the, from the deck --

20 A. Yeah.

21 Q. -- through those things. You do have your shaft penetration  
22 coming through. Where's your shaft plan and packing and usually  
23 you'll have a --

24 A. That's under the fish hold.

25 Q. That's under the fish hold where your shaft gland is just a



1 little --

2 A. Pedro hose.

3 Q. -- packing, and that Pedro hose -- call it Pedro hose.

4 Little rubber hose from where the shaft tube is to your packing --

5 A. No. We don't have those. We got -- it's just -- I think

6 maybe four bolts --

7 (Crosstalk)

8 A. -- packing in there. Then you tighten up the four bolts.

9 Q. Okay. So if that was leaking through where that would enter  
10 into --

11 A. Into the engine room.

12 Q. Into the engine --

13 A. Well, it would go to the bilge, the shaft wall, and then down  
14 into the engine room.

15 Q. Okay.

16 BY ■■■■■

17 Q. ■■■■■ again. Wanted to jump back in. But do you  
18 remember how far offshore you guys were?

19 A. Like a mile or two.

20 Q. A mile offshore? From Shaken from --

21 A. Well, mostly around Nunez Rock there. We passed Shaken. So  
22 we were getting up by Nunez Rock. So we're like a mile or two but  
23 --

24 Q. Okay.

25 A. -- I wasn't taking any (indiscernible) GPS or anything.

1 Q. Did you guys, did you notice anything as you're going through  
2 that area or that you might have gone over?

3 A. Everything seemed fine except for the list.

4 Q. So nothing on the chart that you noticed in that area that  
5 you -- I mean, a mile offshore is pretty far, right? But nothing  
6 that you noticed you would have been close to?

7 A. There's a breaker at Cape Shaken, but we -- I haven't seen  
8 (indiscernible) we went right past that. So there was nothing  
9 there. There's no hazard to navigation out there that I know of.

10 Q. Okay. Did you see any debris in the water, any logs,  
11 anything like that?

12 A. No.

13 Q. No, nothing that you felt as far as hitting anything or --

14 A. Just started listing, and next thing you know --

15 Q. Yeah.

16 A. -- over to the side.

17 Q. Any history that you can think of, soft ground, hard ground,  
18 collision, anything like that within the last say year or two  
19 years?

20 A. (Indiscernible) we just put a bunch of -- last winter we cut  
21 a bunch of (indiscernible), and then they closed down. So he  
22 needed some work. So he's a welder so --

23 Q. Sure.

24 A. -- hired him. He worked on the boat month or two and changed  
25 a lot of stuff (indiscernible) on the house and --

1 Q. Was any of that work on the skin of the ship, on the hull?

2 A. (Indiscernible) hull.

3 Q. Any work below the waterline?

4 A. It was mostly around the house and on the decks, and then all  
5 we put -- we had a couple pipes that -- the fill pipes for the  
6 diesel they were getting rotted out. So he cut those off, and put  
7 stainless on. Cut a lot of old -- the boat was built in '88.

8 Q. Yes.

9 A. So stuff was starting to get old. So anything that looked  
10 like it was getting rusty we'd cut off, put stainless.

11 Q. Where did that fuel pipe where does it come up to?

12 A. It's right in the back of the house.

13 Q. Back of the house. Okay. Above the deck or right at the  
14 deck level or --

15 A. First the pipe meets the deck, and then the (indiscernible)  
16 like two feet of pipe coming up.

17 Q. Did you notice any water coming over the deck before the list  
18 or before the boat was already starting to go over to the side?

19 A. No. Everything seemed normal.

20 Q. The boat ever grounded before that you know of or --

21 A. About 15 years ago it was (indiscernible) and then they hit  
22 -- I wasn't onboard then, but they hit Bold Island on the, on the  
23 way south, and then the high tide came --

24 Q. Have to do any serious (indiscernible) for that or --

25 A. Oh, what happened we brought it back, and the diver was out

1 the Beaver Town, and then they took it down to the shipyard and  
2 fixed it. (Indiscernible) and they had to -- there was kind of a  
3 bend in one of the sides, and they cut that out, and refilled the  
4 piece -- what was laying on the side. We cut that out, put a  
5 piece of foam (indiscernible).

6 Q. Do you remember what space that was open?

7 A. No, that was in the engine room forward.

8 Q. Engine room.

9 A. Yeah. If you stand up in the engine room, would probably  
10 have been about chest high or so. I think it was -- well, it was  
11 over the, it was over the water, waterline.

12 Q. Any -- I know we talked about the repair you guys did to the  
13 transducer that doing the fill well and then the plate on the  
14 outside. Any other repairs -- the lazarette, the voids, or  
15 anywhere below the waterline over the years?

16 A. (No audible response.)

17 Q. Any other plates like that, repairs like that you made above,  
18 below the waterline?

19 A. Eight years ago we put a (indiscernible) valve on, but that  
20 didn't penetrate the hull, you know. It was just (indiscernible).

21 Q. We've kind of been digging out a couple different things  
22 here, but do you have any ideas what space the water came into or  
23 what might have caused that list?

24 A. No. Had to be something in the void. I don't know if  
25 somehow water got in the engine room. I mean, the -- from the

1 fish old to the void. But there was no -- there's no penetration  
2 to go from the -- to the void.

3 Q. Would you guys --

4 A. Happened so fast (indiscernible) that might have happened.  
5 Hard for me to believe that there was something there that did it.

6 Q. Which -- did you guys have anything in the fish hold?

7 A. No. Just water.

8 Q. How much?

9 A. It was a press tank.

10 Q. Oh, okay. Got you.

11 A. Yeah. Just a -- the boat was kind of built to be tanked  
12 down. So if you're not tanked down, you're kind of little high in  
13 the water.

14 Q. Okay. How do you fill the fish hold? Where does the -- that  
15 water come in from?

16 A. The sea chest is over the sea chest valve (indiscernible)  
17 from the ocean through the -- seeps through the valves into the  
18 fish hold.

19 Q. Where is that sea chest at? Sea chest --

20 A. In the engine room.

21 Q. Okay. So the piping from the engine room through the voids  
22 -- so there's piping from engine room into the, into the fish  
23 hold.

24 A. Goes down underneath the (indiscernible).

25 Q. From -- trying to visualize here. Coming from the engine

- 1 room not going through the void --
- 2 A. (No audible response.)
- 3 Q. -- going straight up. That would be where the shaft is at up  
4 from the fish tank?
- 5 A. Yeah. When look at the shaft that way.
- 6 Q. Okay. And do you remember when you (indiscernible) those  
7 tanks up?
- 8 A. (Indiscernible).
- 9 Q. After you've done filling those tanks. What does the process  
10 look like of filling those tanks?
- 11 A. I just opened the sea chest and then -- opened the sea chest,  
12 and opened the valve to the fish hold, and then just kind of just  
13 gravity feeds -- the meat hold as well that hose in there.  
14 Sometimes that -- I got a -- circulation pump. Sometimes I turn  
15 that off, but I think I just turned -- I think this time I just  
16 turned the deck hose on. Filled it all the way up.
- 17 Q. There's valves to each tank from the sea chest separately?
- 18 A. (No audible response.)
- 19 Q. So each fish hold separate valves?
- 20 A. Yeah. There's -- like this is the fish hold. Then there's  
21 a void here, a void here, and then the engine room is in line with  
22 the fish hold.
- 23 Q. Okay.
- 24 A. The fish hold is in the middle. The voids are on the side.  
25 And then the engine room goes all the way across. There's a

1 bulkhead (indiscernible).

2 BY [REDACTED]

3 Q. This is [REDACTED] Do you keep that sea chest valve closed after  
4 you fill it up and --

5 A. Yeah. Yeah, I close it, and I close all the -- closed those,  
6 and I closed the, closed the valves to the fish hold too. So --

7 Q. You check those valves at all when you went down to the  
8 engine room?

9 A. No. I didn't check those.

10 Q. Okay.

11 A. (Indiscernible) mostly looked at the fuel that time.

12 Q. You guys have anything stowed on deck? Any gear on deck at  
13 the time?

14 A. We had buckets, 5-gallon buckets, and bucket with -- some  
15 quarts of paint in it that was right behind the house.

16 Q. Any -- you guys weren't planning to tender or anything like  
17 that?

18 A. No. I had, I had the, I had to leave that kind of piled next  
19 to the, next to the (indiscernible).

20 Q. Okay.

21 A. It's a kind of a small, a small net. It was -- goes on the  
22 skiff, and that was piled on the deck.

23 Q. So on deck. You had to leave that (indiscernible) into the  
24 same skiff?

25 A. Yes.

1 Q. Nothing out of the normal that you would have had on deck?

2 A. That's usually (indiscernible).

3 Q. Any idea what your freeboard was between the water line and  
4 the deck?

5 A. No. I didn't --

6 Q. What's like your normal --

7 A. Oh, usually?

8 Q. Yeah.

9 A. Boy, 12 inches or so between the deck and the water line when  
10 we tank down.

11 Q. Okay.

12 A. (Indiscernible).

13 Q. Sure, sure.

14 A. No, I don't.

15 [REDACTED] [REDACTED] [REDACTED] do you have any questions at this point?

16 BY [REDACTED]

17 Q. Good morning Captain Franklin. This is [REDACTED] [REDACTED]  
18 Sector Juneau. First off, I'm glad you're okay. When these  
19 things happen I'm always happy to be able to interview the  
20 mariners afterwards. I get worried. I'm glad everyone is okay,  
21 and nobody got injured to start off. I'm glad I'm talking to you  
22 today, sir. I would like to touch upon a couple of things we  
23 spoke about, if that's okay, sir. One thing I want to talk about  
24 is when you were doing the work, and you're breaking up those --  
25 that oil, the bilge, and you said you poked a hole in the hull,



1 which would lead to me to believe there was some steel wastage, I  
2 guess. What kind of anodes or zincs did you have on the hull?  
3 Were those actively replaced? What do you have to protect against  
4 steel wastage, sir?

5 A. Well, we -- there's probably about 15 zincs (indiscernible),  
6 and the reason why this spot was bad because it was inside the  
7 transducer box. Then there's a box didn't have any kind of  
8 inspection plate on it. So usually I go around with a chipping  
9 hammer, and spend about an hour or more hitting the bottom of the  
10 boat with a chipping hammer to see if everything's nice and  
11 strong. But where this box was, you know, it's enclosed, and the  
12 transducer's in there. So to get to it, we had to get our --  
13 cutting this out, spend a half-hour, an hour of cutting it out,  
14 and then getting to it, fixing it. So that's the reason this spot  
15 was bad because it was inaccessible to our normal (indiscernible)  
16 until we got this leak. And when we hulled out said where is this  
17 damn leak? We should find it. So we cut the, cut the transducer  
18 box off.

19 Q. Yes, sir.

20 A. The boat was built in '88. So there was spots that hadn't  
21 been gotten to, and they hadn't been painted, and checked in quite  
22 a long time.

23 Q. Okay.

24 A. That was --

25 Q. So most of this work that's done while it was in Port

1 Townsend, and done in Seattle, is that work you did yourself as  
2 the captain and owner, or did you hire out anybody to do the work  
3 and the welding, sir?

4 A. All the guys that did the welding were shipyard guys. I  
5 don't do any welding. I can sand and cut and use a chipping  
6 hammer, but I don't do any welding.

7 Q. Okay.

8 A. One guy that welded the patch he's been a welder in shipyards  
9 for 30, 30 or 40 years. And the other guy from the shipyard  
10 there, he's (indiscernible) so he was a welder for probably  
11 similar amount of time.

12 Q. Okay.

13 A. My buddy who was welding on it this winter he was -- he  
14 worked for 11 years for Foss, and he worked 4 years for Trident as  
15 well. So he's been welding -- for 15 years. So I don't do any  
16 welding.

17 Q. Okay. So shipyard handles all the welding, and especially on  
18 that patch. Was that the only patch your vessel had, or were  
19 there other patches previously installed? Any doublers on there  
20 already, sir?

21 A. (Indiscernible).

22 Q. On patch --

23 A. (No audible response.)

24 Q. Okay. How often do you make this trip up here? Is this a  
25 yearly trip, or how often do you come up here and make this trip?

- 1 A. I got my first boat in '83. So '83 every year.
- 2 Q. Every year? Awesome. How long have you made this trip with  
3 this vessel? Do you still own any other vessels, sir?
- 4 A. Yeah, I own other vessels. I made this trip with this vessel  
5 probably for about 15 years or so.
- 6 Q. Oh, wow. 15 years same boat coming up here to do seining.  
7 In my head I was trying to imagine what it was like when  
8 everything was going down. What happened to the power skiff, the  
9 seine skiff?
- 10 A. It was just, it was just chained and winched down to the side  
11 of the boat. Just they chained it, was winched down -- side of  
12 the boat. Was just, you know, just so snug (indiscernible).
- 13 Q. So the seine skiff kind of got (indiscernible) down? Like  
14 that wasn't an option for evacuation?
- 15 A. Yes, almost like it's welded to the side of the boat -- with  
16 chains and then chain binders and then we take the winches, and go  
17 to the side and snug it down to the boat too. So it was  
18 (indiscernible).
- 19 Q. Okay.
- 20 A. Yeah, this was my first thought to get in the skiff  
21 (indiscernible) was barely enough time to get the life raft.
- 22 Q. Did you have a EPIRB on your vessel, sir?
- 23 A. Yeah, there's a EPIRB (indiscernible).
- 24 Q. I wonder if it deployed or not. I wasn't sure if we got any  
25 hits on that or not?

1 A. I don't know. Just put a new one on.

2 Q. I would hope it would, but that's something else we can look  
3 into.

4 A. But probably if it went off you guys would know.

5 Q. Yeah. We should know. And I would hope that like the auto  
6 release would have worked, the hydraulic hydrostatic release would  
7 have worked. Have you checked that EPIRB hydrostatic release  
8 recently that somebody's looked at?

9 A. Yeah. We just put a new one on just a few weeks ago. The  
10 other one expired. We put the new hydro release on.

11 Q. And was it placed in a location that would have allowed it to  
12 free-flow or was it maybe under an awning or something like that  
13 Captain?

14 A. It was on a, on top of the house from the, from the mast  
15 about chest high. So there was, you know, there wasn't anything  
16 directly over top of it but --

17 Q. Okay. Because I was looking for that to see if we had any  
18 hits afterwards. Because I'm always interested to see the  
19 equipment working properly. And when you say you have one, and  
20 it didn't go off, that's something that triggers an alarm in my  
21 head just from a safety equipment kind of standpoint, Captain.

22 UNIDENTIFIED SPEAKER: Is there one on the life raft too or?

23 ■■■■■ I do not think so. Not typically.

24 CAPT FRANKLIN: The life raft just has the -- another  
25 hydrostatic release. Okay. (Indiscernible). Had two Velcro

1 straps, and I tried to cut those to get it to (indiscernible).

2 BY [REDACTED]

3 Q. That's another thing that was worried to me is why, why the  
4 life raft was still kind of connected to the boat? What -- you  
5 said tag line. Was it like the painter line or what were you  
6 talking about? Did it get wrapped into something?

7 A. Yes. It's a pretty long. Pulled on it for awhile before it  
8 finally popped. I think it's probably 20 or 30 feet long. I  
9 think it's designed to be far enough away from the boat before it  
10 pops. But we were all right there so we wanted -- right there  
11 where we were, but we were sideways. There was stuff floating all  
12 over the place, and so we could not -- can't really maneuver it  
13 very good since nothing's flat anymore. Everything is just  
14 (indiscernible).

15 Q. Okay. I guess from a -- like, I'm trying to envision  
16 everything in my head. I found a picture of the vessel, but from  
17 like a -- do you have like a drawing of all the tanks or something  
18 you'd be able to share with us later? Just so I could get like a  
19 visual of what the internals of this vessel looked like to kind of  
20 help me see if there's anything? Was that something you have  
21 maybe at your home office or something?

22 A. Lot of stuff I kept onboard (indiscernible).

23 Q. Onboard. And you were going to seine fish. So you had your  
24 nets. You had your fishing skiff and everything like that. Okay.  
25 Did you mention how often those inks are changed? Did you change

1 those on your last dry-dock this year?

2 A. Well, usually if they're looking like they're getting  
3 deteriorated we change them. If they look good --

4 Q. Okay.

5 A. -- then I usually -- I don't usually take many off. I  
6 usually just add more on. So --

7 Q. Okay.

8 A. -- way more inks on there than when I bought the boat.  
9 Usually every year we take them out, put about four or five on,  
10 and take two or three off.

11 Q. I was kind of looking in our system at the vessel's history.  
12 It looks like it was in a pretty significant grounding back in  
13 2008. Were you involved in that at all, sir?

14 A. No. I was (indiscernible) they hit Bald Island. I wasn't  
15 onboard.

16 Q. Okay. And there was no major damage or repairs done after  
17 that?

18 A. Well, we -- it came off at high tide. We came back to  
19 Ketchikan. A diver found a -- he took a hacksaw down, and cut  
20 part of the (indiscernible). And then we took it to Seattle, and  
21 then there were some dents on the, the hull that we hulled-out,  
22 fixed those dents.

23 Q. Okay. I mean, that was 14 years ago, 14, 16 years ago. So I  
24 don't think that would have anything to do with that. On your way  
25 up to where the incident occurred, so that was your first major

1 transit of the year you would say after leaving all these dry-  
2 docks. And everything was working normally. Is it the fuel  
3 experienced a list right before the incident? Was there any times  
4 you had to adjust for a list earlier or anything like that?

5 A. No. It was just right at the end there.

6 Q. Okay. And what was your typical -- so I know you were on  
7 watch when the incident happened. How would you typically handle  
8 the watch? Did you split it with your other deckhand? Or how  
9 often would you guys share the watch, sir?

10 A. Everybody took shifts, and one guy liked to drive at night.  
11 So Charlie took night (indiscernible).

12 Q. Yeah.

13 A. Take two, three-hour watch, and then the next guy would take  
14 over. But half the time, you know, I don't have any TV or  
15 anything onboard so half the time the guys are up in the  
16 wheelhouse talking away and keeping track of what was going on.  
17 So it seemed like there's always at least two or three guys up  
18 there.

19 Q. Okay. And do you have any reason to believe there was any  
20 collisions, allisions, or groundings when you were not in the  
21 bridge?

22 A. No.

23 Q. No? Okay. I'm going to review my notes, but I'm not sure if  
24 I have any further questions at this point.

25 [REDACTED] Thanks, [REDACTED]

1 NTSB --

2 MR. WISNIEWSKI: Yes. This is --

3 [REDACTED] -- any questions --

4 MR. WISNIEWSKI: Yes. This is Luke with NTSB.

5 BY MR. WISNIEWSKI:

6 Q. Captain, thanks again for taking your time out right after  
7 this accident. And condolences to you and your crew. I'm glad  
8 everyone made it off alive, but sorry for the loss of your vessel.  
9 Captain, I just wanted to follow-up with a couple of them, real  
10 easy ones here to start off. So you say you were sailing since  
11 the early '80s on these type of vessels. When was the first time  
12 you sailed as a master, a captain onboard?

13 A. Probably '84, '85.

14 Q. So basically since '84 on you've been sailing every, every  
15 year on one of your vessels? This is just one of your vessels; is  
16 that correct?

17 A. Originally a cannery vessel. So then I had the cannery  
18 vessel, and then, and then --

19 Q. When did you have the cannery vessel?

20 A. -- my own vessels. Yeah.

21 Q. I'm sorry? When did you have the cannery vessel?

22 A. That was the first vessel. I think it was '83 or '84  
23 somewhere in the mid-'80s.

24 Q. Okay. And do you have a merchant mariner credential? Do you  
25 have like a 100-toners license?



1 A. No. I don't have any license. I've taken the shipyard comp  
2 class, and I've taken the, the Red Cross class, and I think that's  
3 it.

4 Q. Anyone else onboard did they have any credentials at the  
5 time?

6 A. I don't think so.

7 Q. Okay. And when you were saying like you trained them up. I  
8 mean, obviously, you've been doing this every year since the '80s  
9 going up there to Sitka. How do you train your crew on -- do you  
10 train them yourself? Do you allow the other members to train  
11 them? Or are they all going through you?

12 A. I just everybody I try to show them how to use the computer  
13 navigations, show them what the (indiscernible) parts are, how to  
14 use the radar, radios.

15 Q. Do you have white points plotted on your -- on any chart or  
16 anything?

17 A. Yeah, I got track.

18 Q. Track lines?

19 A. Yeah, there's track, yeah, so I have track lines, and we  
20 always, we always follow the track lines. My bunk's, you know,  
21 there's a little state room in the wheelhouse. So I'm there too.  
22 So --

23 Q. All right. That was my next question is where are you  
24 sleeping in relation to when these other people are at the wheel?  
25 So your cabin is right below -- behind the wheelhouse?

1 A. I'm just six or eight feet away. My head almost sticks out  
2 into the wheelhouse. There's a little stateroom there, and I'm  
3 right there. So I'm six feet away.

4 Q. All right. And I -- so I guess you could hear any alarms if  
5 your door is open or even if it's closed you could hear these  
6 alarms as they're going off or?

7 A. Yeah. I can hear the alarms no problem.

8 Q. Okay. And then just to clarify a couple items with the --  
9 you say your skiff was onboard. Did you have any other -- right?  
10 You had your, your -- both your nets out, your line net and your  
11 seine -- your met, your main net. How about any fishing gear or  
12 tackle other than that out on deck?

13 A. (Indiscernible).

14 Q. Okay. And then the next one is you indicated the fish holds  
15 were pressed. How about your potable water?

16 A. That was about -- there's a tank up forward right as you go  
17 into the engine room. There's a (indiscernible) about chest high,  
18 maybe a little bit lower. Between your belt and your chest. And  
19 then it was down. I looked at it because I wanted to make sure --  
20 it was down about, about four or five inches.

21 Q. Do you make your own water onboard?

22 A. No. We just fill up. So I figured we had enough -- plenty  
23 of water to get to Sitka. So probably -- it's a pretty big water  
24 tank. So it's maybe a thousand-gallon water tank.

25 Q. And how much do you think you had out of it at the time of

1 the accident?

2 A. Probably about half of that.

3 Q. Okay. Half a tank, about 500 gallons onboard?

4 A. Yeah. I guess -- maybe it's 800 and we had 400, but it's a  
5 pretty big tank, but I don't know exactly how much.

6 Q. And then I was just wanting to clarify. I know [REDACTED]  
7 [REDACTED] just asked about the -- any drawings you have on it. Do  
8 you know if you had any -- a trim and stability booklet or any  
9 type of naval architect do any trim and ballast for you?

10 A. The people I bought it from had a stability book, but I don't  
11 know if that was on the boat or not. I'd have to go to my office  
12 and see.

13 Q. Okay. Was there any ballast onboard as well?

14 A. What?

15 Q. Any ballast tanks? I know you talked about -- had the fish  
16 hold pressed. Was there any other ballast tanks?

17 A. No, there's no, no ballast.

18 Q. No ballast. And so from what I understand you were looking  
19 to take fuel out of one side to the other. What side were you  
20 listing to, starboard or port?

21 A. The starboard side.

22 Q. You were listing to starboard?

23 A. Yeah, because that's the -- let me think here. No. It was  
24 the port side. So I opened up the port tank because that's where  
25 the weight was, and then, and that was going to drain into the day

1 tanks.

2 Q. Okay. So you --

3 A. -- level it out, and then -- that was the port side. Then I  
4 went over to the starboard side to see how -- what those tanks  
5 looked like, if they're low or high. And then that's when Ben  
6 showed up. So it would have been -- would have listed to port  
7 side.

8 Q. All right. So if I understand correctly you were taking fuel  
9 out of the port storage tank. Is that essentially like a wing  
10 tank or a saddle tank on the outboard side?

11 A. There's -- there's stern tanks, mid-ship tanks, and engine  
12 room tanks. The engine room tanks had a lumbar line where they go  
13 together, and then so I run off the lumbar -- I run off the engine  
14 room tanks. Then when they start -- get down half full, then I  
15 open up some of the other tanks, and just let it -- like gravity  
16 fill up the day tanks, and then I close those other tanks. So I  
17 was opening up the mid-ship tanks. Now I'm mixed up. I don't --  
18 we listed to starboard because that's the one I found when I was  
19 looking down. I think we were listing to starboard. So I would  
20 open the side we would have listed on, I would have opened that  
21 up.

22 Q. All right. So I just want to make sure I understand  
23 correctly. So you're saying you were listing to starboard. You  
24 opened up the starboard fuel tank. And how were you --

25 A. (Indiscernible).

1 Q. -- how were you transferring that fuel out of the starboard  
2 storage tank?

3 A. Just by gravity. It was I was trying to drain fuel from the  
4 starboard -- from the mid-ship tanks to the -- from the, from the  
5 low side mid-ship tank to the day tank. So I opened up one mid-  
6 ship tank that was low, and that -- since it was higher than the  
7 day tanks it would just drain in by gravity. Then I went over to  
8 the other side. So that would have been the high side, yeah. So  
9 (indiscernible) I guess it was the -- we had a port side list.

10 Q. All right. So you're listing to port, and you're trying to  
11 move fuel over to the starboard side; is that correct?

12 A. No. I'm mixed up about which side we're listing on.

13 Q. Can I suggest -- I know we've been going for awhile. If you  
14 need a break. But what I would like you to do if there's pen and  
15 paper there, pencil and paper for you to just draw this out so we  
16 can kind of understand this if we're not going to be able to get a  
17 fuel tank -- where things were. Just going to -- want to get your  
18 best estimate of where these tanks were in relation to the engine  
19 room, and if you could just draw some of these out for us I think  
20 we would benefit from that so we're all understanding it. And  
21 then if you want to take a break now, I just have probably about  
22 15 or 20 more minutes that I'd like to talk.

23 [REDACTED] Yeah. That sounds good, if you want. We'll  
24 take 5, 10 minutes here. We'll get them water, and recess, and  
25 give them an opportunity to sit and kind of draw this out. We'll

1 do the fuel thing, and then we can do the voids and the laz as  
2 well, and kind of see each of those separately, and I'll try and  
3 share with you guys here in just a minute.

4 MR. WISNIEWSKI: Perfect. Thank you, [REDACTED]

5 [REDACTED] Yeah, definitely. It's 12:43 right now. Let's  
6 say 12:50. We'll try and jump back on if that works.

7 (Off the record.)

8 (On the record.)

9 [REDACTED] -- [REDACTED] [REDACTED] in here as well, and then  
10 Captain Dave here of the *Hotspur*.

11 UNIDENTIFIED SPEAKER: I was going to ask are we still --  
12 just wanted to confirm we're still recording at this point?

13 MR. WISNIEWSKI: Yes. I just started the recording  
14 [REDACTED] I'd like to just continue on my line of questioning.  
15 Luke Wisniewski with NTSB.

16 BY MR. WISNIEWSKI:

17 Q. Captain, thanks for that drawing you just provided us.  
18 Restarting the interview with the Captain David Franklin. So it  
19 sounds like a trim and stability booklet may be was on the vessel,  
20 but it wasn't utilized or you don't, you don't utilize a process  
21 onboard, Captain? It sounds like you're the one. Are you the one  
22 that's moving all the fuel transferring to do the trim of this  
23 vessel?

24 A. Yes.

25 Q. Okay. Do you assign anyone else to move fuel around on the

1 vessel or are you handling that?

2 A. Just me.

3 Q. Okay. So how do you trim the vessel out then, Captain? If  
4 you could just go through on just a normal basis? How do you do  
5 it? Is there fuel, you know, are you doing that just through  
6 these cross-over valves or through a pump or just gravity feeding?  
7 Basically even out the head of the tanks?

8 A. Whatever we were listing to I opened that tank up, and tried  
9 to drain that into the day tank so the heavy side becomes lighter.

10 Q. And, Captain, are you doing that via pump, a fuel transfer  
11 pump, or is that by just a fuel cross-over, a gravity feed?

12 A. I do it with a pump, but most of the time I just do it with a  
13 gravity feed. It's got one-inch line so it doesn't take that long  
14 for the, the fuel to go from one side to the, to the day tanks.

15 Q. Okay. Yeah. It doesn't take long with a one-inch line to  
16 equalize?

17 A. Yes, that's correct.

18 Q. Okay. And when you're finished or when you do these, do you  
19 close off these cross-over valves right away? How do you -- take  
20 me through your process.

21 A. Transfer fuel to the day tanks, I go down the engine room and  
22 open up the tank that I want to drain fish -- or drain fuel to the  
23 day tank, and then I just sit down there 'till, 'till, you know,  
24 it drains down enough. Then I close the valve, and then I go back  
25 upstairs. If it looks like it's going to be a longer time then

1 I'll set my alarm on my phone, and then go up and sit for 5 or 7  
2 or 10 minutes. Then I'll go back up top, and then come back down  
3 and shut that valve. But this trip I just go down and open up the  
4 tank I wanted to trim with, and then stay down there 'till it was  
5 correct, and I just close the valve, and just stay down there and  
6 do it.

7 Q. All right. And I know at the break we, we weren't sure or we  
8 just needed to kind of reset where we were no what side, what side  
9 was it listing to the vessel?

10 A. The port side.

11 Q. It was listing to the port side. Okay. And you were looking  
12 to transfer fuel from where to where?

13 A. The port side was listing. So that was the low side. So I  
14 opened up that, the mid-ship fuel tank so it would drain into the  
15 engine room tanks, and become more level. Then I was overlooking  
16 to see how much fuel was in the starboard side, and then that's  
17 when Ben came down and got me.

18 Q. Okay. So these engine room day tanks are they along the  
19 centerline? Are they right in front of the main engine, the  
20 propulsion engine? Where are they?

21 A. They're on the sides. They're from -- they're on the sides  
22 of the boat from (indiscernible).

23 BY ■■■■■■■■■■

24 Q. This is ■■■■■■■■■■ ■■■■■■■■■■ I was just -- Captain, can you  
25 show me here real quick which one of these tanks we're talking



- 1 about so we can tell?
- 2 A. These are the day tanks.
- 3 Q. The day tanks --
- 4 A. And they're --
- 5 Q. -- are the ones forward in the engine room?
- 6 A. Yeah. Then there's -- they're the only ones in the engine  
7 room, and then there's a line going between these two tanks --
- 8 Q. Okay.
- 9 A. -- that keep them -- a lumbar line.
- 10 Q. Okay. So you were transferring from the tanks that are aft  
11 of the engine room or the outside of the fish hold --
- 12 A. Yeah.
- 13 Q. -- to the day tank in the engine room?
- 14 A. Yeah.
- 15 Q. So from the port storage tank --
- 16 A. Yeah.
- 17 Q. -- to the port day tank?
- 18 A. No. The day tanks are -- they're connected with the lumbar  
19 line. So they're --
- 20 Q. Okay. So there are equal lines between --
- 21 A. Yeah.
- 22 Q. -- the port and starboard day tanks?
- 23 A. They're both open (indiscernible). So I just open the, the  
24 mid-ship tank since it's higher, and it drains into the day tanks.
- 25 Q. Okay.

1           █ █ Luke, I don't know if that helps, but we're just  
2 trying to --

3           MR. WISNIEWSKI: Yeah, I, I'm trying to follow. I'm seeing  
4 the drawing that was provided, and maybe he can mark that up a  
5 little bit, but he's taking it from the port quarter, the aft  
6 quarter outside of the laz, and then there is a common --

7           CAPT FRANKLIN: The mid-ship tanks. There's day tanks, mid-  
8 shift and aft tanks; I was taking out of the mid-ship tank.

9           BY MR. WISNIEWSKI:

10          Q. Okay. So that mid-ship --

11           (Crosstalk)

12          A. -- smaller tank.

13          Q. Yeah. That's on the -- on

14          A. -- outside of the --

15          Q. Yes. It's just forward of the void that says fuel tank that  
16 is --

17          A. Correct.

18          Q. -- outboard side of the fish hold. Okay. So the day tanks,  
19 where are the day tanks? And you're saying they, they are easily  
20 gravity fed. So they're lower in the engine space. Are they  
21 along the centerline of the engine room?

22          A. Not center. They're on the sides.

23          Q. They're also on the sides?

24           █ █ Looking at -- here we've got three tanks on the  
25 outboard side. You've got on the (indiscernible) engine room is

1 one tank on port and starboard just outside of the fish holds.  
2 There's a smaller rectangle we have here labeled fuel tank port  
3 and starboard -- the mid-ship tanks. And I'll label on the side  
4 here, and shoot another picture in just a second. And then the  
5 aft that you had. So --

6 BY ■■■■■■■■■■

7 Q. Captain, does that look right? Day tanks, mid-ship tanks --

8 A. Yeah, yeah, that's correct.

9 Q. -- aft tanks?

10 A. That's correct.

11 Q. And that cross-over that equalizes it.

12 BY MR. WISNIEWSKI:

13 Q. And so there's -- and so, Captain, and correct me here if I'm  
14 wrong, but there's no way like if that is the -- based on the  
15 list, and you're trying to gravity feed over, right, you were not  
16 -- you were not running the transfer pump? You were just gravity  
17 feeding over to this -- the day tank that's in the engine space?  
18 All right, I just received the image. Okay. So, yeah. When you  
19 were gravitating from the mid-tanks were you taking it all the way  
20 over to the starboard side then, correct?

21 A. I just opened up the mid-ship on the port side, and then it  
22 would drain into both day tanks. Both day tanks were open so it  
23 would go into both sides, and then it equalizes with the lumbar  
24 line.

25 Q. All right.

1 A. Both the tanks are pretty much just one tank.

2 Q. I understand now. Okay. I see the drawing there, and the  
3 clarification. Thank you for that. All right. So you were  
4 moving fuel forward into, hopefully, the starboard side, and we've  
5 identified you were listing to port. About how many degrees  
6 initially were you listing to port?

7 A. I have no --

8 Q. Okay.

9 A. I've never really --

10 Q. So if you have the freeboard of 12 inches you were saying,  
11 right? You were pretty much -- you were running at an even keel,  
12 and you had about 12 inches of freeboard from your freeing ports?

13 A. Yeah. Yeah. I don't really have a good type of reference to  
14 figure out how many degrees.

15 Q. Okay. That's fine. How about the freeboard? Was water  
16 washing over on the port side? Was it coming up on deck?

17 A. Yeah, there's waves coming. Well, they weren't coming over  
18 the -- they weren't coming over the boards. There was some water  
19 coming in the scuppers.

20 Q. All right. So they were coming through the scuppers. All  
21 right. On the port side primarily though?

22 A. Yeah.

23 Q. But it wasn't washing all the way across the deck? It was  
24 just really on the port side of the aft main deck?

25 A. Yeah.

1 Q. Okay. That gives us a good reference. All right. And so  
2 we've identified I think all of the skin valves, and you indicated  
3 that the sea chest after you filled the fish hold and pressed it  
4 that you secure the sea chest, and also --

5 A. Yeah.

6 Q. -- the fish hold supply and discharge lines, correct?

7 A. Yes.

8 Q. So where is the main engines taking water from? Where are  
9 they pulling intakes from for their coolant water?

10 A. The main engines?

11 Q. Yes.

12 A. It just has a -- it doesn't -- well, it just has a keel  
13 cooler, and it's just -- it doesn't, it doesn't have saltwater.  
14 It just has a --

15 Q. Oh, it's just a keep cooler. Okay. All right. So keep  
16 cooler for the main engine. How about your generators?

17 A. They --

18 Q. Keel coolers as well?

19 A. Yeah.

20 Q. Okay. So I'm just trying to identify any other skin valves  
21 on the vessel. I know we've talked about several here today, but  
22 is there any others? I mean, you indicated there's no  
23 penetrations thought, right, in either void space?

24 A. No.

25 Q. And I just wanted to double back then on the port void space,

1 which in my, you know, my estimation would be the only space that  
2 would -- could have been filling with -- other than the lazarette.  
3 So what other potential penetrations are in the void space? Is  
4 there any skin valves in that port void space?

5 A. No.

6 Q. Okay. And I think we identified that goosenecks that are on  
7 the main deck. But they feed down into not the void space, right?  
8 They go into the lazarette and the steering gear?

9 A. Yes.

10 Q. Okay. Just to clarify again one last time, the void space  
11 does have a bilge alarm?

12 A. Yes.

13 Q. But not a bilge pump, correct?

14 A. Had no pump.

15 Q. Okay. And I know we talked a lot about these bilge alarms,  
16 but we did not -- there was no test done prior to leaving, and you  
17 don't -- you did not enter the void spaces during your voyage?

18 A. Yeah, we, we (indiscernible) we put some pops and sodas in  
19 there, and some paper towels and stuff like that.

20 Q. But you didn't test the bilge alarms at that time, correct?

21 A. Bilge alarms, no.

22 Q. Okay. And just to clarify one last time, when do you think  
23 the last time you checked that port void or the -- either one of  
24 the void spaces bilge alarms?

25 A. Probably last season.

1 Q. All right. And then how about the lazarette bilge alarms?

2 A. Bilge alarm and the pump.

3 Q. Can you remember the last time the lazarette bilge alarm was  
4 tested?

5 A. Probably last season.

6 Q. Last season. Okay. And the other thing I wanted to -- so  
7 you cut -- you said they were Velcro straps around the life raft  
8 canister?

9 A. Yeah. Tried to get them off, and tried to get a knife, and  
10 then that didn't work. So then I just pulled on the tag line.

11 Q. Okay. So when you pulled on the tag line it activated the  
12 mechanism release, and the life raft inflated?

13 A. Yeah.

14 Q. And then for the life raft how did you then position people  
15 in there? It sounded like since it's going -- so the vessel then  
16 started to roll to port, so then were you on the starboard side of  
17 the, like, bulkhead of the wheelhouse is where the life raft was  
18 sitting when you boarded it, or how -- can you go through that how  
19 you, everyone boarded the life raft?

20 A. Well, kind of hard to remember. We were just at the door of  
21 the wheelhouse and the -- and it wasn't -- by then it was already  
22 rolled over, and the guys got the life raft off the top of the  
23 wheelhouse. We didn't want to get fouled. Then I tried to pull  
24 it up to where, up to where we were so we could open it up, but it  
25 was too heavy to get a, you know, we -- it was in the water about

1 a foot down below us, a foot or two, and we were standing on the  
2 side of the wheelhouse, and then, then I kept -- then I pulled the  
3 (indiscernible) line, and it popped and we, we were a couple feet  
4 away. And then I held the life raft. Then everybody jumped in,  
5 and then I jumped in. And then -- but I didn't see one of the  
6 guys jump in, but luckily he was already in. So we just had to  
7 hold the life -- everything -- by that time everything was in the  
8 water, and I was halfway in the water too. And then so we just  
9 -- if we wouldn't have got in the life raft we'd all have been in  
10 the water a few seconds later. There was no more, there's no more  
11 dry space.

12 Q. Oh, wow. Glad to hear everyone got off safely. Thanks for  
13 sharing that. I guess, in your estimation how quickly from the  
14 time the vessel started to roll over how quickly from the time you  
15 guys, you and the -- I think you indicated the, the deckhand --  
16 was his name Brandon? What was his name again?

17 A. Ben.

18 Q. Ben. I'm sorry. Correction, Ben. When you and Ben were  
19 leaving the engine room space, how much time would you say passed  
20 from the time you two left the engine space to the time you  
21 boarded the life raft?

22 A. Three or four minutes.

23 Q. Okay. So, I mean, that was -- so it was listing and rolling  
24 over very quickly. Probably most people weren't able to grab any  
25 of their personal effects or anything from the rooms. They just



1 took whatever they had on them, right?

2 A. I had my shoes on. The other guys didn't have their shoes  
3 on. So, yeah, they were all barefoot (indiscernible).

4 Q. Wow.

5 A. But, yeah, one of the guys had his phone in his pocket. So  
6 other than that everything was --

7 Q. And did -- was there lifejackets or any type of gumby suits?  
8 Did anyone start putting those on as well or -- I didn't hear that  
9 mentioned.

10 A. (Indiscernible) suits, but there wasn't any time to get them.  
11 It happened so fast.

12 Q. Where were the gumby suits located? In the cabins?

13 A. Yeah, in the bunks where the guys sleep.

14 Q. In their bunkrooms. Okay. Any lifejackets on the -- in the  
15 wheelhouse?

16 A. We had one in the skiff. We had one or two in the skiff, but  
17 none in the wheelhouse, no.

18 Q. Okay. All right. And it sounds like the EPIRB, no one  
19 grabbed the EPIRB, but not sure -- we're not sure right now if it  
20 went off. But --

21 A. Grabbed the box of flares, but they were handy though right  
22 under the, you know, the pilot seat.

23 Q. I'm sorry. Can you say that again? I --

24 A. Flares they were handy. They were right there under the  
25 pilot seat that we were sitting on. So that was very, you know,

1 that was very easy to grab, but there was no way to go anywhere  
2 else and get anything.

3 Q. Okay. No, this is all great information, and then I guess  
4 the last thing you indicated you were close to Nunez Rocks; is  
5 that correct?

6 A. (No audible response.)

7 Q. And you -- how far were you from the point of Nunez Rocks?

8 A. I don't know. I think we were either near them or past them  
9 or somewhere around there.

10 Q. But you were heading on a, what, north westerly course at  
11 that time?

12 A. Yeah.

13 Q. Okay. And do you know if your -- you didn't have your AI --  
14 right? You weren't fishing, so you weren't broadcasting anything  
15 from -- for NOAA?

16 A. Well, I had the AIS on.

17 Q. Okay.

18 A. But I wasn't -- that's it, you know.

19 Q. All right. We'll take a look at your AIS.

20 MR. WISNIEWSKI: But I think that's all I have right now ██████████  
21 Captain, like I said, I really appreciate your time, and yeah,  
22 I'll wait around to the next go-around to see if anyone else has  
23 any more questions. But thank you. I mean, you've been on this  
24 vessel for a number of years. You know these things inside out.  
25 And so we're just trying to understand what happened, and try to

1 prevent this type of reoccurrence. And my agency will make its  
2 own report on this, and we appreciate your time and effort here  
3 today especially right after the casualty with your vessel. So  
4 appreciate.

5 I'll turn it back floor over to you [REDACTED]

6 BY [REDACTED]

7 Q. Captain, I just had a quick follow-up question. We were  
8 talking about soda and paper products and stuff like that in the  
9 voids. Do you remember where the bilge alarms are located in  
10 those voids?

11 A. They're down foot or two off the bottom. There's some -- the  
12 hull is like this, and then it's got the (indiscernible) like  
13 that.

14 Q. Yeah. Okay. Do you know about how far off the bottom?

15 A. Couple feet.

16 Q. Couple feet?

17 A. Yeah.

18 Q. Two to three feet off the --

19 A. Yeah.

20 Q. -- off the bottom? Did any of the -- what does that bilge  
21 alarm look like? How is it actually? Is it just a float?

22 A. Yeah, a little float switch.

23 Q. Okay. Did you have any of the other the sodas, the paper,  
24 anything stowed around where the bilge alarm was located?

25 A. I don't think so.

1 Q. I wonder do you think any of that would have been heavy  
2 enough if it had gotten on top of there to keep that from floating  
3 off?

4 A. It might have.

5 Q. Everything you stored in there was it stored just kind of  
6 loosely? Was there a chance that if you had waves going that it  
7 could have moved around, rolled around?

8 A. Yeah, things could have rolled around.

9 Q. Anything else in the rest of the boat rolling around, moving  
10 around as you guys were --

11 A. Not really. It would have had to have been -- I think it  
12 would have -- things could have -- it wouldn't have rolled back  
13 and forth like that.

14 Q. Sure.

15 A. Like a bottle on a --

16 Q. Right.

17 A. -- but things might have shifted a little bit.

18 Q. Okay.

19 A. (Indiscernible).

20 Q. Packed pretty tight or --

21 A. Packed pretty good.

22 Q. Okay. Up forward -- just going to point out here. So you're  
23 saying on the void back aft two or three feet off the bottom is  
24 where that bilge alarm was?

25 A. Yeah. Seemed like it was like right around down there.

- 1 Q. Okay. So a couple feet from that bulkhead?
- 2 A. Yeah.
- 3 Q. That aft bulkhead. And all the stores were within a couple  
4 feet of that or --
- 5 A. Yeah.
- 6 Q. Okay. Did it fill most of the void or just a kind of a --
- 7 A. Just a little bit.
- 8 Q. Just a little, just a little pile?
- 9 A. Yeah.
- 10 Q. Where are the hatches? You said there's a hatch on each  
11 void.
- 12 A. They were like, kind of like right here.
- 13 Q. Okay. So just about almost over where -- over top of where  
14 that bilge alarm is?
- 15 A. Yeah, pretty close to the bilge alarm.
- 16 Q. Okay. Was there any water coming across the deck before you  
17 guys noticed the list?
- 18 A. The deck is -- I think it was -- on the same boat the deck is  
19 here, and then we have a wood deck. So --
- 20 Q. Right.
- 21 A. So you can't really see what's going on down there.
- 22 Q. Okay.
- 23 A. But I don't know if -- there was water coming in on the  
24 scuppers.
- 25 Q. There was water coming across the scuppers during your trip?

1 A. Yeah, the scuppers under that, under that (indiscernible)  
2 there.

3 Q. Okay.

4 A. Not just -- I mean just during the (indiscernible) a little  
5 bit more.

6 Q. But it -- did it seem like it was draining off the deck?

7 A. Yeah. It seemed like it was draining pretty good.

8 Q. Okay.

9 [REDACTED] [REDACTED] anything? Any other follow-ups at this  
10 point?

11 [REDACTED] Nothing further at this point. Thank you.

12 [REDACTED] Perfect. Captain, I appreciate all your time  
13 today. I appreciate all your help as we're walking through this.  
14 Crew has been helpful in answering questions and working through  
15 things, and I get it's hard as we're -- you guys are trying to  
16 figure things out, and figure out what comes next. But I think  
17 it's worthwhile that we're able to debrief and go through all  
18 these questions while it's still fresh in everybody's mind, and  
19 I'm sure that we're -- we'll have some good information.  
20 Hopefully get some idea of what might help keep this from  
21 happening to the next boat, to your next boat to, you know, the  
22 next -- for your crew going forward, and for all your, all your  
23 buddies as well out here.

24 CAPT FRANKLIN: Thanks for --

25 MR. WISNIEWSKI: [REDACTED] this is [REDACTED] or -- this is Luke

1 Wisniewski again, NTSB. I just have a couple before you release  
2 him if that's all right.

3 [REDACTED] Please.

4 BY MR. WISNIEWSKI:

5 Q. Captain, I just wanted to go through one last time with these  
6 fuel tanks, and the amount of, like, fuel you believe were in each  
7 of them. Like, if you're looking at the port side, and we'll  
8 start with the port day tank, so you say they equalize. How much  
9 do you think were in the day tanks at the time of this accident?  
10 Around 1500 -- would you say 1600, 1700?

11 A. The day tanks?

12 Q. Yes.

13 A. No. They're 2 or 300.

14 Q. And at the time so they were about, what, half full? What's  
15 -- how much was in there?

16 A. Seemed like they're half full.

17 Q. Okay. And then let's say the mid fuel tank port side?

18 A. Kind of a blur now. I would think that was half full.

19 Q. Okay. And you were transferring that over to the forward  
20 fuel tanks, the day tanks that would equalize?

21 A. Yeah.

22 Q. All right. Would you say in your estimation mid -- the mid  
23 tanks were half full?

24 A. That one was. I think the other one was less than that, if I  
25 remember.

1 Q. So you think there was less in the starboard mid tank?

2 A. Yeah.

3 Q. How much would you, would you guess, would you estimate was  
4 in the starboard fuel -- mid fuel tank?

5 A. I was checking on it when Ben came and got me. So I don't  
6 know. I didn't really have time to get a good accurate estimation  
7 of what it was. He said hey we got to get up there, and then I  
8 just, you know, I didn't, I didn't sit there and study it. So I  
9 don't know. I think it was -- more empty than the other one I'm  
10 relatively sure.

11 Q. Okay.

12 A. That's kind of (indiscernible).

13 Q. Fair enough. And then the aft fuel tanks, the port side, how  
14 much -- how do you estimate what's in there?

15 A. Well, they were -- I didn't take any out. They were like --  
16 both of those were like half full I think.

17 Q. Okay. So none of them were really pressed up. So they were  
18 all about half, half full?

19 A. Yeah.

20 Q. And let me clarify. Half full on the aft port, and aft  
21 starboard fuel tank, the ones that are outboard of the lazarette?

22 A. Yeah.

23 Q. Okay. And appreciate that. And then I guess just couple  
24 more here. One as far as are you with your insurance -- I know  
25 this is very early on, but are you looking to salvage this vessel?



1 What's your intentions right now?

2 A. Well, I doubt they're going to find it. There's a tremendous  
3 current out there, and it was barely -- a little bit was sticking  
4 up. So, yeah, we can salvage it, but it's, you know, I don't know  
5 you, how you may determine that, that situation.

6 Q. Okay. And you say the depth of the water -- what was the  
7 depth of the water at where you -- where it sunk?

8 A. 30 or 40 (indiscernible) but I didn't, you know, you know I  
9 wasn't -- don't know the number.

10 Q. Okay. And I guess the last question really is just an open-  
11 ended question to you as far as is there anything that we haven't  
12 talked about today or something that you're going to look into  
13 that we should look into as well from an investigation standpoint?

14 A. Not that I can really (indiscernible). Nothing I can think  
15 of.

16 Q. Okay.

17 A. It's kind of hard to think. Things going around in my head.  
18 It's hard to concentrate. It's hard to focus. Hard to comprehend  
19 complex stuff. So my brain isn't working.

20 Q. No, I -- sir, I totally understand. Very traumatic event.  
21 I'm glad everyone got off safe. So, yeah, you'll have the LT's  
22 contact information. But please feel free to reach out to us if  
23 anything comes up, or something that you -- that pops into your  
24 head that you'd like to share with us. Because like I said, we're  
25 just looking to prevent this type of reoccurrence.

1 MR. WISNIEWSKI: At this time that's all I have. Thank you,

2 [REDACTED]

3 Thank you, Captain.

4 [REDACTED] Thank you, Luke. Awesome. Well, like I said,  
5 Captain, I appreciate it. Appreciate your time.

6 No, that's what we're here for.

7 CAPT FRANKLIN: Go over in my mind over and over again. It  
8 was like (indiscernible).

9 [REDACTED] Sure, sure. Well, thank you for doing -- taking  
10 the time today and yesterday, and chatting with us. Do you mind  
11 if we have any follow-up questions can we reach back out to you?  
12 I know we'll have to figure out contact information afterwards but  
13 --

14 CAPT FRANKLIN: Yeah. Try to get all these guys home and --

15 [REDACTED] That's definitely the priority next.

16 CAPT FRANKLIN: -- families. So and after that time  
17 (indiscernible).

18 [REDACTED] Definitely.

19 CAPT FRANKLIN: You were a big help yesterday getting  
20 (indiscernible).

21 [REDACTED] Like I said, we're happy to help as best we can.  
22 So --

23 CAPT FRANKLIN: It was a big help.

24 [REDACTED] Perfect. Well, I don't -- unless anybody has  
25 any, any final -- here, I think that's all we have for the

1 interview today.

2 CAPT FRANKLIN: Okay. Thank you.

3 [REDACTED] Captain, we'll let you go. And Luke and [REDACTED]  
4 if you guys are finished up or if you want to hang on the line  
5 either way, and talk more. So thanks, Captain.

6 UNIDENTIFIED SPEAKER: All right. I'm going to stop the  
7 recording. Thank you.

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:           CAPSIZING & SINKING OF THE  
                                  F/V *HOTSPUR* NEAR NUNEZ ROCK,  
                                  NUNEZ POINT, ALASKA  
                                  ON AUGUST 2, 2022  
                                  Interview of Dave Franklin

ACCIDENT NO.:               DCA22FM033

PLACE:                       via telephone

DATE:                        August 3, 2022

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