

Under 46 U.S. Code §6308, no part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States.

UNITED STATES OF AMERICA  
UNITED STATES COAST GUARD

\*\*\*\*\*  
\* In the matter of: \*  
\* \* \* \* \*  
\* THE MARINE BOARD OF INVESTIGATION \*  
\* FOR THE CAPSIZING OF THE \*  
\* LIFTBOAT *SEACOR POWER* IN \*  
\* THE GULF OF MEXICO ON APRIL 13, 2021 \*  
\* \* \* \* \*  
\*\*\*\*\*

HOUMA, LOUISIANA

WEDNESDAY  
AUGUST 4, 2021

8:00 a.m. – 4:07 p.m.

## APPEARANCES

### U.S. Coast Guard

CAPTAIN TRACY PHILLIPS, Presiding Officer

MR. ANDREW LAWRENCE

MR. ERIC VERDIN

LT SHARYL PELS, Legal Counsel

LT ANTHONY ALGER, Recorder

PAC ELIZABETH BORDELON, Media Liaison

CWO4 LAWRENCE BLEVINS, Family Liaison

### National Transportation Safety Board

MR. ANDREW EHLERS, Investigator in Charge

MR. MICHAEL KUCHARSKI

MR. MARCEL MUISE

### Parties in Interest

MS. ANTONIA APPS, Esq.

MR. GARY HEMPHILL, Esq.

MR. PETER TOMPKINS, Esq.

Seacor Marine, LLC and Falcon Global Offshore, LLC

MR. GERARD WHITE, Esq.

MR. JOHN PRESTON, Chief Surveyor Offshore  
American Bureau of Shipping (ABS)

MR. PAUL STERBCOW, Esq.

First Mate Bryan Mires

### Also Present:

LT EMILY DENN, U.S. COAST GUARD

(on behalf of LTJG Brandon Critchfield, U.S. Coast Guard)

LCDR PHILIPP KUNZE, U.S. Coast Guard

(on behalf of LT Seth Gross, U.S. Coast Guard); and

(on behalf of BM1 Jessica Gill, U.S. Coast Guard, and BM2 Anthony Abbate, U.S. Coast Guard)

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## PROCEEDINGS

1  
2  
3 **CAPT Phillips:** The time is 0800 on August 4<sup>rd</sup>, 2021, this hearing is now in session.  
4 Good morning ladies and gentlemen I'm Captain Tracy Phillips, United States Coast  
5 Guard, District Eight Chief of Prevention. I'm the Chair of the Coast Guard Marine  
6 Board of Investigation and the Presiding Officer of these proceedings. The  
7 Commandant of the Coast Guard has convened this board under the authority of Title  
8 46 United States Code, Section 6301 and Title 46 Code of Federal Regulations Part 4  
9 to investigate the circumstances surrounding the capsizing of the SEACOR POWER  
10 with the loss of 13 lives on April 13<sup>th</sup>, 2021. Our investigation will determine the factors  
11 that contributed to the accident. The hearing will examine a variety of different topics  
12 including the incident, the events leading up to the incident, the weather, search and  
13 rescue efforts, the condition of the vessel, the owner, the charterer and the regulatory  
14 scheme which applied to the vessel. Once we identify what contributed to the incident  
15 we will make recommendations in order to prevent similar casualties from occurring in  
16 the future. This may include recommendations for new laws or regulations. Our Marine  
17 Board will determine whether there's evidence that any act of misconduct, inattention to  
18 duty, negligence or willful violation of the law on the part of any licensed or certificated  
19 person contributed to the casualty. The board will also determine whether there's  
20 evidence that any Coast Guard personnel or any representative or employee of any  
21 other Government agency or any other person caused or contributed to the casualty.  
22 Upon completion of our investigation this Marine Board will submit its report of findings,  
23 conclusions and recommendations to the Commandant of the United States Coast

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1 Guard. I will now review the hearing rules for all participants and observers. First we  
2 would like to minimize any disruptions to the board and to witnesses. Please remain  
3 silent during questioning. Any talking or loud noises that are distracting to the board or  
4 the witness will result in a recess. And the audience member engaged in the behavior  
5 will received one warning. Please do not enter and exit the hearing room during witness  
6 testimony unless absolutely necessary. Second, silence all cellphones. Please exit the  
7 hearing room to make or receive phone calls. Third, treat the witnesses and all other  
8 participants with respect. The witnesses are appearing before the board to provide  
9 valuable information that will assist this investigation. Please be courteous to the  
10 witnesses and respect their right to privacy, both inside and outside the hearing room.  
11 Fourth, all media interviews must be conducted outside of the hearing venue. The  
12 members of the press are welcome to attend the hearing and an area has been set  
13 aside for them during the proceedings. The news media may interview hearing  
14 attendees or witnesses if they are agreeable, but these interviews shall be conducted  
15 outside of the hotel building. Any witness interviews shall be conducted after I have  
16 released the witness from these proceedings. Finally, hearing attendees shall remained  
17 masked at all times and shall comply with other posted COVID protection measures.  
18 Hearing participants may remove their mask during questioning and testimony. Any  
19 failure to follow the hearing rules will result in one warning. If an individual continues to  
20 engage in the same behavior after receiving a warning, that individual will be removed.  
21 Warnings or removal of audience members can cause significant delays in the  
22 proceedings, so we ask for your cooperation in following these rules during this  
23 important event. I will briefly like to recognize that today is the 231<sup>st</sup> birthday of the

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1 Coast Guard. Happy Coast Guard day everyone. We have one adjustment to today's  
2 witnesses. The second witness for today will be a virtual witness in lieu of hearing in  
3 person. We will now hear testimony from Lieutenant Junior Grade Brandon Critchfield.  
4 Lieutenant Alger can you please administer the oath.

5 **Recorder:** Good morning.

6 **WIT:** Morning.

7 **Recorder:** A false statement given to an agency of the United States is punishable by  
8 a fine and or imprisonment under 18 U.S. Code 1001 and may also subject you to  
9 discipline under the Uniform Code of Military Justice. Knowing this do you solemnly  
10 swear that the testimony you're about to give will be the truth, the whole truth and  
11 nothing but the truth, so help you God?

12 **WIT:** I do.

13 **Recorder:** For the record please state your full name and spell your last.

14 **WIT:** My name is – my name is Brandon Critchfield. Last name spelled C-R-I-T-C-H-F-  
15 I-E-L-D.

16 **Recorder:** Thank you. And if you could identify your counsel at present to confirm  
17 representation.

18 **COUNSEL:** I'm Lieutenant Emily Denn, D-E-N-N, agency counsel for Lieutenant(jg)  
19 Critchfield.

20 **Recorder:** Thank you.

21 **CAPT Phillips:** Thank you Lieutenant Alger. Good morning, thank you for joining us  
22 here today.

23 **WIT:** Thank you.

1 **CAPT Phillips:** Could you please start out by telling us where you currently work?

2 **WIT:** So currently I'm assigned to the Eighth District Command Center in New Orleans.

3 **CAPT Phillips:** How long have you been there?

4 **WIT:** I've been there for just over a year now.

5 **CAPT Phillips:** What's your position?

6 **WIT:** My assigned position is Command Duty Officer.

7 **CAPT Phillips:** Can you tell us what your general responsibilities are as Command  
8 Duty Officer?

9 **WIT:** So the Command Duty Officer has overall supervision of the watch floor making  
10 sure that the day to day tasks are being completed as well as supporting any of the  
11 other watch standers and anything they may need assistance with.

12 **CAPT Phillips:** Thank you. How long have you worked for the Coast Guard?

13 **WIT:** I've worked for the Coast Guard for just coming up on 16 years now.

14 **CAPT Phillips:** Can you tell us what else you've done in your Coast Guard career?

15 **WIT:** So I started my Coast Guard career off in aviation. I was an AET so I worked on  
16 the electronics on aircraft. Specifically the H60. In that I also took on flying duties  
17 where we fly as aircrew in the back for other search and rescue cases.

18 **CAPT Phillips:** You said the term AET, can you explain that acronym?

19 **WIT:** It's Aviation Electronics Technician. Again it deal with all the avionics and  
20 electronics on the helicopter on the repair side.

21 **CAPT Phillips:** Thank you. Have you ever spent anytime underway?

22 **WIT:** Most of my time underway was when I was in the Navy prior to the Coast Guard.  
23 So very little Coast Guard underway time.



1       **CAPT Phillips:** How long were you in the Navy?

2       **WIT:** I was in the Navy for four years.

3       **CAPT Phillips:** And what did you do there?

4       **WIT:** I was an aviation structural mechanic on H60.

5       **CAPT Phillips:** Thank you. Have you worked for other companies besides the Coast  
6       Guard and Navy?

7       **WIT:** Predominately that's it. Other than High School jobs I had growing up.

8       **CAPT Phillips:** Thank you. What's the highest level of education you've completed?

9       **WIT:** I've completed a Bachelor's degree and currently working on my Master's.

10      **CAPT Phillips:** What field was your Bachelor's degree?

11      **WIT:** It was in organizational management.

12      **CAPT Phillips:** Do you hold any professional licenses or certificates?

13      **WIT:** I do not.

14      **CAPT Phillips:** Thank you. Overall can you tell us what a District Command Center  
15      does?

16      **WIT:** The District Command Center really supports the local and Sectors we help them  
17      managing any aviation assets or any assets that we may have control over in order to  
18      help support those Sectors.

19      **CAPT Phillips:** Can you tell us a little bit more about that? What would a Sector  
20      manage and what would a District manage?

21      **WIT:** So a Sector manage small boat stations, that are small 29 foot response boats  
22      that they have. If they require a helicopter for instance they will call the District and  
23      request the helicopter and we'll ask them some basic questions, what the situation of

1 the SAR case or what their need specific is and determine whether they can use that or  
2 not. We typically will always give it to them. But sometimes we can interject with other  
3 ideas that might be better solutions. But at the end of the day what we'll do if they need  
4 the helicopter we'll get the Air Station involved and we'll authorize the launch of the  
5 aircraft.

6 **CAPT Phillips:** Thank you. Are there Air Stations that cover each Sector?

7 **WIT:** There are for the most part. It's kind of interesting the way ours is set up in that  
8 we have Air Station NOLA that also covers all the way to Mobile. So they're not right  
9 there in their backyard. But we do have ATC Mobile with the – that will assist in any  
10 search and rescue in that area as well.

11 **CAPT Phillips:** On the record we want to try and reduce the number of acronyms. You  
12 said Sector NOLA.

13 **WIT:** Oh sorry. Sector New Orleans.

14 **CAPT Phillips:** Okay. And you said ATC Mobile.

15 **WIT:** So Aviation Training Center has an operations department that operate the  
16 HC144's as well as their training division. But we get a little section of that Air Station.

17 **CAPT Phillips:** Thank you. And an HC144 is a type of Coast Guard aircraft?

18 **WIT:** It's a dual engine fixed wing aircraft, yes.

19 **CAPT Phillips:** Thank you. Going back to the District Command Center how many  
20 people are typically on watch in a District Command Center?

21 **WIT:** We'll typically have three people on watch and then sometimes we'll have a fourth  
22 person for a marine safety watch.

1     **CAPT Phillips:** And what type of equipment do you have in the District Command  
2     Center?

3     **WIT:** In the District Command Center we have our workstations, our computers. We  
4     also have HF, so over the Verizon communication with automatic linking establishment  
5     capabilities so we talk to our own assets that might be using that same radio equipment.  
6     And that's kind of the limits with what we have specifically at the District.

7     **CAPT Phillips:** Do you ever use a HF, what is that for? Stand for?

8     **WIT:** It's a high frequency radio. So it's, again for over the Verizon. We do use it  
9     occasionally. It's sometimes faster to call the aircraft directly that way if we need pass  
10    information or if they need to pass information to us.

11    **CAPT Phillips:** Do you ever use that high frequency communication to talk to anything  
12    besides Coast Guard assets?

13    **WIT:** Do no.

14    **CAPT Phillips:** Do you have VHF radios?

15    **WIT:** We do not.

16    **CAPT Phillips:** Thank you. What kind of area of responsibility does the Eighth District  
17    Command Center cover?

18    **WIT:** So we cover 26 States that expand over 7 different Sectors. So that includes the  
19    Gulf Region through the Panhandle of Florida all the way up to the border of Canada.

20    **CAPT Phillips:** Can you tell us roughly how far East and West it goes?

21    **WIT:** So going out West we incorporate all the way to Colorado and going East, Sector  
22    Ohio Valley has parts of West Virginia.

23    **CAPT Phillips:** Thank you. Are there also command centers at Sectors?

1 **WIT:** The Sectors have their own command centers and they have slightly different  
2 communication capabilities than what we have.

3 **CAPT Phillips:** How many Sectors are in the Eighth District?

4 **WIT:** We have 7.

5 **CAPT Phillips:** And what is the relationship between the District Command Center and  
6 the Sector Command Center?

7 **WIT:** The District Command Center is there to support.

8 **CAPT Phillips:** Thank you. What type of training do you need to become a District  
9 Command Duty Officer?

10 **WIT:** So in order to become a Command Duty Officer you have to initially go through  
11 what we call SAR school. So it's approximately a one month long school that teaches  
12 us specifics to search and rescue policy and how to use some of the tools that we're  
13 going to use while doing the various search and rescue cases. Specifically SAR OPS.

14 **CAPT Phillips:** Okay. So you said the term SAR, is that SAR?

15 **WIT:** SAR, search and rescue Captain.

16 **CAPT Phillips:** Okay. And then you said the term SAR OPS.

17 **WIT:** SAR OPS, SAR OPS is the name of the program we use when we like to figure  
18 out drifts and where the best probability and location for something may be.

19 **CAPT Phillips:** Thank you. So you have one month of search and rescue school. And  
20 then what happens after that?

21 **WIT:** Once we complete that we have a break-in process. We have a minimum of 15  
22 watches that a CDO will stand with a qualified person. Minimum some people may  
23 stand more for one reason or another. In that with a qualified person you're supposed

1 to go over all the different stuff that's specific to that unit. And you get sign offs and  
2 eventually once you're complete there we sit in front of a board and are asked a series  
3 of questions to determine whether we can stand that watch.

4 **CAPT Phillips:** Thank you. Were you on duty in the District Eight Command Center on  
5 April 13<sup>th</sup>, 2021?

6 **WIT:** Yes Captain.

7 **CAPT Phillips:** What were you assigned to do that day?

8 **WIT:** That day I was assigned as the Command Duty Officer.

9 **CAPT Phillips:** Can you start at the beginning of the day and kind of walk us through  
10 everything that you remember from that day?

11 **WIT:** Yes Captain. So I remember getting in on the watch and getting my relief  
12 completed talking with the person that I was relieving if there was anything that was  
13 significant throughout the evening, anything that they may want to make sure I know  
14 about throughout the day for my own watch. Once that process was done that morning  
15 we had very little to pass to each other and I assumed the watch. Most of the morning  
16 was actually pretty low key. I was able to clear my email inbox which seems to always  
17 be a challenge with us. Catch up on some other training that we had, just general  
18 military training. And I was just watching the news. Later as the watch progressed I  
19 remember looking out the window of our watch floor. We sit downtown and have a view  
20 of the Mississippi River and sit pretty high. And we would see some weather kind of  
21 rolling in, honestly it wasn't anything special because it's New Orleans and anyone  
22 that's lived in the Gulf knows that afternoon storms come. I do remember as the  
23 afternoon progressed the rain, you could see the rain wall coming and the wind picked

1 up to a point that it was blowing the rain pretty hard against our own windows. Myself  
2 and one of the other watch standers we actually sat together for a couple of minutes  
3 and just watched the rain. Nothing significant was happening. I just remember thinking  
4 this is a pretty, pretty intense rain storm that we're getting. As the storm was  
5 progressing we're just watching that I remember looking at the weather channel, talking,  
6 the weather channels just giving some updates to the local weather. The system that  
7 went through and some advisory. I don't remember the specifics, I just remember them  
8 talking about the weather and then looking out the window thinking yep, yep they're  
9 right. We eventually started getting some EPIRB alerts in our computer. Many of the  
10 EPIRBs we were able to determine their non-distressed pretty quick. But they started  
11 coming in and pretty rapidly. It was a little unusual for that many different beacons to be  
12 alerting to our unit. But again like I said we were able to determine non-distress pretty  
13 rapidly for most of them. We got a couple beacons that were within just a couple  
14 minutes of each other. And all the watch standers started trying to help each other get  
15 them sorted out, make phone calls and determine what the status was on them. In the  
16 course of that time we got a hold of someone from SEACOR POWER. We identified  
17 ourselves as we always do, the U.S. Coast Guard we have a beacon going off that's  
18 registered to a vessel, you're listed as the point of contact. The person who answered  
19 told us that the vessel itself was still moored in Fourchon. The watch stander then that I  
20 was on watch with asked him are you sure and he guaranteed us that it was moored in  
21 Fourchon and they were probably just doing some sort of maintenance or something  
22 and it got bumped. And he would reach out to them and figure it out. That person  
23 assured us, like I said assured us the vessel was not underway, but we got his name,

1 got his number. We expressed to him that we would like to hear back, verify that the  
2 vessel was indeed moored. That particular beacon was the first alert was un-located.  
3 So on our computer when beacons are displayed if it knows where it's at it will auto  
4 generate a location on our computer. We have a GPS kind of looking screen and it will  
5 show about the location that that's at. Because it was unregistered, or I'm sorry un-  
6 located, it was registered, because it was un-located all we had to go off of was that  
7 person's word. And based on the other beacons we had going on we proceeded to  
8 determine the distress on any of these other beacons. As this was going on our local  
9 Sector in New Orleans gave us a call and they began requesting aircraft support for a  
10 tug that had four persons on board that were taking on water and preparing to abandon  
11 ship themselves. We also had another case where we had a houseboat with one  
12 person on board and it was reported she had over a dozen cats or other animals on  
13 board and she was taking on water as well. In that we also got several other EPIRBs,  
14 like I said or beacons alerts that we started working through. The company called us  
15 back on one of them pretty quickly to determine that they got a hold of their ship,  
16 everything's fine. Once I would say it was about 30 minutes after we made the initial  
17 call the contact on the – for the EPIRB registration for SEACOR we got a call from  
18 another representative from SEACOR themselves and I don't know where he heard it  
19 from specifically, but he was getting reports that his vessel was overturned. Right as  
20 that call came in we were starting to get reports from our Sector who is getting reports  
21 from other persons on the water of a large vessel that had capsized. To say we were  
22 just trying to sort out the information that we had is an understatement. There's so  
23 much information coming through so many different vessels that were in different states

1 of distress. When that happened it kind of gets your attention real quick because what  
2 you're thinking initially was nothing, it may actually be something very serious. Before  
3 getting off the phone with that gentleman we asked how many persons were on board  
4 that vessel. That person told us there were 07 souls on board. That is a very important  
5 piece of information to us because we want to know how many people we need to  
6 account for. About the time that we got off the phone with that gentleman we  
7 coordinated with Sector. We, as far as for their reports and we started digging back into  
8 the EPIRB. The EPIRB had been located at that point and everything kind of came  
9 together in our minds that SEACOR POWER, something major happened to SEACOR  
10 POWER vessel. Even though we weren't sure exactly what happened based on the  
11 reports I think we kind of knew of what had happened. Continued to work with our Air  
12 Stations to get them launched. They were – they were having difficulties of their own  
13 with weather, that same weather system that went up through Grand Isle is now sitting  
14 over our Air Station in New Orleans and it was also sitting over the Air Station in Mobile.  
15 The weather was so bad that air traffic, according to the Operations Officer at Mobile  
16 that aircraft were being diverted from the area that were supposed to be coming and  
17 landing there. So for them to take off it just wasn't safe. We kept talking and in a very  
18 short bit we're going to reassess the weather, reassess the weather. Something we do  
19 all the time. Weather if it's not safe to take off or safe for the vessel to go out we  
20 reassess and at the very first opportunity of being able to safely leave they will.

21 At that point I had started hearing reports that there was a civilian helicopter that  
22 was nearby trying to get there. Trying to lend any sort of support that they could. As  
23 well as we started getting reports that there was a Coast Guard Cutter which at the time



1 we were thankful there was a Coast Guard Cutter there, but it added a lot of confusion  
2 because we didn't realize there was going to be a Coast Guard Cutter underway and  
3 eventually found out that it was a Coast Guard Fast Response Cutter that wasn't  
4 commissioned yet. They were just getting underway for some training or sea trials or  
5 whatever that they need to accomplish that day. Looking at the totality of the weather,  
6 the situation we had as far as responding vessels and lack of being able to get any sort  
7 Air Station safely off the deck to come and assist I talked to my supervisor, the Chief of  
8 Incident Management and I told him I kind of had a crazy idea, I'm not entirely sure it's  
9 going to work but right now we're kind of out of options. And he told me if I thought it  
10 was going work do it. So I gave Corpus Christi a call, our Sector down there and I got a  
11 hold of their Operations Officer. I explained to them what we had going on and I told  
12 him I was looking at the weather and it looked like if he came over from the West, kind  
13 of hugged the coast line that he might be able to break through some of the heavy  
14 storms and be able to get on scene while some of the Eastern weather was still sitting  
15 over our local Air Stations. His response was let's do it. There to support. Asked  
16 specifically we needed. I told him at that point we were currently dealing with 6 different  
17 search and rescue cases besides the SEACOR. And because of that and them all  
18 being in the very same geographic area asked him to take as much fuel as he could and  
19 take as many extra rafts that they have that they can push out of their aircraft with a  
20 parachute to assist survivors that are in the water. He told us he would be off the deck,  
21 I believe he said he would be off the deck in about an hour an on the way. I knew it was  
22 a long shot doing that, but again we didn't have much of an option. It was sitting there  
23 hearing all of the reports of different vessels in distress and knowing our Air Stations

1 wanted to get up and help but they couldn't. Just something else had to happen there.  
2 And luckily that HC144 was able to successfully get on scene within a couple of hours  
3 and start doing the searches that they needed to do and help assist any ground or  
4 surface assets.

5 Throughout the evening knowing how many people were on board became one  
6 of the pieces of information we could never get hammered down. We were hearing  
7 reports from one of the survivors that had already been pulled from the water that there  
8 was 17 people on board. While we were getting reports from other company personnel  
9 that there were 18 people on board. I don't think I ever heard the number 19 until the  
10 following morning pretty early. So just knowing how many people or not knowing how  
11 many people we were looking for became extremely frustrating because that's going to  
12 help us with accountability. Throughout that evening we had other cases that were  
13 going on. That storm system that came through really didn't do well for a lot of the  
14 marine industry throughout other parts our region. So up near Gulfport area we had a  
15 person that was actually blown off the side of their vessel. So knowing that I had  
16 person in the water plus everything that was going on around the Grand Bay area, or  
17 Grand Isle area it just started, the scope of this storm and impact just started growing  
18 and growing. Luckily that person was recovered from the water rather quickly, but in the  
19 process they were injured and we had coordinate with the local station to get them off  
20 for a medical evacuation. Get them to a higher level of care.

21 Talking with our local Sector they recognized the scope of everything going on  
22 pretty quick and they broke their command, or their command center into two sections.  
23 It really helped when we need to talk to them about SEACOR and it helped when we

1 needed to talk to them about anything else, any other case that was going on. So  
2 having that separation and them bringing in whoever they could find and whoever was  
3 available was extremely helpful from our side. There came a point where from the  
4 District side we were starting to become a little more hands off, the Sector was taking  
5 over with most of the search and rescue efforts and we were just trying to figure out how  
6 we could support them in any other way with larger assets. Phone calls started being  
7 made to get a Fast Response Cutter that was currently near Corpus Christi to get them  
8 to come up and assist with the efforts. But because of the limitations they had for fuel  
9 and things like that their response wasn't going to be immediate. However, they started  
10 making efforts to get fuel and start coming up to support.

11 I went back to the duty room to take a quick nap, just to kind of catch up on a  
12 little sleep. It was so hectic. I don't remember I was probably – my eyes had just fallen  
13 asleep for a couple minutes. I set my timer for an hour, I figured I would get a, just get a  
14 power nap is all I needed. My eyes just started closing and one of the other watch  
15 standers came in and said, sir, you're going to want to know what just happened. I said  
16 okay. One of the response boat mediums out of Grand Isle had located a body in the  
17 water and while they were trying to recover the body they themselves had a man  
18 overboard. So one of our own ended up in the water. They were able to recover him,  
19 get him onboard but based on everything that was going on they asked to come back –  
20 back in. They said the seas were really rough. People were kind of shook up over that  
21 and so we pulled them in off that case through the Sector. As the weather seemed to, it  
22 got better but it was never great. It was still high seas, a lot of wind and a lot of rain all  
23 the way to the next morning. Come in the next morning as District personnel started to

1       come in we started coordinating additional aircraft from ATC Mobile and any other 65's  
2       that we could get to support. And then start reaching out to District Seven in Miami and  
3       start coordinating aircraft from Air Station Clearwater which have H60's and C130's out  
4       of there. As well as working with ATC, H60's or 65's that they may have that normally  
5       do not stand a ready posture. Seems like a lot there.

6       **CAPT Phillips:** Thank you very much. Yes that was a lot of details. Thank you for  
7       providing the information. I have some follow up questions. So kind of walk back and  
8       go over things. I think starting from the beginning probably. I'm trying to think of the  
9       best order. Yeah, okay. So thinking back to the night before how much sleep did you  
10      get?

11      **WIT:** Night before I don't know, I probably got full 7, 8 hours.

12      **CAPT Phillips:** What time did you wake up that morning?

13      **WIT:** That morning, typically I'm an early bird so I probably got up about 5:30, 6 O'clock  
14      that morning.

15      **CAPT Phillips:** What time did you arrive at the office?

16      **WIT:** I got to the office about 8.

17      **CAPT Phillips:** And you said you did an in brief with the person that was leaving the  
18      duty rotation. What time is that about?

19      **WIT:** It was probably about 8:30.

20      **CAPT Phillips:** And how were you feeling that morning?

21      **WIT:** I felt great that morning.

22      **CAPT Phillips:** And how did your other watch standers in the command center that  
23      day, look like they were feeling?

1 **WIT:** They all appeared to be doing well. Every watch we ask how everyone is feeling.  
2 We go through a system to determine our overall risk factors for assets as well as for  
3 our own self and weather and things of that nature.

4 **CAPT Phillips:** And so when you did that assessment there was nothing unusual or  
5 out of the ordinary?

6 **WIT:** No.

7 **CAPT Phillips:** Was there anything else unusual that morning that stood out to you?

8 **WIT:** Nothing specific.

9 **CAPT Phillips:** Was all the equipment in the office working properly?

10 **WIT:** It was.

11 **CAPT Phillips:** Did you look at any weather reports that morning?

12 **WIT:** In that assessment that I discussed where we identify how everyone is feeling,  
13 any assets or anything like that. One of the things we talk about is the weather. So with  
14 that we look at what the winds may be throughout the day, what the sea states may be  
15 within our area of responsibility, temperatures, anything that might be unusual. And  
16 nothing seemed out of the ordinary. Again on the Gulf Coast in the afternoons it seems  
17 like we get rain a lot. We get those afternoon storms. So we knew there was going to  
18 be some or a chance of some sort of storm that came through in the afternoon. But it  
19 wasn't going to be anything different than anything we had seen before.

20 **CAPT Phillips:** So how do you get those weather reports when you look at the weather  
21 in the morning?

22 **WIT:** We had a couple different things or websites we will look at. But usually the  
23 National Weather Service or Weather.com, NOAA weather.

1       **CAPT Phillips:** So it's all internet based?

2       **WIT:** Correct.

3       **CAPT Phillips:** Weather information.

4       **WIT:** Correct.

5       **CAPT Phillips:** How do you cover such a large area?

6       **WIT:** What we'll do is we'll kind of spot check areas. So we may look at Corpus Christi,  
7       we may look at Houston Galveston, just kind of work our way around the Gulf. If we  
8       know an area has been getting a lot of bad weather we may look a little harder in that  
9       specific area. But we just kind of look at random areas through our AOR and get an  
10      overall snapshot.

11      **CAPT Phillips:** And so the weather forecasts you saw for that day did anything jump  
12      out at you?

13      **WIT:** Nothing.

14      **CAPT Phillips:** You started to talk about you know in the afternoon there was one  
15      point where you looked out the window and you saw the rain, do you remember what  
16      time that was approximately?

17      **WIT:** I do not. I remember I was eating a snack I had, a piece of fruit or something that  
18      day. So it was around lunchtime probably that I was watching some of that. But it may  
19      have been a little bit after. And I don't remember the exact time though.

20      **CAPT Phillips:** Okay. And had you seen anything like that before when you've been in  
21      the command center?

1 **WIT:** That particular, that rain coming down hitting the windows it happens  
2 occasionally. We see that and again it appeared from our vantage point like a normal  
3 afternoon storm that came through.

4 **CAPT Phillips:** And then you said at some point you started to get some EPIRB alerts.  
5 Just for the record what's an EPIRB?

6 **WIT:** So an EPIRB is an emergency position, sorry, emergency position radio  
7 indication beacon. So that is what a vessel may have one on board that in the event  
8 that they are in any sort of distress they will activate it or it will automatically be  
9 activated. It sends a signal to the satellites and it goes through a series of LUTZ and  
10 MUTZ to eventually get the signal to us.

11 **CAPT Phillips:** Okay. And you said you started getting EPIRB alerts. Do you know  
12 about what time you started getting those EPIRB alerts?

13 **WIT:** We started getting them, it seemed like we started getting them about 1:30, it just  
14 kind of we got one. It wasn't a big deal. We were able to determine non-distress pretty  
15 quick. And then we got another one around like 2:30 and then around 3:30 we started  
16 getting a lot of them. So there was probably a 10 minute span, I would have to go back  
17 and look at the actual summary sheets, but it was around a 10, 15 minute span that we  
18 got 5 different EPIRB alerts. Three of those were within about 1 minute of each other.

19 **CAPT Phillips:** Can you just tell us a little bit about who handles EPIRBs? Is that the  
20 Sector or is that the District?

21 **WIT:** So EPIRBs follow under the District responsibility.

22 **CAPT Phillips:** Okay. And how about a VHF distress call? Who's response for that?

23 **WIT:** That's the Sector's responsibility.

1 **CAPT Phillips:** Thank you. So you said that you did get an EPIRB from the SEACOR  
2 POWER?

3 **WIT:** We did. The first alert we got though was un-located.

4 **CAPT Phillips:** And was that one of those first two EPIRBs, you said there was one  
5 about 1:30, one about 2:30, was that one of those two?

6 **WIT:** So we got one just before SEACOR, we got the SEACOR and then we got  
7 another one right as SEACOR came in.

8 **CAPT Phillips:** So the SEACOR EPIRB alert was around that 3:30 grouping?

9 **WIT:** It's about 3:40.

10 **CAPT Phillips:** So it was in that grouping?

11 **WIT:** Correct.

12 **CAPT Phillips:** And what is the normal process when you get an EPIRB alert? What  
13 do you do?

14 **WIT:** So ideally the EPIRB has been registered. So part of that registration process  
15 has contact information for the owner as well as additional contacts. So when we  
16 receive that alert we use that registration information to try to contact that person to  
17 determine if they are in distress or if they're non-distress. Often times people accidentally  
18 hit them or they knock them off or they don't even realize they're going off because they  
19 didn't see water get on them or whatever it might be. And that person they'll confirm  
20 that it's non-distress, we'll have them read the HEX ID number and verify that based on  
21 the alert we have and we're done with our action at that point. In this particular case  
22 because it was un-located again we started going down the registration information and



1 got a hold of someone using one of those numbers. The person who answered said  
2 they were able to tell us that they believed that the vessel was still moored.

3 **CAPT Phillips:** What happens if an EPIRB is not registered?

4 **WIT:** If it's not registered and not located we can sometimes go through past logs that  
5 NOAA has for beacons see if it's ever gone off before. Maybe somebody else has had  
6 some sort of interaction with it for any reason. Nonetheless we do everything we can to  
7 determine if that vessel or if that EPIRB is in any sort of distress. If it's not registered  
8 and it's not located it really makes things difficult for us to determine where to even start  
9 to look. So often times we're not even able to do that. But we do go through everything  
10 that we can to try and determine if that vessel or that EPIRB is in any sort of distress. If  
11 it's not registered and located then we at least have a position and we can start working  
12 with our local Sectors to possibly push out radio calls, try and call UMIB we call them.  
13 So the broadcast is often heard by PON PON PON PON. It's to let people know that in  
14 the vicinity of whatever position there may be someone that's in distress if anyone can  
15 help please, please do so. With that we'll also utilize our – any assets that we can to go  
16 look in that position and see if we can determine, even though it's not registered if  
17 someone still is in trouble.

18 **CAPT Phillips:** Thank you. And you said the initial notification from the SEACOR  
19 EPIRB was un-located.

20 **WIT:** Correct.

21 **CAPT Phillips:** So that means there was no position associated with that alert?

22 **WIT:** Correct.

1       **CAPT Phillips:** How did the notification come to District Eight versus any of the other  
2       Districts in the Coast Guard?

3       **WIT:** So in the process of that signal going through the system it goes through a group  
4       in the NOAA that determines based on either where that beacon might be registered,  
5       the vessel itself if it normally operates, in this case it normally operates in District Eight's  
6       area of responsibility it will send it to the District that way.

7       **CAPT Phillips:** Thank you. Lieutenant Alger would you bring up the EPIRB summary  
8       sheet I believe it's Exhibit 225 [showing Exhibit]. Thank you. This is a document 28  
9       pages long. It's related to the EPIRB alerts from the SEACOR POWER. I've been this  
10      is a summary sheet. Would you say that's right?

11      **WIT:** That's correct.

12      **CAPT Phillips:** What is a summary sheet?

13      **WIT:** A summary sheet is what we use to determine where the beacon may be going  
14      off. It also has the beacon ID which is the 15 digit number that's specific to that beacon.  
15      And it also has registration information on it.

16      **CAPT Phillips:** Okay. We're going to slowly scroll down. Where on this sheet would  
17      you see the registration information?

18      **WIT:** If you continue to scroll down we'll eventually, scroll way down. Probably just go  
19      to the bottom.

20      **CAPT Phillips:** So you would start at the back.

21      **WIT:** Go ahead, yeah.

22      **CAPT Phillips:** Why don't we start at the last page, page 28.

1 **WIT:** Now scroll up. It will probably be on the next page there as we keep going.

2 There we go, right there. So in this case registration database information owner,

3 Falcon Global, LLC. Contact SEACOR dispatch.

4 **CAPT Phillips:** Okay so that telephone number listed there at the bottom of page 27 is  
5 a phone number that the watch stander would have called?

6 **WIT:** Correct. Had that number not worked, which it could be the same as Falcon  
7 Global, when we're trying to determine whether a vessel or the beacon itself is in any  
8 sort of distress every phone number on there is fair game. We will call every number  
9 that we can come across, so.

10 **CAPT Phillips:** So it's advantageous if there's multiple numbers listed on that sheet?

11 **WIT:** Absolutely.

12 **CAPT Phillips:** And when you have a summary sheet it looks like there's information  
13 about different alerts that this EPIRB is sending out, is that correct?

14 **WIT:** Correct. So as the beacon continues to transmit and satellites pass that  
15 transmission as the position updates and will update us with an alert and that way we  
16 can follow the beacon if need be.

17 **CAPT Phillips:** Okay. So is the first alert at the end of this document or at the  
18 beginning of this document?

19 **WIT:** It should be, so it's kind of weird this particular document is, so the first alert  
20 appears to be those last two pages. So if you scroll up just a little bit more, right there.

21 So, yeah.

1       **CAPT Phillips:** Okay. So can you kind of, to me this just looks like a bunch of  
2 numbers and letters. Can you walk me through some of the things that I can see on this  
3 sheet?

4       **WIT:** Okay. So again if we start at the very top we've got just typical message data. It  
5 talks about when the message was sent to us.

6       **CAPT Phillips:** For the record we're looking at page 27.

7       **WIT:** If we go down the first set of four asterisks is 406 beacon un-located first alert.  
8 So that's our first alert. Again un-located. Below that is beacon ID, again that's the 15  
9 digit, basically it's like a serial number that's very specific or it is specific to that beacon.

10       **CAPT Phillips:** So that's a combination of letters and numbers?

11       **WIT:** Correct.

12       **CAPT Phillips:** To the right of that we have site ID where it says 98814. So site ID is  
13 what we use just to use to kind of catalog which alert this is. It's a rolling number. So  
14 once we get to 9's across the board it will go 00001. But what we use that for is if we're  
15 talking about a specific beacon rather than saying that 15 digit beacon number we can  
16 just say site ID so when we're working with any of our immediate partners such as the  
17 Air Force rescue coordination center or we're working District Seven we just give them  
18 the site ID. So for anyone who remembers it's like the dewy decimal system, tells you  
19 where to look.

20       **CAPT Phillips:** Okay. And so the other, you don't remember exactly how many other  
21 EPIRBs you got that day, it was at least 7 sounds like. They all had different site ID  
22 numbers?

23       **WIT:** That's correct.

1       **CAPT Phillips:** But they were, you said it was a sequence so they were probably close  
2 to this site ID number?

3       **WIT:** Correct.

4       **CAPT Phillips:** Okay so what else do you see here?

5       **WIT:** So detection time and positions for that beacon. So right below that in the event  
6 that it was actually located that will tell us the LAT and LONG of where that location  
7 was. What we do have there is in that line, N/A, N/A, UNA, N/A all went to the right.  
8 We have CGD08 and that who's assigned that particular beacon. There could be error  
9 in that but because this vessel normally operates in our area of responsibility it came to  
10 us. If another rescue coordination center also was working that it may have them on  
11 there as well. So you do occasionally have secondary. We call them buffers. Below  
12 that we have the frequency it was detected on. Below – I'm sorry.

13       **CAPT Phillips:** Can we go back up to that line?

14       **WIT:** Yes.

15       **CAPT Phillips:** That has the N/A's on it.

16       **WIT:** Umm hmm.

17       **CAPT Phillips:** So in the middle of that there's some numbers and it says April and  
18 then it says G16. So those numbers before April what does that tell us?

19       **WIT:** That's the time it was detected.

20       **CAPT Phillips:** Okay. So what's the 13?

21       **WIT:** Uh.

22       **CAPT Phillips:** Is that the date?

23       **WIT:** The, yes.

1 **CAPT Phillips:** And 2040 is that local time?

2 **WIT:** That's Zulu time. So we operate using Zulu time for the sake of just kind of  
3 keeping everything consistent when we're talking about, you know we like doing –  
4 changing our time with leap year, I'm sorry, daylight savings time and what have you so  
5 that way that time is always consistent no matter what.

6 **CAPT Phillips:** So what's the difference between Central Time and Zulu time right  
7 now?

8 **WIT:** So at that time it would have been 6 hours, or 5, sorry 5 hours.

9 **CAPT Phillips:** Five hours.

10 **WIT:** Sorry I was trying to think, April.

11 **CAPT Phillips:** So converting to Zulu time which was 2040 to Central Time we would  
12 subtract 5 hours?

13 **WIT:** Correct.

14 **CAPT Phillips:** So that would mean that this alert came in at, the beacon was first  
15 detected at 1540?

16 **WIT:** Correct.

17 **CAPT Phillips:** Okay, thank you. Keep walking us down.

18 **WIT:** Detection frequency and that's the frequency that it was transmitted on and it was  
19 received. The beacon ID contains the following code and information. This is where it  
20 may have specifics about the vessel that it's actually on. In this case the homing is  
21 important for anyone that's local who might be trying to use a direction finder to locate  
22 the beacon.

23 **CAPT Phillips:** Tell me more about that. What does that mean?

1 **WIT:** So the 406 beacon itself just transmits a signal that could have a couple miles of  
2 error in itself on where it's at. So if we for instance send a fixed wing aircraft to a  
3 location that we believe the beacon is it just gives them in the very, very close vicinity of  
4 that beacon. Using the homing frequency then they can more accurately locate that  
5 beacon and where it's at.

6 **CAPT Phillips:** And what, do you know what kind of device you would use to pick up  
7 that homing signal?

8 **WIT:** It would be a direction finding antenna.

9 **CAPT Phillips:** Thank you.

10 **WIT:** So beacon registration database information, again so this is who the beacon is  
11 registered to. And this is, I don't want to say it's most important, because there's a lot of  
12 important stuff on this summary when we receive them, however, this is again this is  
13 how we're going to contact the owner, the family, anybody that might be associated with  
14 this beacon to determine whether the beacon is in distress or not.

15 **CAPT Phillips:** Okay. What's on the next page?

16 **WIT:** So keep going down. We got vessel name. Any other specifics on this case.  
17 Radio call signs. We get radio equipment and number of life rafts. The home port  
18 summary or SRR. So the CGD08 that's again, so that's the homeport, that's why it  
19 came to us first as opposed to any other – any other District in the Coast Guard.

20 **CAPT Phillips:** And when an EPIRB signal is detected does the notification  
21 immediately come to the Coast Guard? Or is there some sort of delay?

22 **WIT:** Sometimes there's a delay usually by just a couple minutes.

23 **CAPT Phillips:** And what is that delay related to?

1 **WIT:** It's just as I understand it's the processing the information in determining the  
2 computers themselves determining where they're going to send it and decoding any  
3 information that was sent with that beacon.

4 **CAPT Phillips:** Okay. Is there something that tells us on this sheet what time the alert  
5 came to you?

6 **WIT:** Yes. At the top of that sheet if we scroll back up. At the top of that sheet we  
7 have, like I said our normal message stuff up there, top left there. And you see  
8 20422042, that's the time that the message was sent to us.

9 **CAPT Phillips:** So that would have been 2 minutes after the beacon was first  
10 detected?

11 **WIT:** Correct.

12 **CAPT Phillips:** Okay, thank you. And then going to the pages before that you said so  
13 this was the first alert and so then if I go up to page 26 is that going to be the second  
14 alert that you got?

15 **WIT:** No. It should be in order of as we get them as it goes up. So that last, that top  
16 page would be the last alert we got.

17 **CAPT Phillips:** So the bottom page is the first one?

18 **WIT:** Correct.

19 **CAPT Phillips:** The top page is the last one?

20 **WIT:** Correct.

21 **CAPT Phillips:** And so it goes in sequential order going up from the bottom of the  
22 document?

23 **WIT:** Yes.



1     **CAPT Phillips:** Okay. So can you tell us what time the beacon was located with a  
2     position?

3     **WIT:** As I recall once we were going back through the – it was located within a couple  
4     of minutes of us getting that first alert. But the way it populates on our screen as soon  
5     as we get that first alert we start making phone calls. And again once we use that first  
6     sheet we got a hold of the person that answered the phone off that registration  
7     information told us the vessel was still moored we asked them to verify, get a hold of us  
8     and that – we aren't going to continue taking any action unless that person tells it's not  
9     moored. Or maybe it is underway or an excessive amount of time maybe goes by  
10    without them getting back to us and we start noticing that it's pinging offshore. But at  
11    the same time we had several other beacons that we're going through at the same time.  
12    So when the company or someone from the company tells you the vessel is moored I  
13    would kind of take it that it's moored.

14    **CAPT Phillips:** Thank you. Thank you Lieutenant Alger. So how often do your watch  
15    standers – how often do your watch standers get a response like that when you call  
16    somebody related to an EPIRB alert and the person on the phone says either the vessel  
17    is moored or it's an accidental triggering beacon?

18    **WIT:** We get a lot of accidents, get a lot accidental activations. But to say it's moored,  
19    people do tell us it's moored and it turns out the vessel is moored. That particular  
20    evening we had another vessel that we got a hold of from their company and their  
21    reaction was they couldn't honestly tell us if it was moored or not that they would get  
22    right back to us.

1       **CAPT Phillips:** Okay. So what percentage of the time do you say questions  
2       about an EPIRB indicating information that says the boat is not in distress?

3       **WIT:** I don't know. It would be speculation say any percentage, but I would say  
4       overwhelming majority of the time.

5       **CAPT Phillips:** So it's not unusual to get a response like that that says there's no  
6       distress?

7       **WIT:** That's correct.

8       **CAPT Phillips:** And is there – does the Coast Guard have some guidance about what  
9       to do when you get different information about EPIRBs?

10      **WIT:** We do. So we have a full EPIRB beacon SARTSAT manual. That is published  
11      and it talks about how we're supposed to treat different beacons and what our – what  
12      our reaction should be to that.

13      **CAPT Phillips:** And in this case the process you described for the SEACOR EPIRB  
14      followed that manual?

15      **WIT:** That's correct.

16      **CAPT Phillips:** You were describing an EPIRB alert and you said one company called  
17      back and said all is okay. Was that a representative from SEACOR or is that related to  
18      a different EPIRB?

19      **WIT:** So specifically we did have an EPIRB where we called the company, the  
20      company told us they couldn't tell us honestly whether the vessel was in distress or  
21      underway or anything like that but they would get back to us. That person got back to  
22      us as I recall pretty quick and let us know that their vessel was fine. In the case of the  
23      SEACOR they said that they were going to message the boat and have them get a hold

1 of us or something along those lines. To make sure that were fine or tell them that their  
2 beacon was going off, it may have been bumped or maintenance or something.

3 **CAPT Phillips:** Okay. Thank you. I wanted to clarify that that callback from the  
4 company was not from SEACOR.

5 **WIT:** That's correct.

6 **CAPT Phillips:** Okay. Thank you. And then at some point you said about 30 minutes  
7 later SEACOR did call and said they were getting reports that the vessel was over and  
8 you said that was about the same time the Sector was calling you saying they were  
9 getting reports of a capsized vessel?

10 **WIT:** So the Sector had called and told us that they were getting some reports. At the  
11 same time that they were getting those reports we received that phone call and we  
12 started looking at the location of the follow on beacon alerts. And that's kind of when  
13 everything starts coming together that this vessel that we thought was at the dock still is  
14 actually in distress and not at the dock.

15 **CAPT Phillips:** And your estimate was that was about 30 minutes?

16 **WIT:** My estimate.

17 **CAPT Phillips:** And how was the Sector getting those reports?

18 **WIT:** So the Sector was getting the report I believe off of channel 16 from other vessels  
19 in the area.

20 **CAPT Phillips:** You started talking about the aircraft and the fact that the Coast Guard  
21 aircraft was not available. During that conversation you said aircraft were getting  
22 diverted. Was that commercial aircraft or?

23 **WIT:** Commercial aircraft, yes.

1       **CAPT Phillips:** Okay. So they were being diverted from which area?

2       **WIT:** From the, as I understood it from the Mobile area, aircraft that were coming into  
3 the airport there, commercial aircraft. They were being diverted to go elsewhere based  
4 on the weather.

5       **CAPT Phillips:** And what kind of limiting factors were the Air Station in Mobile and  
6 New Orleans seeing? Were those they couldn't take off because of winds or because  
7 of other factors?

8       **WIT:** It was a combination of, as I understood it wind, rain and lighting.

9       **CAPT Phillips:** And then you started talking at some point about aircraft from Corpus.  
10 I think you said that was a crazy idea. Tell me more about why that was a crazy idea.

11       **WIT:** To bring an aircraft all the way from that side of our area of responsibility when we  
12 have Mobile that's much closer it appears that I'm bringing assets from the furthest  
13 available unit that we have when we have closer assets. But again the closer assets  
14 just weren't able to respond.

15       **CAPT Phillips:** Thank you. And about how long was it until the aircraft from either  
16 New Orleans or Mobile were able to take off?

17       **WIT:** It was pretty late that evening when they were finally able to take off. I don't recall  
18 a time that they were able to.

19       **CAPT Phillips:** You were talking about some of the events that happened later in the  
20 evening. You said at some point the Sector Command Center split into two sections. In  
21 your opinion should the District Eight Command Center had done that?

22       **WIT:** The District Eight Command Center had talks with the Command Center Chief  
23 about bringing in any additional people. I initially when things were just starting to go

1 kind of awry and we were getting busy I went into one of the spaces to see if we had  
2 anyone available, but at the same time by the time I would bring anybody in they  
3 wouldn't be of any value, extra value if it took them any sort of time to get in there. So if  
4 someone was available it was going to be great, but as busy as it was, it was still  
5 manageable with the people we had.

6 **CAPT Phillips:** And then later in the evening you said you were going to lay down and  
7 take a nap. How long – what is your duty rotation?

8 **WIT:** So with the Command Duty Officer it's a 24 hour watch.

9 **CAPT Phillips:** So it's normal for a watch stander to, a Command Duty Officer to take  
10 a nap?

11 **WIT:** Correct.

12 **CAPT Phillips:** Thank you. Do you remember about what time you did that?

13 **WIT:** I do not remember the time. I know we had a lengthy conference call with the  
14 Sectors and discussing the overall situation. It was about a 20 minute phone call. I  
15 remember after that trying to help my watch standers take care of any paperwork or  
16 catch up on some of our log entries. I would say it was probably, I'm purely guessing  
17 but I would say probably about midnight.

18 **CAPT Phillips:** Thank you. Okay I'm going to pause there and see if some other  
19 Coast Guard or NTSB folks have some questions for you. Mr. Lawrence.

20 **Mr. Lawrence:** Thank you Captain. I have a couple of questions, follow ups. So does  
21 your command center task Coast Guard Cutters in the District's area of operation?

22 **WIT:** We will task Cutters, the Fast Response Cutters. They fall under our purview for  
23 that.

1 **Mr. Lawrence:** Can you remember where those Coast Guard Cutters were on April  
2 13<sup>th</sup>?

3 **WIT:** So as I recall the BENJAMIN DALEY was down in Corpus Christi.

4 **Mr. Lawrence:** And how did you learn about the GLENN HARRIS operating nearby?

5 **WIT:** The Sector called and told us that they had the Cutter, the Coast Guard Cutter  
6 GLENN HARRIS on scene. That was a blessing to have them, it really was. It created  
7 some confusion because we don't have any sort of oversight for them. They're not in  
8 any of our reports or any of our weekly briefings that we have. So it added some  
9 confusion but again it was – we were happy to have them there.

10 **Mr. Lawrence:** Can you describe any conversations you had with other Coast Guard  
11 units about that Cutter? Who has control of it or how you could task it?

12 **WIT:** So one of my watch standers ended up getting a hold of someone I believe up in  
13 Headquarters, someone that oversees the FRC development or management or  
14 something. I know he was – he, no phone number was off limits for him that night. He  
15 was calling any number that he could get a hold of to try and figure that out. And then  
16 once we figured out that they were a noncommissioned Coast Guard Cutter that aided  
17 in our ability to figure out who to contact on any sort of communications with who  
18 actually manages that Cutter.

19 **Mr. Lawrence:** So who was managing it?

20 **WIT:** So that Cutter actually still belonged to Bollinger. So it had contractors on board  
21 from that shipbuilder. As well as it had some active duty Coast Guard members on  
22 there who were just underway for training for the vessel that they're eventually going to  
23 take possession of.

1 **Mr. Lawrence:** Is there a Coast Guard unit that was managing the Cutter at all?

2 **WIT:** So again there's an office, I'm not specific – I don't know specifically who  
3 manages the building of the Cutters, but there's someone up in Headquarters that  
4 oversees that. I couldn't tell you who.

5 **Mr. Lawrence:** Were there any discussions about trying to, for the Coast Guard gain  
6 control of the Cutter?

7 **WIT:** There is the discussion but at the same time it's a noncommissioned Cutter. So  
8 them being on scene they were nothing more than a good Samaritan.

9 **Mr. Lawrence:** Thank you.

10 **CAPT Phillips:** Thank you Mr. Lawrence. Mr. Verdin.

11 **Mr. Verdin:** Thank you Captain. You, thank you for what you did. Excuse me. You  
12 described the size of District Eight and you said that day you received several EPIRB  
13 alerts. Were they scattered out from District Eight or were they specific mostly  
14 geographic area? Or how did that come out?

15 **WIT:** Yes, sir. So that particular evening the majority of the alerts were within that  
16 geographic area. If I recall we had one that was over near Texas, but without looking at  
17 our logs I couldn't speak definitively that's where it was located. But that was earlier in  
18 the day.

19 **Mr. Verdin:** So geographically the majority of them came say Southeast Louisiana,  
20 maybe Southwest Mississippi, Mobile area?

21 **WIT:** I wouldn't say all the way to Mobile area that I recall. Most of them was the  
22 Southern part of Louisiana.

23 **Mr. Verdin:** Okay. Thank you.

1 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Muise.

2 **Mr. Muise:** Thank you Captain. Lieutenant I would like to follow up on Mr. Andrews, or  
3 I'm sorry Mr. Lawrence when you were testifying about Cutters. And you mentioned the  
4 BENJAMIN DALEY was over by Corpus on the far side of the Districts AOR, is that  
5 correct?

6 **WIT:** As I remember it, yes.

7 **Mr. Muise:** Are there any other ready SAR Cutters typically available to you?

8 **WIT:** So the Sectors will have 87 foot patrol boats that they're in charge of. There was  
9 one that was in the area, but again that became – there became some fueling issues  
10 with that and their ability to immediately respond as I remember was hindered because  
11 of the fuel.

12 **Mr. Muise:** And can you describe for us the difference between B0, B30, B60? What  
13 does that mean?

14 **WIT:** So when you have a B0 means it's ready for immediate dispatch for whatever we  
15 might need to use them for. The greater the number the longer the time we have before  
16 they can dispatch. So for instance if we have B6, it's six hours for them to be underway.

17 **Mr. Muise:** And is there a policy that X amount of Cutters have to be in B2 or B3  
18 status?

19 **WIT:** We do have a standard that we have for our Sectors for their 87 foot patrol boats.

20 **Mr. Muise:** Do you know off hand or is it a better question for the Sector what Cutters  
21 were in the ready – their ready Cutters?

22 **WIT:** I don't recall without looking at anything.



1 **Mr. Muise:** Regarding other resources I understand Station New Orleans, Station  
2 Grand Isle are out of the parameters, is that the correct terminology?

3 **WIT:** That's correct.

4 **Mr. Muise:** Air Station New Orleans is not available. ATC Mobile is not available.  
5 Were there any other Coast Guard units that were not available to you?

6 **WIT:** So for assets that were – that we would normally have at our use for them we  
7 didn't have anyone else.

8 **Mr. Muise:** Station Venice where they available?

9 **WIT:** I don't recall.

10 **Mr. Muise:** And regarding, specifically regarding ATC Mobile what is Thunderstorm  
11 Condition 1?

12 **WIT:** I would have to review the Thunderstorm Condition documents again.

13 **Mr. Muise:** Is there a District mass rescue operations plan?

14 **WIT:** We do have a mass rescue and operation plan.

15 **Mr. Muise:** Is this scenario covered in that plan?

16 **WIT:** It would be.

17 **Mr. Muise:** Is there a decision tree or is it somebody's job to declare an MRO?

18 **WIT:** Yes. So we have thresholds. So in this case based on how many people we had  
19 from the one vessel is what constitutes a mass rescue.

20 **Mr. Muise:** And what does that trigger as far as Coast Guard assets and other  
21 agencies?

1 **WIT:** Initially it triggers awareness so that surrounding units know what's going on so  
2 that we – they know that we may be using them or requesting the use of them for the  
3 larger, the larger search and rescue case.

4 **Mr. Muise:** We know that accountability is challenging in every mass rescue operation  
5 in all modes of transportation. So does that plan specify on where you can get  
6 information on how many people you should be looking for? Does it give you ideas?

7 **WIT:** We have a checklist, I don't have it in front of me right now.

8 **Mr. Muise:** What are some of the sources that you can use to figure out how many  
9 people might be on that boat?

10 **WIT:** So in this case we were using other resources in the District Office to look at the  
11 crew manning for this vessel. The minimum crew manning is, it's just minimum crew  
12 manning, it doesn't mean there isn't more than that on that vessel. Though that same  
13 document certificate of inspection will have the maximum amount of persons.

14 **Mr. Muise:** How about the EPIRB registration itself? Is there a maximum number on  
15 there?

16 **WIT:** So on that EPIRB itself as I recall this particular one at the bottom it had said max  
17 persons was 50.

18 **Mr. Muise:** Is there ever a manifest available? Some – certain vessels are required to  
19 have a manifest.

20 **WIT:** There is but I don't have any visibility on that manifest.

21 **Mr. Muise:** Do you ever use Customs or the National Vessel Movement Center to  
22 confirm POB?

23 **WIT:** Have not.

1 **Mr. Muise:** I would like to move, touch on EPIRB for a while. Lieutenant Alger can you  
2 bring up Exhibit 227 please [showing Exhibit]. Lieutenant Critchfield can you walk us  
3 through this document and explain symbology, or first of all what is this? What are we  
4 looking at?

5 **WIT:** Yes, sir. So this is a screen shot of our SARSAT system that we would be  
6 looking at when beacons come across – come across for us to address. In this  
7 particular screenshot we get what appears to be a beacon that is over land up there in  
8 the top left. And then we get beacons all over the Southern part of Louisiana going  
9 offshore a little bit there.

10 **Mr. Muise:** What's the difference between the blue and yellow icons?

11 **WIT:** So the blue ones are MEO satellites and then the yellow one you see there in the  
12 middle is called an E-Solution. So it means that the beacon itself knew where it was at  
13 and sent its location to the satellites for us to know where it is specifically is. As  
14 opposed to using the satellites to triangulate where the beacon is.

15 **Mr. Muise:** Okay. I don't believe the SEACOR POWER is on this diagram. But did  
16 they have a self-locating or, that you recall?

17 **WIT:** As I remember it at least for the evening that I was on watch all we had were  
18 MEO satellite.

19 **Mr. Muise:** Okay thank you. Lieutenant Alger can you switch to Exhibit 225 please and  
20 let's go to page 27 [showing Exhibit].

21 **CAPT Phillips:** Before you pull that up Mr. Muise, I apologize. It's been about an hour  
22 and a half. Let's take a short recess for about 15 minutes. So we will reconvene at  
23 0945. The time is 0929. The hearing is in recess.

1           *The hearing recessed at 0929, 4 August 2021*

2           *The hearing was called to order at 0945, 4 August 2021.*

3           **CAPT Phillips:** The time is 0945. This hearing is now in session. Mr. Muise would  
4 you like to continue with your question?

5           **Mr. Muise:** Yes. Thank you Captain. Lieutenant Alger would you bring up Exhibit 225  
6 and let's scroll to page 27 [showing Exhibit]. Lieutenant Critchfield earlier you told us  
7 about the difference in the times, the time in the header is the time that you receive the  
8 message.

9           **WIT:** That's correct.

10          **Mr. Muise:** And the time further down under detection is the satellites detection time.

11          **WIT:** Correct.

12          **Mr. Muise:** Which time do you use when you're entering it into SAROPS to treat the  
13 target?

14          **WIT:** So if I'm putting it into SAROPS I'm using the time that the satellite detected the  
15 beacon.

16          **Mr. Muise:** And is this information automatically imported into SAROPS or do you have  
17 to type this in manually?

18          **WIT:** So in this particular case for our alert side it – our alert comes through SAROPS,  
19 not SAROPS, so the SARSAT alerts are through there. If I were to drift this I would just  
20 use this information to create my drift and I would create a separate, I would probably  
21 use a separate computer all together.

1 **Mr. Muise:** And does the Sector have visibility on the EPIRBs that are, I understand  
2 you actually prosecute the EPIRB cases, but the Sector see what's going on in their  
3 AOR?

4 **WIT:** They do not.

5 **Mr. Muise:** Lieutenant Alger can you scroll down a little bit, maybe at the top of page  
6 28. Next page please. And Lieutenant do you see where it says the number of life rafts  
7 4.

8 **WIT:** Okay.

9 **Mr. Muise:** Is that usually reliable information that you rely on?

10 **WIT:** When it comes to that particular number its use information but I wouldn't take  
11 that as 100 percent because this particular document isn't their certificate of inspection.  
12 It doesn't actually reflect what is required based on that document.

13 **Mr. Muise:** Do you remember looking at the certificate of inspection for this vessel?

14 **WIT:** I do later in the evening but only when we're trying to determine how many people  
15 were on board and what kind of vessel it actually was.

16 **Mr. Muise:** Do you remember how many life rafts on the COI?

17 **WIT:** I do not.

18 **Mr. Muise:** Does this message also come across message traffic or by email?

19 **WIT:** We do not receive it any other way except fax in the event that our computer  
20 system is down.

21 **Mr. Muise:** Is there a way to forward the information electronically to another unit?

22 **WIT:** I mean we could save this, this document and we could email if we wanted.

1 **Mr. Muise:** You touched on the procedure to handle the EPIRB with Captain Phillips  
2 and I understand there's a manual, the SRSAT EPIRB Manual.

3 **WIT:** Correct. Sorry I don't recall the publication number.

4 **Mr. Muise:** Is that a Coast Guard document?

5 **WIT:** It's not. It's a NOAA document.

6 **Mr. Muise:** In there does it – at what point would you call the Sector to request an  
7 urgent marine information broadcast also known as a UMIB?

8 **WIT:** I'm sorry say that again. When would we?

9 **Mr. Muise:** What would trigger doing an UMIB?

10 **WIT:** So in the event that we weren't able to get a hold of anybody as we started going  
11 through the contact information on that registration. That would usually be the first cue  
12 to do it.

13 **Mr. Muise:** Are you able to see AIS targets from the command center?

14 **WIT:** We can log in and see AIS.

15 **Mr. Muise:** Are you using publicly available AIS data or does the Coast Guard have a  
16 separate system?

17 **WIT:** So in the command center we have multiple programs that will pull information  
18 from multiple different sources. So we have a system that we can – we jointly use with  
19 Customs Border Patrol that they have border protection they have a system that tracks  
20 targets. We will use that. As well as we have our own system with what we call CG1  
21 view and we can pull targets that way. The problem is the more programs we pull up  
22 the slower it becomes because the computer limitations.

23 **Mr. Muise:** Do you ever look for vessels that have EPIRB hits in AIS?

1 **WIT:** We will do that in the event that we have a vessel that we can't get a hold of  
2 anybody and we're trying to see maybe where the track line be, where else they might  
3 have operated. But also see what vessels are around so that often times a person  
4 doesn't know their beacon is going off and for whatever reason or not picking up on the  
5 radio whatever it might be maybe somebody nearby can go get their attention.

6 **Mr. Muise:** On the Sector's digital voice recorder the DVR I can hear them asking the  
7 LILLY SEA, that was the tug boat that was in distress, asking to go get their EPIRB and  
8 read the HEX code. Why would they do that?

9 **WIT:** So by reading that HEX code that way it's a means to confirm that the beacon  
10 that we are receiving an alert for is the beacon that they're saying is not in distress.

11 **Mr. Muise:** Do you also track on EPIRBs that happen North of you in, let's say on the  
12 Mississippi and St. Louis' AOR?

13 **WIT:** So St. Louis is in our area of responsibility so if that beacon had a maritime Nexis  
14 and it came through our system we would track that.

15 **Mr. Muise:** So this is a very large area that you're responsible for. Is there – do you  
16 have it broken up by Sectors, or not by Sectors but small as Sectors by watch stander?

17 **WIT:** No because typically one watch stander watches the SARSAT and we can go  
18 several watches without getting a single beacon or a single alert.

19 **Mr. Muise:** Do you remember an EPIRB hit that you had the same day or earlier on the  
20 DEEP STEM? It was another supply boat.

21 **WIT:** I'll be honest I don't recall that one.

1 **Mr. Muise:** I don't know the time but at some point there's a call, I'm sure there's many,  
2 many calls to Sector, but this particular one may rattle off all the cases that they're  
3 working on to you to update you.

4 **WIT:** Umm huh.

5 **Mr. Muise:** And you happened to say is one of those the SEACOR POWER. About  
6 what time do you think that phone call is?

7 **WIT:** I have no recollection of that particular conversation honestly. There's so much  
8 going on that night.

9 **Mr. Muise:** What would be the first time you informed the Sector that you had an  
10 EPIRB hit on the SEACOR POWER?

11 **WIT:** I don't recall the time that we informed Sector.

12 **Mr. Muise:** Do you know what time the call to SEACOR was?

13 **WIT:** Again without going back and figuring out using the voice recorder that we have I  
14 don't recall the exact time.

15 **Mr. Muise:** Do you recall what time you were aware from Sector that there was an  
16 active distress case with the SEACOR POWER based on the good Samaritan calling  
17 in?

18 **WIT:** As I recall the initial call from Sector to tell us about a vessel had nothing to do  
19 with, I'm sorry, it wasn't specific to SEACOR so much as they have reports of a large  
20 vessel that capsized. Correlating it SEACOR it seemed like it took a little bit for that bit  
21 of information to cross and for us to be able to solidify that it was the SEACOR.

22 **Mr. Muise:** Okay. So they can't see your SAROPS or your EPIRB hits. Can you see  
23 in SAROPS the cases that they are working on?



1 **WIT:** If I – if they're drifting them and they make a cases out of each one I can. I can  
2 manually open those up.

3 **Mr. Muise:** So unless you do that there's no way to correlate or you wouldn't happen to  
4 correlate an EPIRB hit with a distress case that their working on. I mean how does that  
5 connection get made?

6 **WIT:** I guess I'm not quite tracking what you're asking.

7 **Mr. Muise:** So you're working on an EPIRB hit. They're working on a distress case,  
8 SAR case that was a mayday call basically. Where does the connection get made that  
9 you're working on the same case?

10 **WIT:** In this particular case I think it was just the idea that we, I can't identify the exact  
11 moment that everything came together. But I remember looking at everything going on,  
12 getting the phone calls and then when we got the phone call from another SEACOR rep  
13 saying that they had heard that their vessel had capsized or was in distress I think that  
14 was the final moment that everything clicked that it was SEACOR. The thing that kind  
15 of kept us in the reserve or away from thinking it wasn't SEACOR was we had already  
16 made a phone call and we were told the SEACOR was still in port. So things just didn't  
17 make sense and often times during search and rescue cases when you have multiple  
18 things going on like this there's confusion, mass confusion. And trying to determine or  
19 sift through all the information can be very difficult. So like I said ultimately it hinged on,  
20 we were told the vessel was at port.

21 **Mr. Muise:** Okay. Lieutenant Alger could you scroll up to page 19. Just a little bit  
22 higher maybe to the bottom of 18. Okay the time there is 2129, that's 1629 local. And

1 Lieutenant Alger could you scroll back down to page 19, right there. Explain to us all  
2 these EPIRB hits that are at the bottom. What's going on there?

3 **WIT:** So, sorry your counterpart there. There we go, thank you. So are you talking  
4 about the PROB EE solution Latitude and Longitude, that stuff that's right underneath  
5 there?

6 **Mr. Muise:** I am. I'm more – the question is about the timeline basically. What's going  
7 on as between 2043 and then 2121 Zulu?

8 **WIT:** So it appears that those are all additional hits with positions that that beacon was  
9 going off.

10 **Mr. Muise:** And these hits have positions on them unlike the every first one?

11 **WIT:** That's correct.

12 **Mr. Muise:** And this is including the one at 2043 which just a couple minutes after the  
13 first un-located EPIRB?

14 **WIT:** That's correct.

15 **Mr. Muise:** So by the time – by the top of the hour if I'm looking at this correctly there's  
16 at least 4 EPIRB hits, three of which have positions. The AIS data shows the last fix  
17 was about 1540. So would this raise an alarm to your watch standers? Hey I had  
18 multiple hits from different satellites and different land earth stations and even different  
19 MCC's and there's the AIS data that shows the vessel is offshore. This is all before the  
20 phone call to SEACOR.

21 **WIT:** And that's where things just weren't adding up. To get positions but being told by  
22 the company that they're moored we're getting conflicting information. And that's why

1 we're going to continue trying to sort through it. However, we're also doing several  
2 other large cases at the same time.

3 **Mr. Muise:** Did your watch partner when they talked to SEACOR happen to mention  
4 hey our EPIRB is showing the vessel is offshore and they're consistently showing  
5 they're all within two miles of each other?

6 **WIT:** At the time in the conversation when my watch stander got a hold of SEACOR the  
7 first time it was un-located. So in that conversation we asked them to get – have them  
8 get a hold of us. Because we want to verify. Even though it's un-located we still want to  
9 verify what they're saying.

10 **Mr. Muise:** Okay so I understand now. So the phone call to SEACOR went out before  
11 these MEO satellite hits.

12 **WIT:** So when they got – when we get the summary sheet we'll typically print off that  
13 very first summary sheet regardless if it's location or regardless of any of that. We're  
14 looking at the contact information and we are trying to get a hold of the contacts on that  
15 sheet. That can be, I mean them telling us that they're not in distress if it's – regardless  
16 of whether they really are or not. That's what we're trying to determine.

17 **Mr. Muise:** Do you know if your watch partner tried to call the IMARSAT number that's  
18 on the – to call the vessel itself?

19 **WIT:** I don't believe he did, but I can't speak definitively.

20 **Mr. Muise:** Okay. Thank you Captain that's all the questions I have.

21 **CAPT Phillips:** Thank you Mr. Muise. Mr. Ehlers.

22 **Mr. Ehlers:** Good morning Lieutenant, thank you very much. I have a couple different  
23 areas I want to talk about but since we're on EPIRBs I'm sorry we're going to keep on

1 going down that road. And I may be covering old ground but I really want to understand  
2 the process. So when you get an EPIRB alert tell me exactly what the watch standers  
3 gets. Is it a print out on a computer screen? Is there an audio tone? What?

4 **WIT:** So again we use SAROPS as our base program and from there we log in for a  
5 separate log in within that. Once we're logged in and we receive an alert we actually  
6 get an audio alert it says attention emergency. We get a pop up on the screen and from  
7 that pop up we actually have to acknowledge that pop up when we get it. And then we  
8 can pull the summary sheet out from that once we – it automatically populates into what  
9 we call the day folder. So everything that comes across from the beacons for that day.  
10 Then we can look at the summary sheet, print the summary sheet or we can just look at  
11 it directly from that screen.

12 **Mr. Ehlers:** And with each additional EPIRB that comes from that same EPIRB do you  
13 get additional alerts or does that just go to the summary page?

14 **WIT:** We do get that audio alert for everything that comes.

15 **Mr. Ehlers:** Each hit?

16 **WIT:** Yes.

17 **Mr. Ehlers:** And that's coming from every EPIRB that you're getting a response from?

18 **WIT:** That's correct.

19 **Mr. Ehlers:** Does that, in the case of the day of April 13<sup>th</sup> where you had several  
20 EPIRBs going off did that overwhelm the watch stander?

21 **WIT:** Absolutely. Because I said you get so many hits that are going off. Because  
22 even though they're discussing five EPIRBs within a very short period of time, if the  
23 beacons and EPIRBs or anything that's going off prior to that haven't closed out for any

1 reason even though we've determined non-distress if they're still transmitting you're still  
2 getting that alert and we'll continue getting that alert until the beacon itself dies or we  
3 can work with NOAA to suppress that order.

4 **Mr. Ehlers:** So the watch stander has to continue to acknowledge each of those alerts  
5 as they come through?

6 **WIT:** That's correct.

7 **Mr. Ehlers:** And the first EPIRB hit from the SEACOR POWER was un-located. If an  
8 EPIRB hit has a location data with it does that change the process at all or do you still  
9 try to contact, is the first step always to contact the company point of contact?

10 **WIT:** Yeah we always want to try and get a hold of the persons on that contact. Again  
11 just because so many of these beacons that we do get they're not distressed or  
12 accidentally set off. They're doing their scheduled checks and they go to hit test and they  
13 improperly test it. Whatever it might be. So it happens pretty often that this not any  
14 distress associated with the alert.

15 **Mr. Ehlers:** And if the person you, if you get in touch with the point of contact for the  
16 EPIRB and they don't know the status of the vessel do you wait until you get a status  
17 before you take further action?

18 **WIT:** So if they tell us they have no idea and they're going to start digging into it, if they  
19 can't give us an immediate answer we'll usually start touching base with the local Sector  
20 to start the UMIB or at least, at the very least start call outs at least on channel 16.  
21 Sometimes you can just get a hold of them on 16 because they're too far for their  
22 cellular phones to work but they're close enough to get it on 16.

1 **Mr. Ehlers:** A couple of things there. So if you determine that it's a distress or you  
2 don't have or unable to contact what is, you mentioned getting in touch with the Sector.  
3 Specifically what happens at that point?

4 **WIT:** I guess are you asking the conversation we have with the Sector, is that?

5 **Mr. Ehlers:** Yes and then what does the Sector do and what does the District do at that  
6 point?

7 **WIT:** Okay. Once we make that contact with the Sector we'll start doing the radio,  
8 radio call outs, UMIB. We often times get responses pretty quick from whoever the  
9 beacon is going off. Again they're not in distress. As we – as time goes we'll be, and I  
10 say time we're talking very short, few minutes we'll start figuring out what assets we  
11 may have that we could send to help this person in the event that they are in any  
12 distress or we can't determine their distress. Often times it's going to – we're going to  
13 use an aviation asset so that's a phone call to the aviation asset that we plan on using  
14 and communicating what we have going on and our intent to probably be using them.

15 **Mr. Ehlers:** And the channel 16 calls and UMIB is that the District or the Sector that's  
16 doing that?

17 **WIT:** That's the Sector.

18 **Mr. Ehlers:** Your watch stander that's monitoring the SAROPS, did I get that right,  
19 SAROPS?

20 **WIT:** That's correct.

21 **Mr. Ehlers:** And that's where you get your EPIRB notifications. Is that the same  
22 person making phone calls to companies to validate the signal?

23 **WIT:** It is.

1 **Mr. Ehlers:** Okay. So if you have several EPIRB hits that person has to call those  
2 companies one at a time, is that correct?

3 **WIT:** So yes, however, on our watch floor we have multiple people that are capable of  
4 making those phone calls and start to sort that out. And in the case of April 13<sup>th</sup> that's  
5 exactly what happened. I had a second watch stander that was on the watch floor and  
6 he began making calls for some of the other beacons as we started getting them.

7 **Mr. Ehlers:** Do you remember which one of those watch standers actually called  
8 SEACOR?

9 **WIT:** Yes I do.

10 **Mr. Ehlers:** And which, was it the SAROPS or the additional one?

11 **WIT:** It was the SAROPS.

12 **Mr. Ehlers:** And I know you told Mr. Muise that didn't, without looking at the phone logs  
13 you don't remember the exact time that SEACOR was called. Do you have an estimate  
14 between when you received that signal, that first un-located signal and when District  
15 contacted SEACOR? An estimate time?

16 **WIT:** The events that evening seemed to kind of bunch together. But as I recall it was  
17 within minutes. It was a very short period of time that that phone call was made.

18 **Mr. Ehlers:** Okay. And did SEACOR contact, pick up the phone right away? Did they  
19 answer right away or?

20 **WIT:** I remember the phone only ringing a couple of times before they answered.

21 **Mr. Ehlers:** And if you determine that a signal is non-distress is that essentially where  
22 that cases ends as far the EPIRB is?

1 **WIT:** So we will still document it in our MISLE so our documentation network that we  
2 have as just notification we received the alert, what it was, really that helps document  
3 and account for our efforts and our time spent determining the distress or non-distress  
4 of that beacon. From there we also locally have a spreadsheet that we keep track of,  
5 beacons and that way once a beacon closes out we just have to go onto NOAA's  
6 website and we enter in what's called feedback. So there's a series of questions that  
7 we're asked specifically about that beacon such as was the registration correct. Did we  
8 use the registration to determine if distress or non-distress, where it was, that sort of  
9 stuff. And there's also an opportunity in there where we give a summary of our actions  
10 for that, for that beacon.

11 **Mr. Ehlers:** And you mentioned MISLE. Can you tell me what that is again?

12 **WIT:** So MISLE again is used as our central documentation and logs program. So we  
13 enter all of our cases in there. We scan in any of our documents that we need to have  
14 in there so that it can be recalled for years to come.

15 **Mr. Ehlers:** Is it a watch standing tool at all? In other words do watch standers monitor  
16 MISLE?

17 **WIT:** I wouldn't say monitor. So there's not really anything to monitor per se. But we  
18 do use it because we can look up vessel information. In this particular case this is  
19 where the certificate of inspection for SEACOR was pulled from, a copy of that when we  
20 were trying to determine how many persons were on board.

21 **Mr. Ehlers:** So as far as a non-distress EPIRB if it's entered into MISLE is that done  
22 immediately? Is that a record keeping that's done after the fact?



1 **WIT:** So if it's a non-distress we want to get it in there documented as soon as possible  
2 just because we don't want to get behind on paperwork. But it's less – less of a push  
3 when you actually have active cases. But we absolutely want to get it put in there as  
4 soon as possible.

5 **Mr. Ehlers:** So I guess where I'm going with this questioning is, is it something Sector  
6 could have used to correlate the search and rescue operation they had ongoing with the  
7 EPIRB being hit you had earlier?

8 **WIT:** Only if they knew to look specifically for the notification or anything that we put in  
9 and had we had it in at that time, based on the number of cases we had going on all of  
10 our entries into MISLE were delayed just because we were busy doing other  
11 coordination efforts.

12 **Mr. Ehlers:** Alright I think we've covered EPIRBs so thank you. I'm going to back up a  
13 little bit. You mentioned at the beginning of your watch you held a meeting or a pre-  
14 watch meeting which you discussed weather in the AOR. As the watch goes on do you  
15 get updates on the weather? Do you monitor the National Weather Service bulletins?  
16 Does that happen?

17 **WIT:** We don't actively monitor the National Weather Service. We, if we have reason  
18 to look into it again we absolutely can. Again nothing going into that afternoon seemed  
19 out of the ordinary for that typical Gulf Coast afternoon. It was an afternoon storm  
20 coming through.

21 **Mr. Ehlers:** You mentioned aircraft and the difficulty getting off the ground because of  
22 the weather. Where does the decision lie on aircraft ability to fly? In other words for  
23 weather or other conditions?

1 **WIT:** So that lies on the shoulders of the Aircraft Commander and their command.

2 **Mr. Ehlers:** And do you know where do they get their weather information from?

3 **WIT:** So they have the same access to the National Weather Service that we have.

4 But then they'll also use their aviation specific planning tools. I can't speak to what all  
5 they use, but they'll plan accordingly using them.

6 **Mr. Ehlers:** Do they have specific parameters of which they cannot fly in?

7 **WIT:** They do.

8 **Mr. Ehlers:** Is there a waiver process if the Aircraft Commander feels comfortable  
9 flying in weather that's say beyond the parameters?

10 **WIT:** Yes. Each Air Station will have its own means to request a waiver based on  
11 parameters if the Aircraft Commander feels it's safe then they'll push that up. But to  
12 speak to each individual unit they have I can't do that.

13 **Mr. Ehlers:** And did any aircraft request a waiver that evening?

14 **WIT:** I know the waiver process had been discussed. I talked to the Operation's Officer  
15 for both ATC and NOLA. And ultimately it just wasn't safe for them to operate  
16 regardless. We operate off of a risk, high risk and they, like I said they just determined  
17 it wasn't safe to do so.

18 **Mr. Ehlers:** Do the different – do different aircraft have different limits?

19 **WIT:** There are different limits for different aircraft.

20 **Mr. Ehlers:** And what, and I think you mentioned the H60's or what aircraft with  
21 helicopter aircraft were available that night?

22 **WIT:** So H60's would have had to come from either Air Station Clearwater, which is not  
23 – they're out of our control that's under District Seven. Or if it came from ATC Mobile

1 the H60's that are there are specifically assigned to the training portion of that AIRSTA.  
2 So they use them to train the aviators that are out there performing the everyday tasks  
3 that the Coast Guard ask them. So there is no ready crew, there's no ready pilots for  
4 those aircraft at ATC Mobile.

5 **Mr. Ehlers:** So what helicopters were available?

6 **WIT:** So the available helicopters that we had all came out of AIRSTA, Air Station  
7 NOLA. I talked to Air Station Houston about to their OPS about bringing them over just  
8 because the weather was slightly better coming from the West. However, the problem  
9 that we would have ran into with them is they could have made it but we had nowhere  
10 safe for them to go get fuel.

11 **Mr. Ehlers:** So what type of aircraft were at Air Station NOLA?

12 **WIT:** They're MH65 Delta.

13 **Mr. Ehlers:** Do they have tighter limits than the H60's?

14 **WIT:** They're smaller aircraft. I don't – I'm not the crew, a crewman on them so I can't  
15 speak to them specifically against the H60.

16 **Mr. Ehlers:** Sufficed to say that the weather was in place for no aircraft to fly in the  
17 area?

18 **WIT:** That's correct.

19 **Mr. Ehlers:** Once an aircraft is launched by the or an asset is provided by the District  
20 who controls that aircraft from a SAR perspective? Is it the Sector? Is it the District or  
21 is it somewhere else?

22 **WIT:** So it's based on who is in charge of that search and rescue case that that aircraft  
23 is flying for. So if we are at the District level running a search and rescue case and we

1 launch they report to us. If the Sector is requesting aviation support for a case that they  
2 are running they report then to the Sector based off our authorization for that.

3 **Mr. Ehlers:** And for the SEACOR POWER search and rescue who was running the  
4 case?

5 **WIT:** So the events of that evening we were originally trying to launch Air Station NOLA  
6 for other vessels such as the, as I recall the tug boat with 4 persons on boat preparing  
7 to abandon ship. So Sector had them and then once we realized we had the SEACOR  
8 POWER going on Sector continued running that case so we were just trying to provide  
9 or find assets for them to use and execute that for that case.

10 **Mr. Ehlers:** So the Sector had control of the aircraft for that particular case?

11 **WIT:** Correct. They had control but it was a joint effort to try to get this resolved.

12 **Mr. Ehlers:** I have a last set of questions and this relates to you mentioned when you  
13 were woken up from your nap from the news of the response boat that had intentions to  
14 recover a body and one of their own had gone overboard. And just to clarify only the  
15 Coast Guardsman was recovered after they went overboard, is that correct?

16 **WIT:** That is correct.

17 **Mr. Ehlers:** And again you described the body, was that person alive or was there any  
18 report on what that person's status was?

19 **WIT:** As I understood it, it was an unresponsive.

20 **Mr. Ehlers:** Unresponsive. Thank you.

21 **CAPT Phillips:** Thank you Mr. Ehlers. During that afternoon and evening on April 13<sup>th</sup>  
22 did you call any Coast Guard units that were higher up in the chain of command?

1 **WIT:** So we have a process that we call for anything that meets certain criteria. So we  
2 first called the National Command Center, requested a phone call. The purpose of that  
3 call is to rapidly get information out throughout the Coast Guard upward and outward.

4 **CAPT Phillips:** And what's that process called?

5 **WIT:** It's call CIC.

6 **CAPT Phillips:** And did you do that on the 13<sup>th</sup>?

7 **WIT:** I did.

8 **CAPT Phillips:** And what was the response?

9 **WIT:** Their response was they really weren't interested in completing that phone call or  
10 putting that phone call together. They felt that it was, as I remember it, it's going to  
11 delay the process and they were going to let us keep doing our SAR case the way we  
12 were doing it.

13 **CAPT Phillips:** Okay. Do you know about what time that phone call happened?

14 **WIT:** I do not.

15 **CAPT Phillips:** During the course of that afternoon and evening did you hear any  
16 Coast Guard units report about the bad weather that moved through?

17 **WIT:** Sorry are you talking specifically that afternoon?

18 **CAPT Phillips:** That afternoon. Did you hear any reports from the Coast Guard units  
19 about the weather?

20 **WIT:** Not until we started receiving reports of other vessels that were in distress or  
21 having experienced bad weather. If I recall the Station in Grand Isle had reported that  
22 they experienced some extreme weather conditions in their area.

1     **CAPT Phillips:** Okay, thank you. In your experience have you seen a situation where  
2     there's been so many EPIRBs or so many search and rescue cases all at the same  
3     time?

4     **WIT:** No Captain.

5     **CAPT Phillips:** What kind of challenges did that present you with?

6     **WIT:** I think the biggest challenge we had was communication. We were – we had so  
7     many different things going off or happening at any moment that evening and just  
8     communicating what someone knew and what was going on. It's an unfortunate thing  
9     but communication seems always be a common theme when we talk about things that  
10    we need to improve on and things that we fall short on. It wasn't anyone's individual  
11    fault it was just so much was going on and our phone – you can only make so many  
12    phone calls and there's only so many people that can answer.

13    **CAPT Phillips:** What kind of resources do you have to help you with this kind of  
14    situation?

15    **WIT:** So initially I called our, you know SAR chain we've got our SAR Mission  
16    Coordinator, our SMC. And I gave him a call. And I briefed him on everything we had  
17    going on, on our own watch floor as well as the Sector specific. I remember the phone  
18    call being pretty brief. I remember when I called him I told him I didn't have a lot of time  
19    and I have very little information about what I'm going to brief him on. What we had. At  
20    that moment we had a total of 6 major SAR cases that we were trying to sort through.  
21    In that he asked what he could do. And he began the phone calls through the District  
22    and notifying the District which helped alleviate that burden from me because he was  
23    able to start that brief so that other – other persons at District knew what was going on.

1     **CAPT Phillips:** Okay. So the search and rescue mission coordinator is one resource.  
2     Do you have other resources?

3     **WIT:** So Chief of Incident Management my first O6 in my chain. Used him as a means  
4     to just other aviation ideas and let him also talk to the Air Stations to let them know what  
5     specifically we're dealing with so they understood the magnitude of the situation.

6     **CAPT Phillips:** Thank you. In a situation like this where you have Coast Guard aircraft  
7     that are unavailable or doing other things, are there other aviation assets that you can  
8     rely upon in the area?

9     **WIT:** So sometimes we'll reach out to our other partner agencies for cases.  
10    Sometimes Customs flying in an area we can reach out to them and see if they can see  
11    the vessel we're looking for. We've used our partners over in the Air Force to go put  
12    eyes on a specific area before – while we had resources going to that area just because  
13    they may not have the search and rescue response capability they certainly have the  
14    ability to keep eyes on an area. This particular evening we didn't have any of those  
15    resources at our disposal. But we did have Bristow aircraft had an aircraft that was  
16    coming in. They were doing work, I'm not sure of the specifics of their work that they  
17    were doing on the platform but because the direction they were coming in they weren't  
18    affected as heavily by the weather that was keeping our Air Stations from being able to  
19    respond. And they were able to lend assistance that way. Keeping in mind they're just  
20    like a good Samaritan vessel, they're just a good Samaritan helicopter at this point. We  
21    don't have any control over them. Despite us being extremely grateful for anything that  
22    they can help us with.

1       **CAPT Phillips:** Thank you. Does the District Command Center have any guidance or  
2 policy about how to handle a triage, multiple EPIRB cases at the same time?

3       **WIT:** We do not.

4       **CAPT Phillips:** Does your command center ever conduct drills of any kind?

5       **WIT:** Like EPIRB drills? No.

6       **CAPT Phillips:** Just a drill. Like you know on ship you would conduct a fire drill to test  
7 out emergency process. In the command center do you have any kind of drills that you  
8 conduct?

9       **WIT:** So we have a scheduled training that we go through as well as every month we  
10 create a training scenario and our watch standers go into SAROPS and put that  
11 scenario into effect in a training platform. And each month it's different. And there's  
12 different resources. We will give that person for that training scenario and we'll  
13 challenge each other to determine how we can best execute that simulated search and  
14 rescue case.

15       **CAPT Phillips:** Thank you. And I think you may have mentioned it but I didn't totally  
16 hear the end. Can the District Command Center receive National Weather Service  
17 warnings?

18       **WIT:** We do not.

19       **CAPT Phillips:** Does the District issue any type of weather warnings at any point?

20       **WIT:** We do not.

21       **CAPT Phillips:** Thank you. I'm going to pass it to Mr. Ehlers.



1 **Mr. Ehlers:** Thank you Captain. Just a quick question on capability. Does the Coast  
2 Guard specifically District Eight have any underwater rescue capability as to somebody  
3 trapped underwater on a sunken vessel?

4 **WIT:** We do not.

5 **Mr. Ehlers:** Have you ever had cases in the past where there was an underwater  
6 rescue situation?

7 **WIT:** I know from my aviation days that there were cases where people were trapped  
8 under a boat or whatever it might be and the rescue swimmer will work to get them out  
9 from that situation. However, they don't – they're not, I don't want to speak directly to  
10 their policy and guidelines but they're not able to disconnect and go under that vessel  
11 into enclosed space.

12 **Mr. Ehlers:** Okay. Thank you.

13 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

14 **Mr. Muise:** Just a couple more EPIRB questions for you Lieutenant. The EPIRB  
15 SARSAT Manual that we talked about earlier, is there a companion document at the  
16 District level? Like a District internal procedure on how to handle EPIRBs?

17 **WIT:** We do not.

18 **Mr. Muise:** Is there something from SAR school that tells you what to do with EPIRB  
19 hits that is different than the SARSAT Manual?

20 **WIT:** SAR school talks about EPIRBs very briefly. Honestly I remember it being in the  
21 course material but the instructors go over it so quick that we don't really address it.  
22 Most of the people in SAR school are going to Sectors where they'll never deal with an  
23 EPIRB. So the District watch standers usually get most of their training at the unit.

1 **Mr. Muise:** Is the procedure standardized throughout various Districts around the  
2 country?

3 **WIT:** It is not. However, we have one person in our – on our watch floor he takes his  
4 job extremely serious. He's a top notch professional and he arrived to our unit he came  
5 up with individual training for EPIRBs. And everyone that is on that watch floor gets this  
6 training. He has a test that he has even created for us. And goes over the answers we  
7 provide and why they may be wrong or right. And he genuinely cares about the mission  
8 that we perform and he genuinely cares about the watch standers knowing everything  
9 they can about that.

10 **Mr. Muise:** Have you ever had an EPIRB case that was actually a personally located  
11 locator beacon? Have you ever seen those?

12 **WIT:** Personally I have not. But I know that they do exist. The, I believe it was the  
13 following day from SEACOR, April 14<sup>th</sup> there were three PLBs that went off for a Coast  
14 Guard vessel. And those three PLBs they were actually, their vessel had capsized.

15 **Mr. Muise:** If a vessel such as the SEACOR POWER that have PLBs on every life  
16 jacket, let's say a dozen of them went into the water would that make your job difficult?  
17 Would you be overwhelmed with data? Or would that help, just help correlate other  
18 information that's coming in?

19 **WIT:** I don't – it would be a lot of information coming in, but I don't see how it would  
20 hinder the overall situation. It may, like I said that's a lot of information coming in, but if  
21 you have an EPIRB and several PLBs going off we can start using that as a pretty good  
22 indication something's not right, so.

1 **Mr. Muise:** Okay. And I have a question about helicopters as well. Most of the major  
2 oil companies I understand have contracted helicopter for Medivac's and those kind of  
3 issues. There's a whole bunch of them. Have you ever used any of them for a search  
4 and rescue case?

5 **WIT:** I have not.

6 **Mr. Muise:** Thank you.

7 **CAPT Phillips:** Thank you Mr. Muise. At this time I'm going to turn it over to the  
8 parties in interest and see if they have any questions. American Bureau of Shipping  
9 would you like to go first?

10 **Mr. White:** ABS has no questions. Thank you.

11 **CAPT Phillips:** Thank you Mr. White. First Mate would you like to go next?

12 **Mr. Sterbcow:** Thank you Captain. Lieutenant, Paul Sterbcow I represent the First  
13 Mate Bryan Mires who was on the SEACOR POWER at the time of the capsizing.  
14 Since the Coast Guard doesn't have the capacity of performing underwater rescue is  
15 there a procedure for identifying other entities that can help the Coast Guard in a  
16 situation like that?

17 **WIT:** None that I'm immediately aware of.

18 **Mr. Sterbcow:** So you know of no procedure in place now where faced with a situation  
19 like the SEACOR POWER the Coast Guard could call upon a particular company or  
20 entity to help?

21 **WIT:** Again not that I'm immediately aware of.

22 **Mr. Sterbcow:** And with respect to the communication, you had mentioned that this  
23 was one of your biggest challenges in your position. Given the situation your office was

1 in the afternoon of April 13, in order for you to identify the information that you need to  
2 plan and effect the appropriate search and rescue is it vital that you obtain information  
3 on the location of a vessel in distress as soon as possible?

4 **WIT:** Absolutely. The sooner we know, A that someone is in distress and B where it is,  
5 the sooner we can begin planning.

6 **Mr. Sterbcow:** And it sounds to me like you all, you have to sort of fair it out which of  
7 these advisories are real versus advisories that may be just be accidental or for  
8 whatever reason don't involve actual vessels in distress?

9 **WIT:** That's correct.

10 **Mr. Sterbcow:** Okay. So is the way that the Coast Guard goes about doing that to call  
11 the vessel owner to see where the vessel is?

12 **WIT:** That's correct.

13 **Mr. Sterbcow:** And that's what your office did on this day?

14 **WIT:** That's correct.

15 **Mr. Sterbcow:** And were you actually present when that phone call was made?

16 **WIT:** I was.

17 **Mr. Sterbcow:** Could you hear the other person the SEACOR person?

18 **WIT:** Yes.

19 **Mr. Sterbcow:** And so you actually heard that person say that the vessel at the point of  
20 that phone call was made the SEACOR rep told you that the vessel was still in port?

21 **WIT:** Sir, his words were the vessel is in Fourchon and I believe that his words  
22 following, I can guarantee you they're at the dock.

23 **Mr. Sterbcow:** Do you know who made that statement? The person's name?

1 **WIT:** I do not recall the last name, but the first name was Nick.

2 **Mr. Sterbcow:** Nick?

3 **WIT:** Nick.

4 **Mr. Sterbcow:** N-I-C-K?

5 **WIT:** I believe so. We, my other watch stander who was on watch who was speaking  
6 with him asked for his name and so we can document that.

7 **Mr. Sterbcow:** So at that point when you received information like that from a vessel  
8 owner particularly in a situation you were in would you naturally turn your attention to  
9 other SAR cases in progress?

10 **WIT:** Absolutely.

11 **Mr. Sterbcow:** And when, did you say you received a call back from a SEACOR  
12 representative about 30 minutes later?

13 **WIT:** We did. I got a call from a Mr. Fremin.

14 **Mr. Sterbcow:** Fremin?

15 **WIT:** Fremin, I remember specifically his name because when he spelled it was not the  
16 Freeman I was thinking.

17 **Mr. Sterbcow:** Okay.

18 **WIT:** It's spelled a little bit different.

19 **Mr. Sterbcow:** And he was with SEACOR or calling on behalf of SEACOR?

20 **WIT:** He was calling on behalf.

21 **Mr. Sterbcow:** And what did Mr. Fremin say?

1 **WIT:** Mr. Fremin said that he was getting report or had heard or something along those  
2 lines, I don't remember specifically how that conversation went. But nonetheless he  
3 was receiving some sort of information that his vessel was in distress.

4 **Mr. Sterbcow:** Did he describe to you where his sources of information were? Where  
5 the info was coming from?

6 **WIT:** I don't recall.

7 **Mr. Sterbcow:** Was that the point when that phone called received when your office  
8 then knew for the first time that you had to plan and execute a search and rescue  
9 mission for the SEACOR POWER?

10 **WIT:** It was during that phone call with everything else going on that, for lack of better  
11 terms, the ah ha moment this is it. Like I said up to that point we were trying to sort  
12 information out going off the call previously saying that the vessel was moored.  
13 Everything else just conflicted with that report.

14 **Mr. Sterbcow:** You had inconsistent information?

15 **WIT:** Correct.

16 **Mr. Sterbcow:** Do you recall whether or not your office relied on Mr. Fremin though  
17 saying well wait a minute maybe we really need to turn our attention to this problem?

18 **WIT:** At that point my biggest concern, the watch stander answered the phone I was  
19 also on the line but I remember signaling him and I just wanted to know how people  
20 were on that boat. Honestly at that point I don't need to talk to Mr. Fremin anymore  
21 once I know how many people are on. It's time to take the action that we train for.

1 **Mr. Sterbcow:** And did I understand your testimony that you did not actually learn the  
2 accurate number of people on board the SEACOR POWER which capsized until the  
3 following morning?

4 **WIT:** If I recall the initial certificate of inspection had minimum crew manning. So that  
5 was our initial indication of minimum persons on that vessel. But when Mr. Fremin, he  
6 said there was 7 persons on board. So I knew I was looking for at least 7 people.

7 **Mr. Sterbcow:** At that point you knew you were looking for 7?

8 **WIT:** Correct.

9 **Mr. Sterbcow:** Based on your knowledge that 7 people were on board and you did not  
10 learn until the following morning that it was actually 19 would all the search and rescue  
11 efforts that went on from the afternoon of the 13<sup>th</sup> through the morning of the 14<sup>th</sup> have  
12 been conducted based on the assumption of they were trying to rescue 7 people? Do  
13 you know?

14 **WIT:** With due respect, sir, I think you started dabbling into speculation on that.

15 **Mr. Sterbcow:** Okay. That's why I'm asking.

16 **WIT:** And what I do know is if I knew I was looking for 7 people or I knew I was looking  
17 for 19 people I'm going to need more people or more assets to pull people from the  
18 water.

19 **Mr. Sterbcow:** Right.

20 **WIT:** I don't know that I could have gotten any more assets but at least being aware of  
21 what we need then we can start working on how to address that need.

22 **Mr. Sterbcow:** And one final thing. In terms of the weather itself, and I understand you  
23 described the weather that you saw. You were in the Hebert Building in New Orleans?

1 **WIT:** So the Federal Building downtown.

2 **Mr. Sterbcow:** Downtown. But in terms of the Coast Guard actually actively monitoring  
3 weather bulletins and passing them to other agencies or vessel owners, that's not  
4 something that the Coast Guard does is it?

5 **WIT:** Not for District level.

6 **Mr. Sterbcow:** Right, okay. Thank you Captain. That's all.

7 **CAPT Phillips:** Thank you Mr. Sterbcow. SEACOR Marine and Falcon Global.

8 **Mr. Hemphill:** Thank you Captain Phillips. Lieutenant Critchfield I'm Gary Hemphill I  
9 represent SEACOR Marine. Thank you for being here today and for your information so  
10 far. I want to go back and cover a point you just addressed with Mr. Sterbcow having to  
11 do with what you knew and when you knew it. I think you indicated that your office is  
12 located in downtown New Orleans.

13 **WIT:** That's correct.

14 **Mr. Hemphill:** In the Federal Building?

15 **WIT:** That's correct.

16 **Mr. Hemphill:** And from what you described earlier I understand you came on watch at  
17 0800 that morning?

18 **WIT:** I got there about 8 and then did the relief about 8:30.

19 **Mr. Hemphill:** And you stood 12 hour watches normally?

20 **WIT:** It depends on the watch position on the floor. So the Command Duty Officer  
21 position is a 24 hour watch.

22 **Mr. Hemphill:** How long were you going to be on duty that day?

23 **WIT:** 24 hours.



1 **Mr. Hemphill:** And I think you indicated earlier in response to questions from Captain  
2 Phillips that until this arise of EPIRB messages came in you considered this a routine  
3 day?

4 **WIT:** That's correct.

5 **Mr. Hemphill:** And that mirage of messages started to come in, as I recall about 1530.

6 **WIT:** Yeah, like I said we a had a couple trickle in throughout the day. But nothing  
7 unusual.

8 **Mr. Hemphill:** So up until 1530 it was a normal day as far as you were concerned?

9 **WIT:** That's correct.

10 **Mr. Hemphill:** And everything sort of broke lose at 1530, did it not?

11 **WIT:** Yes.

12 **Mr. Hemphill:** And I made some notes that you were describing the rest of your day  
13 that the system was overwhelmed and that there was mass confusion for a period of  
14 time on your dealing with all the messages. Did I hear that correct?

15 **WIT:** There was certainly a time of confusion, just again a lot of reports of a lot of  
16 different vessels in distress.

17 **Mr. Hemphill:** And I think you also said that the number of reports that you received all  
18 at one time was unprecedented in your personal experience.

19 **WIT:** That's correct.

20 **Mr. Hemphill:** What is it that you learned at that time or later about the weather  
21 conditions of sea and waves, wind and waves that were experienced offshore in the  
22 location where the SEACOR POWER capsized?

23 **WIT:** So you just want to know when I realized the severity of the weather?

1 **Mr. Hemphill:** No. I want to know what conditions were reported to you. What in  
2 terms of wave height and wind conditions. What did you learn later?

3 **WIT:** I eventually learned just because it was all over the news that we monitor on the  
4 TVs there on the watch floor, I believe it was the Weather Channel or anyways from one  
5 of those news networks talking about a large strong system that came up through the  
6 Southern part of Louisiana.

7 **Mr. Hemphill:** Do you recall hearing that there were observations of 90 knot winds and  
8 in some cases 112 mile per hour winds in certain locations offshore?

9 **WIT:** I started hearing that through the evening, but I don't have any means to verify  
10 any of that information. So I take it with a grain of salt.

11 **Mr. Hemphill:** Fair enough. So the point is though until this barrage of EPIRB  
12 messages started to come in you at the District level had no forecast or no fore  
13 knowledge that those kinds of conditions would be encountered offshore?

14 **WIT:** Not to that level.

15 **Mr. Hemphill:** Let me ask you a little bit about the organizational structure of the Coast  
16 Guard and for all the non-Coast Guard people in the room you tend to sometimes speak  
17 in acronyms.

18 **WIT:** Yes.

19 **Mr. Hemphill:** It's hard for us to follow. So I apologize for having to ask you to explain  
20 this. But I understand that your, or tell us what's your formal title at District?

21 **WIT:** I'm a Command Duty Officer.

22 **Mr. Hemphill:** At the District level?

23 **WIT:** That's correct.

1 **Mr. Hemphill:** And is there a Command Duty Officer on watch at the Sector level?

2 **WIT:** There is.

3 **Mr. Hemphill:** And do I understand correctly that the Sector level is a level below  
4 District?

5 **WIT:** That's correct.

6 **Mr. Hemphill:** So there would be a Sector Command Officer on watch who would  
7 report to the District Command Officer on watch, is that correct?

8 **WIT:** It doesn't quite flow like that. I understand from the outside our structure can  
9 seem a little on the confusing side. So the Sector watch floor it's made up very similar  
10 to the District watch floor. They have a Command Duty Officer and they have an  
11 operational unit watch. They also in addition to what we have for our watch standers  
12 they have a radio watch. It's someone that monitors the radios. They deal with their  
13 SAR cases as they normally would day in and day out. There are certain cases where  
14 they may need our assistance because they need additional assets such as aviation.  
15 And they'll call us. There may be cases that they have no – no view on just because it  
16 doesn't fall under their area of responsibility normally. Such as one of these beacons  
17 really far off shore 70 miles offshore that's our responsibility. And though we may use  
18 them as a tool by using UMIBs or maybe their own assets they don't necessarily  
19 following the chain of command. So we they do, we have the oversight for them, but  
20 they still operate independently unless they need our assistance.

21 **Mr. Hemphill:** So they have a certain degree of autonomy?

22 **WIT:** That's correct.

1 **Mr. Hemphill:** And they also have equipment available to them that I understand you  
2 don't have. For example the VHF radio.

3 **WIT:** That's correct.

4 **Mr. Hemphill:** You have no VHF capability at District at all.

5 **WIT:** None.

6 **Mr. Hemphill:** But at sector they have an officer who is dedicated to monitoring VHF, is  
7 that right?

8 **WIT:** That's correct.

9 **Mr. Hemphill:** And if you know is he expected to monitor channel 16 which is the  
10 normal commercial channel traffic?

11 **WIT:** That's correct.

12 **Mr. Hemphill:** And so someone at Sector on that communications watch is monitoring  
13 the VHF would be getting information that you at District would not be getting, is that  
14 right?

15 **WIT:** That's correct.

16 **Mr. Hemphill:** I want to talk a little bit about the timeline of events and your notice that  
17 you received from the EPIRB from the SEACOR POWER. As a preliminary matter  
18 though let me ask you this. You mentioned that the SEACOR POWER EPIRB is  
19 registered.

20 **WIT:** That's correct.

21 **Mr. Hemphill:** And that's registered in a Coast Guard database, is that right?

22 **WIT:** Like I said NOAA actually manages that.

1 **Mr. Hemphill:** Do you know whether or not it's required that EPIRBs be registered or is  
2 it optional?

3 **WIT:** No one forces anybody to do it which adds to the complications sometimes when  
4 we're executing these.

5 **Mr. Hemphill:** So the point is there's no legal requirement for SEACOR to have  
6 registered their EPIRB with NOAA but they did that as a matter of good commercial  
7 practice?

8 **WIT:** That's my understanding, yes.

9 **Mr. Hemphill:** Okay. And that's why you were able to quickly identify someone to call  
10 when this EPIRB went off in the mist of the barrage of EPIRBs that you received?

11 **WIT:** That's correct.

12 **Mr. Hemphill:** And I think in response to earlier questions with Exhibit 225 on the board  
13 you had said that you didn't recall exactly what time the first call to SEACOR was made,  
14 is that right?

15 **WIT:** That's correct.

16 **Mr. Hemphill:** But even though you can't remember that time do you have a general  
17 recollection of how much time passed between when you got the first EPIRB notice and  
18 you first reached out to SEACOR?

19 **WIT:** Again it seemed like a very short period of time. Again it seemed like within a few  
20 minutes we were making the phone call. But time seems to be compressed that  
21 evening too.

22 **Mr. Hemphill:** You had a lot of other things on your mind?

23 **WIT:** That's correct.

1 **Mr. Hemphill:** If the call log showed that there were less than 20 minutes that passed  
2 between when you received that initial EPIRB notice and the call was made initially to  
3 SEACOR would that surprise you?

4 **WIT:** Absolutely.

5 **Mr. Hemphill:** You would have expected to make that call sooner than that?

6 **WIT:** Absolutely.

7 **Mr. Hemphill:** Again I think you've indicated you don't recall the exact times that  
8 certain calls were made, but do you recall how much time passed between when you  
9 had that initial conversation with SEACOR and when you were contacted by SEACOR,  
10 with an alarm just saying they were concerned the vessel?

11 **WIT:** Are you referencing the conversation with Mr. Fremin?

12 **Mr. Hemphill:** Yes I am.

13 **WIT:** I don't remember the exact time that passed but I would say it was about 30, you  
14 know 40 minutes somewhere in there.

15 **Mr. Hemphill:** Alright. Again if the call log showed it was less than that would you be  
16 surprised?

17 **WIT:** I would be. But like I said we had a lot of calls going on that night.

18 **Mr. Hemphill:** Okay that's fair enough. For whatever period of time it was is it accurate  
19 to say that there were Coast Guard assets that could not have been deployed during  
20 that period of time regardless of what you do? In particular your aviation assets.

21 **WIT:** So at that moment we started, we were already trying to launch assets for other  
22 cases that they weren't able to initially respond.

1 **Mr. Hemphill:** So the point is there wasn't anything you could have done differently if  
2 had you received that information sooner in terms of deploying assets?

3 **WIT:** The only thing I could have done different is have the knowledge of the overall  
4 situation and start planning other assets, again from Air Station Corpus Christi maybe a  
5 little sooner or something. But just having that knowledge would have allowed us to  
6 make more plans.

7 **Mr. Hemphill:** But you wouldn't have been able to take action any sooner would it?

8 **WIT:** Again I would say planning is a pretty good action.

9 **Mr. Hemphill:** So planning in that sense is you're preparing for what you will do when  
10 the weather moderates to a degree when you can deploy assets?

11 **WIT:** That's correct.

12 **Mr. Hemphill:** And the asset, as I understand that you initially deployed is one that was  
13 coming from I think the Corpus Christi area?

14 **WIT:** That's correct.

15 **Mr. Hemphill:** And that was a twin engine aircraft that would be departing from Texas  
16 and flying to the site of the capsizing?

17 **WIT:** That's correct.

18 **Mr. Hemphill:** And what was the estimated travel time for that aircraft?

19 **WIT:** If I recall right it was between 1 hour and 45 minutes and 2 hours.

20 **Mr. Hemphill:** Do you happened to know how much time it took that aircraft to get  
21 underway?

22 **WIT:** I do not.

1 **Mr. Hemphill:** When all this confusing situation begin to explode do you recall having  
2 any communication with your Command Officer at Sector in Grand Isle?

3 **WIT:** I remember some conversation with their CDO that evening, yes.

4 **Mr. Hemphill:** I'm sorry, CDO?

5 **WIT:** The CDO, their Command Duty Officer. Yes, I'm sorry.

6 **Mr. Hemphill:** I'm sorry. I thought you said CEO. Was that Mr. Seth Gross?

7 **WIT:** Yes.

8 **Mr. Hemphill:** Do you know what time it was that the Sector received notice that the  
9 SEACOR POWER had capsized?

10 **WIT:** I do not.

11 **Mr. Hemphill:** If I told you that was 4:28 local time when the Sector office was  
12 contacted by, via VHF by a good Samaritan which was the Captain of the ROCK FISH  
13 who reported that the SEACOR POWER, he reported by name had capsized, were you  
14 aware of that?

15 **WIT:** Again I remember, and I don't specifically remember the time, but I just remember  
16 Sector calling in and saying they are getting reports of a large vessel that was  
17 overturned.

18 **Mr. Hemphill:** So the point is between the two phone calls that you had with SEACOR  
19 Sector had already been notified via VHF radio which District does not have that the  
20 SEACOR POWER had capsized.

21 **WIT:** They, as I recall they didn't know what vessel it was, it was just a large vessel.

22 **Mr. Hemphill:** Do you recall whether they had the location of that vessel?

23 **WIT:** I don't know if they had an accurate position or not.



1 **Mr. Hemphill:** Do you at District have an unique email address for communications  
2 that are going to the Coast Guard District office?

3 **WIT:** We do have a command watch email.

4 **Mr. Hemphill:** Does the Sector have its own unique email address?

5 **WIT:** They do.

6 **Mr. Hemphill:** I'm looking at an address of SCCNOLA would that be a Sector email  
7 address?

8 **WIT:** Yes.

9 **Mr. Hemphill:** And do you know was that the email address for the Grand Isle Station  
10 or Sector?

11 **WIT:** No. I don't know what the email address to Station Grand Isle.

12 **Mr. Hemphill:** If an email is sent to that address, to a Sector address does District  
13 automatically see that if it's not forwarded by Sector to District?

14 **WIT:** No.

15 **Mr. Hemphill:** So you wouldn't have any knowledge about email communications  
16 between SEACOR and Sector on the day of the 13<sup>th</sup> as you sit here right now?

17 **WIT:** I have no visibility.

18 **Mr. Hemphill:** So you don't know what information was sent by email to Sector that  
19 evening about the number of people on board?

20 **WIT:** Correct.

21 **Mr. Hemphill:** And I want to make sure the record is clear about what your views are  
22 about the confusion that exists in the number of people on board. You're not saying are

1 you that your rescue efforts would be any different if there was 17 or 18 or 19 people on  
2 board. Aren't you going to try and do your best to save whoever is there?

3 **WIT:** We're – every one of those lives matter to us. We're going to do everything we  
4 can.

5 **Mr. Hemphill:** Can I ask Lieutenant Alger to bring up Exhibit 225 again please  
6 [showing Exhibit]. And we'll start at page 25. And is this the first EPIRB message that  
7 you received, sir?

8 **WIT:** This is not.

9 **Mr. Hemphill:** So just to recap this, is this the first message then that you received?

10 **WIT:** Yes, sir.

11 **Mr. Hemphill:** And what time was it received?

12 **WIT:** At 2042 Zulu.

13 **CAPT Phillips:** For the record we're looking at page 27.

14 **Mr. Hemphill:** And at that point and time the location was un-located, I believe you did  
15 not know the location of that alert.

16 **WIT:** That's correct.

17 **Mr. Hemphill:** Now if you would go, Lieutenant, to page 23. And with this EPIRB  
18 message was received at 2044, is that correct? Zulu.

19 **WIT:** I don't see the top of the message. Oh there we go. That message there is 2054  
20 Zulu.

21 **CAPT Phillips:** Do we need to take a brief recess? Okay.

22 **Mr. Hemphill:** For the record Lieutenant what page is that? Is the message that you  
23 recognize and can interpret for us Lieutenant?

1 **WIT:** Yes, sir.

2 **CAPT Phillips:** Please tell us what page numbers you're looking at.

3 **Mr. Hemphill:** Page 24.

4 **CAPT Phillips:** Thank you.

5 **Mr. Hemphill:** So if you would get at the bottom of page 24 and the top of 25 please.

6 I'm sorry the bottom of 23 and top of 24. Do you recognize this message Lieutenant?

7 **WIT:** Yes.

8 **Mr. Hemphill:** And what is this?

9 **WIT:** It's an EPIRB position for the SEACOR POWER.

10 **Mr. Hemphill:** And what time was it received?

11 **WIT:** 2044 Zulu.

12 **Mr. Hemphill:** And does it have a location?

13 **WIT:** It does.

14 **Mr. Hemphill:** So as of that time there was an EPIRB location showing where the

15 SEACOR POWER was located?

16 **WIT:** That's correct.

17 **Mr. Hemphill:** And I think in response to some earlier questions you talked about AIS

18 data and I understand it the Coast Guard does not attempt to correlate EPIRB findings

19 with AIS data.

20 **WIT:** Correct. It's just a tool.

21 **Mr. Hemphill:** Is AIS data something that is available to the Coast Guard had you

22 elected to use that tool?

23 **WIT:** It is.

1 **Mr. Hemphill:** And had you elected or had the Coast Guard elected to examine the AIS  
2 data presumably it would have confirmed that this was the last reported location of the  
3 SEACOR POWER before it capsized?

4 **WIT:** I mean that's assuming that we would have actually got an AIS hit, yes.

5 **Mr. Hemphill:** No more questions. Thank you Captain.

6 **CAPT Phillips:** Thank you Mr. Hemphill. I'll turn it over to Mr. Verdin.

7 **Mr. Verdin:** Lieutenant your background is specifically electronics and search and  
8 rescue, your current job? That's correct?

9 **WIT:** I'm sorry my current job?

10 **Mr. Verdin:** Yes.

11 **WIT:** My current job is just Command Duty Officer. But I do have a background in  
12 aviation.

13 **Mr. Verdin:** Are you qualified in any way or anything in marine inspections and what's  
14 required for a vessel, what equipment is required for a vessel or anything? Are you  
15 qualified as a marine inspector?

16 **WIT:** Not for marine inspector.

17 **Mr. Verdin:** So you would not know what's required for the vessel or what registrations  
18 would be required for any of the equipment that's on board the vessel?

19 **WIT:** No.

20 **Mr. Verdin:** Okay. Thank you.

21 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Ehlers.

22 **Mr. Ehlers:** Just a quick question on your AIS feed that you have. Does that show  
23 current position of the vessel or history?

1 **WIT:** When I would look it up it would tell me the last position when it was updated last.  
2 So ideally it's updated pretty quickly, but sometimes there's delays.

3 **Mr. Ehlers:** Is there a – does it ever, what's the word. Does the information ever then  
4 once it's time late go away or does that last position stay there?

5 **WIT:** If I was looking for a track, again assuming that there is a position to find I've  
6 looked for vessels and not been able to find – find them where we thought they were  
7 and found they were somewhere else.

8 **Mr. Ehlers:** Thank you.

9 **CAPT Phillips:** Thank you Mr. Ehlers. It's been a lot of questions. Thank you for your  
10 patience. Thank you for your assistance working through all of this. Is there anything  
11 else that you think we should know or we haven't asked about?

12 **WIT:** No Captain.

13 **CAPT Phillips:** Okay. Thank you very much. You're now released as a witness at this  
14 Marine Board of Investigation hearing. Thank you for your cooperation. If I later  
15 determine that this board needs additional information from you I will contact you  
16 through your counsel. If you have any questions about the investigation you may  
17 contact Lieutenant Anthony Alger who is sitting over behind the computer. This  
18 testimony ran longer than originally expected. As such in lieu of starting the next  
19 witness we're going to break for lunch early. We will remain in recess until 1200. The  
20 time is now 1106. This hearing is now in recess.

21 *The hearing recessed at 1106, 4 August 2021*

22 *The hearing was called to order at 1201, 4 August 2021.*

1 **CAPT Phillips:** The time is 1201. This hearing is now in session. We will now hear  
2 virtual testimony from Lieutenant Seth Gross. Lieutenant Alger can you please  
3 administer the oath.

4 **Recorder:** Please stand and raise your right hand. A false statement given to an  
5 agency of the United States is punishable by a fine and or imprisonment under 18 U.S.  
6 Code 1001 and may also subject you to discipline under the Uniform Code of Military  
7 Justice. Knowing this do you solemnly swear that the testimony you're about to give will  
8 be the truth, the whole truth and nothing but the truth, so help you God?

9 **WIT:** I do.

10 **Recorder:** Please be seated. For the record please state your full name and spell your  
11 last.

12 **WIT:** Yeah my name is Seth Gross, G-R-O-S-S.

13 **Recorder:** Thank you. And please identify your counsel if present to confirm  
14 representation.

15 **Counsel:** Good afternoon. Lieutenant Commander Philipp Kunze, agency counsel.

16 **Recorder:** Thank you, sir. And if you could spell your last name.

17 **Counsel:** That's Kunze, K-U-N-Z-E.

18 **Recorder:** Thank you, sir.

19 **CAPT Phillips:** Thank you Lieutenant Alger. Good afternoon Lieutenant Gross thank  
20 you for joining us today.

21 **WIT:** Thank you Captain.

22 **CAPT Phillips:** I would like to start out with some background questions. Can you just  
23 tell us where you currently work?

1 **WIT:** Sure. I'm currently attached Sector New Orleans as the Assistant Department  
2 Head for the Emergency Management and Force Readiness Department.

3 **CAPT Phillips:** And how long have you been there at the Sector?

4 **WIT:** So I was assigned to Sector in June of 2020 where I was currently on industry  
5 training and officially reported to this position in October of 2020.

6 **CAPT Phillips:** Okay. And what are your responsibilities in that position?

7 **WIT:** Sure. So work within the Emergency Management and Force Readiness Division  
8 which is responsible for all contingency planning, all hazardous events, managing the  
9 severe weather and hurricane plan and a multitude of operationally driven initiatives to  
10 ensure readiness and preparedness for the area of responsibility for Sector New  
11 Orleans.

12 **CAPT Phillips:** Thank you. And how long have you worked for the Coast Guard?

13 **WIT:** I joined the Coast Guard in 2005, it will be 16 years next month.

14 **CAPT Phillips:** Can you tell us a little bit about what else you've done in the Coast  
15 Guard?

16 **WIT:** Absolutely. So I enlisted in 2005, I had a unique opportunity to serve in multitude  
17 of locations spanning nearly every Coast Guard mission from the East Coast to the  
18 Pacific remotes and the West Coast. I commissioned through Officer Candidate School  
19 in 2017 and was assigned to permanent or full time Command Duty Officer at Sector  
20 Honolulu. In that capacity I was the direct representative for the Sector Commander for  
21 initiating, coordinating all operational activities within that region. After serving that  
22 position for nearly three years I attended industry training. It was focused on

1 environmental response. And it was attached to my current in Emergency Management  
2 where I recertified as a Command Duty Officer for New Orleans.

3 **CAPT Phillips:** Very good. And what types of roles did you fill in the Coast Guard  
4 before you went to Officer Candidate School?

5 **WIT:** Sure I was a Marine Science Technician. Primarily response involving marine  
6 and environment response. Anything from the Incident Command Systems, pollution  
7 response, Federal onscreen coordinating representative. Primarily for the Incident  
8 Management Division. I also had a special assignment with the Coast Guard Recruit  
9 Command as a recruiter.

10 **CAPT Phillips:** Thank you. Have you ever spent any time underway?

11 **WIT:** I have not. I had short stints here, but nothing significant.

12 **CAPT Phillips:** And have you ever worked for other companies besides the Coast  
13 Guard?

14 **WIT:** I have. So joined the Coast Guard when I was 21. Prior to that I was a Financial  
15 Management Specialist for Bank of America and Bank of the West. That's when I  
16 attended Salt Lake Community College.

17 **CAPT Phillips:** Okay. And what's the highest level of education you've completed?

18 **WIT:** I received my Bachelor's Degree with a 4.0 GPA prior to commission out of Key  
19 West, Florida at St. Leo University.

20 **CAPT Phillips:** And do you hold any professional licenses or certificates?

21 **WIT:** I do not. The only certification aside from my profession is a Type 1 Plan Section  
22 Chief in the Incident Command System.



1       **CAPT Phillips:** Thank you. Now I'm just going to ask you a little bit about a Sector and  
2       the Sector Command Center. Can you tell us what a Sector Command Center does?

3       **WIT:** Yes. A Sector Command Center is the heartbeat of the Sector of operations. It's  
4       the conduit that feeds all information to various departments within the organizational  
5       chart. So they receive all initial communications from marine casualties, pollution,  
6       distress, search and rescue, routine operations. And they would essentially  
7       disseminate that information to the appropriate person. They act holistically as a  
8       representative for the Sector Commander making sure they can initiate and manage all  
9       initial operational activities. Within the Command Center construct there's four inherent  
10      positions and I'm happy to kind of explain those with you.

11      **CAPT Phillips:** Sure go ahead.

12      **WIT:** Okay. So the first position is a communication unit watch stander. They are  
13      responsible for all maritime communication in the area of responsibility. They serve as  
14      a first line communication metrology to the local mariners, commercial and civilian and  
15      Coast Guard resources. From there we have a situation unit controller who's primary  
16      responsibilities are maintaining a common operating picture really understanding the ins  
17      and outs of ports, vessels coming and going, maintaining an accurate idea of vessel  
18      traffic. And any circumstances that may play out in a large or dominate part within the  
19      AOR or like I said the area of responsibility. Next we have the operation unit controller  
20      who is responsible for all operational execution of all missions. So whether that's a  
21      marine casualty, search and rescue initiation of action for marine environmental  
22      response or pollution they're kind of the cog in the wheel that makes sure that we're  
23      responding appropriately and efficiently. Above them would be the Command Duty

1 Officer who's in the position that I serve as a direct representative of the Sector  
2 Commander. I'm his touch point to make sure that the operations are conducted  
3 smoothly. Manage all three watch positons. Ensuring efficiency and operational  
4 execution.

5 **CAPT Phillips:** Thank you. So in a given time there are four individuals on watch in  
6 the command center, in the Sector Command Center?

7 **WIT:** Yes Captain. Four qualified and certified watch standers.

8 **CAPT Phillips:** And what does a Sector Command Center do during a search and  
9 rescue incident?

10 **WIT:** Sure. So the Sector Command Center is really the strategic and operational  
11 planning on behalf of the Coast Guard. So I think it's important to note one step above  
12 the command center is what's called the search and rescue mission coordinator. In a  
13 search and rescue case that individual who has a delegated authority is responsible for  
14 the search in its entirety. So while we would follow the awareness, initiation of action,  
15 planning, operations, that search and rescue mission coordinator would keep the  
16 50,000 foot view to make sure that everybody is trending in the right direction and they  
17 would keep an objective viewpoint once removed essentially one person removed from  
18 the inner working to make sure that we're considering all possible scenarios, verifying  
19 assumptions and moving an expedient direction.

20 **CAPT Phillips:** Okay. That was a good description of the search and rescue mission  
21 coordinator. Tell us a little bit more about what the command center is going to be, the  
22 details of what the command center is going to be doing for a search and rescue case.

1 **WIT:** Yeah, absolutely. So when looking at search and rescue it's all predicated on  
2 quick reference cards. Everything we do is backboned and back chair by checklists.  
3 So regardless of your command center your standard search and rescue execution  
4 should be synonymous across the Coast Guard platform. So what that means is we're  
5 made aware of a situation, we initiate action whatever that may be situation specific,  
6 we'll take our planning, our assumptions and our considerations into effect and come up  
7 with a search plan and then we would execute that plan until fruition at what point we  
8 would reevaluate based on those conclusions and to either start over or continue to  
9 upon a predetermined course. So that's everything from communication with the  
10 mariner, public, to launching resources to liaising with other Government agencies or  
11 coordinating across various boundary line in conjunction with the District.

12 **CAPT Phillips:** Good. And so what would be an example of action you might take in a  
13 basic search and rescue case?

14 **WIT:** Sure. So I think the challenge is that when we say a basic search and rescue  
15 case, that's – it's really an ambiguous situation because each one is so dynamic and  
16 different based on the area, based on the situation, the scenario, people involved. So if  
17 we say an offshore a mile and a half taking on water with two adults we would issue out  
18 an urgent marine information broadcast alerting local notice to mariners that hey we've  
19 got a pending situation in this approximate vicinity, this is what we're looking at with this  
20 many people on board. Is anybody available to come and assist? Depending on where  
21 we are in our distress phase we would launch aviation or surface assets in coordination  
22 with other Government agencies or port partners to either provide a rescue, dewatering

1 efforts, a tow. It really is very situation specific. But those initial actions and a follow  
2 through would come from the Sector Command Center with the support of District.

3 **CAPT Phillips:** And what kind of equipment do you have in the Sector Command  
4 Center to do that job?

5 **WIT:** Sure. Our main method VHF and [in audible] We rely very heavily across all four  
6 watch positions. One is they use to maintain communication with the mariner and that's  
7 over channel 16 or 22A. It would be our predominant way of getting information on  
8 scene and really giving us a clear operational picture of what we have. We do have  
9 various other platforms. We're tracking in AIS, tracking different vessels within a  
10 specific region or vicinity. And then we would really leverage our operational unit  
11 controller to launch assets to turn into a search effort, how we're going to search, what  
12 we're going to search, the amount of effort needed and also coordinating estimated time  
13 arrivals depending on what that platform is.

14 **CAPT Phillips:** Thank you. And the very first part of that you were talking about the  
15 communications unit, but the audio didn't quite come through. Did you say that was all  
16 done via VHF radio?

17 **WIT:** It is VHF radio. Pretty much the most consistent and predominant way of  
18 communicating with mariners. We do utilize the phone a lot. It's just kind of situation  
19 specific based on where the mariner's located, if we're having communication  
20 challenges. But really establishing a clear line of communication and identifying what  
21 the situation is would be our main priority initially.

22 **CAPT Phillips:** Thank you. What kind of resources are you able to directly launch  
23 from the Sector Command Center?

1 **WIT:** Sure. So the Sector Command Center currently has three Stations, 87's, 87 foot  
2 Patrol Boats attached to it. As I mentioned we work closely with the Coast Guard  
3 District Eight which has an aviation conduit so we have Air Station New Orleans there.  
4 So we have everything from a 24 foot, 29 foot, 45 foot, small boat vessels, 87's and 65  
5 helicopters.

6 **CAPT Phillips:** You said a bunch of numbers. That refers to the length of the boats?

7 **WIT:** It does. And with the length comes specific parameters for those platforms. So  
8 the larger the vessel obviously the greater capability and endurance and capacity it has  
9 for inclement weather, distance off shore, time on scene. You know a lot specific to the  
10 region so in the greater New Orleans, Gulf Region you have a lot of shallow water so  
11 smaller vessels are advantageous depending on the particular situation.

12 **CAPT Phillips:** Thank you. And moving forward you have a lot of good information  
13 and I don't want to miss any words when you say things. So I think it wouldn't be a  
14 problem if you were here in person, but just because we're virtually can you just talk a  
15 little slower with your answers so that we don't miss any words?

16 **WIT:** Absolutely Captain.

17 **CAPT Phillips:** Thank you. What is the area of responsibility for the Sector New  
18 Orleans Command Center?

19 **WIT:** So the area of responsibility is predicated on the jurisdictional responsibility given  
20 to the Sector Commander. So the Sector Commander wears essentially five different  
21 hats. But looking at search and rescue the search and rescue mission coordinator  
22 capacity extends from the West from White Lake, East to Pearl River and 200 nautical  
23 miles offshore.

1 **CAPT Phillips:** Thank you. And for folks that are not familiar with the geographical  
2 area, approximately where is White Lake?

3 **WIT:** Captain I would have to get a better reference point. It's kind of done in a GPS  
4 coordinated fashion. It's quite a large area we're responsible for. But as far as giving a  
5 more clear picture for a geographical reference point I wouldn't be able to.

6 **CAPT Phillips:** But it's in Louisiana?

7 **WIT:** It is.

8 **CAPT Phillips:** Thank you. And what is the relationship between a District Command  
9 Center and a Sector Command Center?

10 **WIT:** Very symbiotic. The District Command Center is responsible for all of the Sectors  
11 within their relative District. But they're oversight and support to make sure the  
12 assumptions, initial actions and operations are going conducive to Coast Guard policy  
13 and what is best for that scenario. Additionally they are our touch point for any aviation  
14 assist as well as a surge for additional operating capacity we may request. Different  
15 aviation – different Air Stations beyond our local region or additional Cutter support.

16 **CAPT Phillips:** And what type of training do you need to become a Sector Command  
17 Duty Officer?

18 **WIT:** Sure. So it's a pretty extensive training process. I kind of explained the hierarchy  
19 from the communication unit watch stander position all the way to the Command Duty  
20 Officer. So within each watch position it requires a minimum of 15 watches per position.  
21 An extensive performance qualifying standard both locally and nationally. And then an  
22 oral qualification board. In my experience you would have to tier your way up either

1 starting at the situation operational unit level prior to receiving your Command Duty  
2 Officer qualification.

3 **CAPT Phillips:** And is that – does that training include any specific classes?

4 **WIT:** It does. Quite a bit. So one of the main classes for qualifying at the operational  
5 unit and Command Duty Officer would be your search and rescue course which is a  
6 standardized training conducted by the Coast Guard. Prior to COVID it was done in  
7 Yorktown, Virginia. In addition we have the command center watch school which kind  
8 of gives you a little bit more insight to the nuances of the different positions for those in  
9 a supervisory role. And then depending on your level of qualification, for example the  
10 search and rescue mission coordinator they would have their own dedicated training  
11 sessions and course requirements.

12 **CAPT Phillips:** Thank you. Were you on duty on April 13<sup>th</sup>, 2021?

13 **WIT:** I was Captain. I assumed the Command Duty Officer at 0430 that morning.

14 **CAPT Phillips:** So I would like to have you walk us through what happened on that  
15 day. If you could just start in the morning and give us as many details as you remember  
16 and walk us all the way through that day.

17 **WIT:** Sure. So like I said I assumed the watch at 0430 that morning. We conducted a  
18 typical pass down for operations that had happened the 12 hours previous of us coming  
19 on watch. Introduced myself to the watch team to make sure we're all on the same  
20 page, everybody was extremely energetic and operationally ready. We followed our  
21 checklist and pass down ensuring that all of our components and capabilities were up  
22 functioning appropriately and ready. We conducted operational risk assessment  
23 making sure that you know that within our risk parameters that we could execute high

1 level operations with a low risk tolerance. It was a very standard day up until about  
2 1500 that afternoon. I would say 1500 we became very heavily inundated with potential  
3 distress calls from both commercial and recreational vessels. Suffering groundings,  
4 taking on water, flooding. [In audible] Lower Mississippi River and disabled vessels. A  
5 case that stands out in particular note was a distress call we received over VHF 16 from  
6 an ocean going tug South of Port Fourchon where the 4 individuals on board making  
7 preparations to abandon ship just due to the sheer amount of water ingress. And the  
8 bilge pumps being unable to keep up. Fortunately they continued transiting in and  
9 made it out of the hazardous condition safely but just 28 minutes later at 1628 we  
10 received that initial notification from Motor Vessel ROCK FISH regarding a capsized 120  
11 – 295 class lift boat approximately 6 to 7 nautical miles South of Port Fourchon.

12 The Sector Command Center immediately entered the distress phase and  
13 Commander Michelle Ferguson assumed our search and rescue mission coordinator.  
14 We issued an urgent marine information broadcast as I mentioned is our primary way to  
15 alert mariners in the area that a capsized vessel, potential people in the water and we  
16 included a longitude and latitude. This urgent marine information broadcast  
17 successfully brought additional good Samaritans to the area. We were able to  
18 ultimately recover survivors. A vessel of opportunity the GLENN HARRIS which is a  
19 pre-commissioned Coast Guard Cutter owned and operated by Bollinger was on scene  
20 within 34 minutes when they diverted from sea trials. We designated them as our on  
21 scene coordinator and they were able to maintain consistent communications and  
22 organize on scene resources. They reported on scene conditions at the time of the  
23 incident when they came upon the capsized vessel of 80 to 90 knot winds, 10 to 12 with



1 occasion 16 foot seas and a white wash for their visibility. In addition to the GLENN  
2 HARRIS we diverted Coast Guard Cutter AMBERJACK which is an 87 foot patrol boat  
3 which was diverted from a case in our Western area of responsibility with and ETA of  
4 about 6 ½ or estimated time of arrival, 6 ½ to 8 hours. We also recalled the 87 foot  
5 patrol boat MORAY out of Grand Isle. Through Coast Guard District Eight we  
6 requested a fast response Cutter, 154 foot ship the BENJAMIN DALEY and any and all  
7 available aviation assets through Corpus Christi, New Orleans, Aviation Training Center  
8 Mobile. Subsequently the first fixed wing aviation asset on scene was out of Corpus  
9 Christi and deployed three self-locating data marker buoys in close proximity to the  
10 capsized vessel. These self-locating data marker buoys is a primary way for us to  
11 validate our search assumptions, our set and direct and overall it increases our mission  
12 effectiveness. Coast Guard Station Grand Isle deployed two 45 foot response boat  
13 mediums which were operating under an operational waiver for a risk assessment of  
14 high risk high gain. That waiver was granted by Captain Will Watson, Sector  
15 Commander New Orleans. They arrived on scene just after 1845 and immediately  
16 provided on scene lifesaving support. Our focus from the initial notification was how do  
17 I bring as many resources to bear this capsized vessel and as quick and expedient  
18 fashion as possible. And that maintained our focus throughout the initial notification and  
19 operation. Standing by for any questions you may have for details about the day  
20 Captain.

21 **CAPT Phillips:** Thank you very much. That's very helpful. It does appear that the  
22 internet connection with your feed is a little bit weak. I would like to look at the parties in

1 interest and see if there's any objection if we go to audio only with this witness. Any  
2 objections First Mate? ABS? SEACOR?

3 **Mr. White:** No objection.

4 **Mr. Hemphill:** No objection, ma'am.

5 **CAPT Phillips:** Okay Lieutenant Gross why don't you go ahead and turn your video off  
6 and then we'll just maintain audio and see if that sounds okay. Thank you.

7 **WIT:** Okay Captain video is off.

8 **CAPT Phillips:** Sorry you just said the video is off?

9 **WIT:** Yes, ma'am.

10 **CAPT Phillips:** Okay. We'll test this and see if we're able to capture everything.

11 **WIT:** Okay absolutely and I brought in a secondary router if you would like to try video  
12 again.

13 **CAPT Phillips:** I'm going to walk backwards and ask you some more details about the  
14 day of the incident and leading up to it. Can you tell us how much sleep did you get the  
15 night before?

16 **WIT:** Sure. So I make it a personal average to try to get 7 to 8 hours of sleep prior to  
17 watch. I commute about an hour's distance so it's pretty regimented into my schedule  
18 to get 7 to 8 hours.

19 **CAPT Phillips:** Do you remember what time you went to bed the night before?

20 **WIT:** I would say, to the best of my recollection it would be about 8 p.m.

21 **CAPT Phillips:** And what time did you wake up that morning?

22 **WIT:** I woke up at 0310.

23 **CAPT Phillips:** Had you been on watch the day before?

1 **WIT:** I was not.

2 **CAPT Phillips:** How long are your watches as a Command Duty Officer?

3 **WIT:** All four positions are 12 hour watches.

4 **CAPT Phillips:** Good. Approximately what time did you arrive at Sector New Orleans?

5 **WIT:** 0425.

6 **CAPT Phillips:** And you said you did a pass down with an off going watch. Was there  
7 anything notable that you remember?

8 **WIT:** No Captain nothing to my recollection.

9 **CAPT Phillips:** Good. And how were you feeling that morning?

10 **WIT:** I was feeling great. Yeah I was ready for – I was ready to man the watch and I  
11 felt energetic and ready to go.

12 **CAPT Phillips:** Good. And how did the other watch standers on your team appear to  
13 be feeling?

14 **WIT:** The same. I was fortunate to have a qualified and certified crew. We had a low  
15 risk high operational execution so there were no concerns from any members.

16 **CAPT Phillips:** Good. And prior to the 1500 timeframe was there anything unusual  
17 about the watch that day?

18 **WIT:** Nothing comes to mind Captain.

19 **CAPT Phillips:** Was all the equipment working properly?

20 **WIT:** To the best of my recollection.

21 **CAPT Phillips:** Do you remember how many total cases you had that day?

22 **WIT:** I don't. I would estimate that we had 6 to 7 cases from 1500 until the ocean going  
23 tug distress broadcast. And I believe the SEACOR POWER was the 8<sup>th</sup> distress call.

1 **CAPT Phillips:** How many cases would you normally have in that kind of a time frame?

2 **WIT:** It's hard to say. A lot of it's based on, it's hard to say. It's kind of based  
3 circumstances. I would say that's more than I personally experienced in that short  
4 amount of time. But it's not, you know debilitating or reduce our operational capacity.

5 **CAPT Phillips:** Did you ever hear any radio calls that day from the SEACOR POWER?

6 **WIT:** The only, no I did not Captain.

7 **CAPT Phillips:** And you said when the radio call came from the ROCK FISH at 1628  
8 the first step was to issue an urgent marine information broadcast. How quickly would  
9 you say that turnaround time was from the phone call to the broadcast?

10 **WIT:** Absolutely. So the broadcast from the ROCK FISH came via 16. As soon as we  
11 had the information to put out that urgent marine information broadcast we issued it.

12 **CAPT Phillips:** So would you say it was a matter of minutes?

13 **WIT:** I would. So due to the on scene condition of the ROCK FISH the communication  
14 initially was hard for us to decipher. A lot of wind in the background and the dialect by  
15 the reporting party. So I would say within a couple of minutes we had a good position.  
16 We had an understanding of what we were facing and an urgent marine information  
17 broadcast was issued.

18 **CAPT Phillips:** And then I think you said 34 minutes later the GLENN HARRIS arrived.

19 **WIT:** Correct Captain according to our records.

20 **CAPT Phillips:** Would that have been 34 minutes from the time the ROCK FISH called  
21 or 34 minutes from the time you put out the broadcast?

22 **WIT:** Our records indicate that they were on scene at 1702 local, 34 minutes after the  
23 initial notification from the ROCK FISH.

1     **CAPT Phillips:** Thank you. And did you get specific information from any of the  
2     vessels about the on scene weather conditions at that time?

3     **WIT:** We did.

4     **CAPT Phillips:** Do you remember what they said?

5     **WIT:** So on scene conditions at the time were 80 to 90 knot winds, 10 to 12 with  
6     occasional 16 foot seas. And a near white wash for visibility.

7     **CAPT Phillips:** Was that the report from the ROCK FISH?

8     **WIT:** I believe so, yes Captain.

9     **CAPT Phillips:** So tell us a little about the process you use to identify where you're  
10    going to direct a vessel to search or an aircraft to search? Tell us about the program,  
11    tell us about the process.

12    **WIT:** Sure. So the Coast Guard utilizes a program called SAROPS. This is essentially  
13    a platform that allows us to input specific information, data points, search objects and a  
14    scenario to create a set and drift in order to account for where an individual, an object or  
15    a specific thing may go. So with this specific incident we knew a position. We knew the  
16    distress report time was 1628. We assumed based on the information provided that  
17    there was potentially individuals in the water with or without life jackets. And that the  
18    vessel had contained a life raft. So using the last known position of these three objects  
19    we conducted a set and drift based on environmentally provided input on wind and  
20    current. This input will essentially create particles, 5000 particles which drift and that's  
21    how we can assume as to where the most advantageous location for our initial search  
22    would be. And over a span of time where we would anticipate a specific object to go.

1 That was further validated by the self-locating data marker buoys that were dropped by  
2 the Corpus Christi fixed wing aircraft.

3 **CAPT Phillips:** Thank you. And you said SAROPS. Do you know what that stands  
4 for?

5 **WIT:** Captain I do not.

6 **CAPT Phillips:** Okay. Can you spell it for us then?

7 **WIT:** S-A-R-O-P-S.

8 **CAPT Phillips:** Thank you. You said the terms set and drift. Can you just explain  
9 those for us?

10 **WIT:** Yes. So set and drift is a specific object enters the water based on environmental  
11 specifics where you can anticipate that to go. So if we know a position where an object  
12 entered the water, a specific location based on the current, tide and wind what direction  
13 you could anticipate that object moving and then we would look at the probability of  
14 containment on how we're able to account for that drift to ensure that we're searching in  
15 an appropriate fashion, getting in a specific area in an effort to locate it. And SAROPS,  
16 SAROPS stands for search and rescue optimal planning system.

17 **CAPT Phillips:** Thank you very much. You said you assumed that you could have a  
18 person in the water with or without a life jacket. And you also anticipated that there  
19 might be a life raft. Do you put all of those objects into the program or do you have to  
20 run those separately?

21 **WIT:** So within the program Captain we can add 4 independent objects. Those three  
22 would be added, drifted and then you can wait which one that you like to dedicate your  
23 allocated effort on. So all three would get a set and drift if you have the ability – you do

1 have the ability to navigate to which one you would optimize. And how about  
2 programmatic specific works I would have to refer you to, you know a program specialist  
3 or someone who kind of works the coding piece.

4 **CAPT Phillips:** But did the decision about wading is up to you?

5 **WIT:** It would be in conjunction with the watch team and the search and rescue mission  
6 coordinator. The operational unit controller is the one that's adding the information into  
7 the SAROPS system, determines set and drift and he or she would be responsible for  
8 that initial search allocation.

9 **CAPT Phillips:** Do you remember if you used any wading that day?

10 **WIT:** I do not Captain. I was not privy to that particular conversation.

11 **CAPT Phillips:** Okay. And so if I heard you correctly the system will put 5000 particles  
12 you said in and then it runs through the program and it – does it show you where those  
13 particles end up?

14 **WIT:** It would Captain. It would reflect the anticipated drift of those 5000 particles.

15 **CAPT Phillips:** And how does that display to you in the program?

16 **WIT:** As pixels or waded numbers depending on the objects.

17 **CAPT Phillips:** And then do you use that display to decide where to send aircraft or  
18 vessels?

19 **WIT:** Correct Captain. So that overlay we input based on the asset responding, the  
20 time on scene, you know how fast they can travel their search speed. We would  
21 determine the best and most appropriate place to put that search asset taking into  
22 account the drifted particles and highest chance for saturation of where we could  
23 anticipate finding an individual or object.

1       **CAPT Phillips:** And does the program suggest search patterns to you or do you decide  
2       where those are going to go?

3       **WIT:** It does. Based on the highest probability of success it would recommend a  
4       prescribed search pattern and it's up to the operational unit controller to take that  
5       information against assumptions which we know is fact, on scene conditions with local  
6       knowledge and apply that to the most appropriate area.

7       **CAPT Phillips:** And did you use that process on the 13<sup>th</sup> for the SEACOR POWER  
8       case?

9       **WIT:** We did. We used it on the 13<sup>th</sup>, yes, ma'am.

10      **CAPT Phillips:** Did you use it to direct the GLENN HARRIS to search a certain  
11      location?

12      **WIT:** So the GLENN HARRIS because they were on scene in 34 minutes we  
13      determined that the best use of that asset would be to remain on scene and look for  
14      potential survivors on the surface of the water. They were not tasked with an initial  
15      search pattern. We had requested that they maintain stations at on scene coordinator  
16      next to the capsized vessel.

17      **CAPT Phillips:** Thank you. Did you ask any of the good Samaritan vessels to follow a  
18      certain search pattern or go to a specific location?

19      **WIT:** Not to my knowledge. Aside from the urgent marine information broadcast which  
20      highlighted the latitude and longitude of the capsized vessel.

21      **CAPT Phillips:** What was the first Coast Guard asset that you passed a search pattern  
22      to?



1 **WIT:** That would be direct communication between our operational unit controller and  
2 that specific asset Captain.

3 **CAPT Phillips:** Do you know which one was the first one?

4 **WIT:** I do not. At this point I was at how we can bring the most resources to bear on  
5 scene as quickly as possible. The operational unit controller was determining the most  
6 appropriate search space and passing that information to the assets.

7 **CAPT Phillips:** Thank you. You talked a little bit about the 45 foot boats from Station  
8 Grand Isle. And then you said there was a waiver granted. Can you tell us what that  
9 waiver was for?

10 **WIT:** Sure. So anytime an asset or within the Coast Guard mission set that gets  
11 deployed they're going to evaluate their operational risk and determine the weighted  
12 value, the risk of the mission and the low, medium or high intended output for that  
13 specific operation. Anytime an asset is deployed with a high risk high gain output it  
14 requires our Operational Commander authorization. So for this, for those two 45's due  
15 to the conditions, the nature of the scenario they determined that their operational risks  
16 was high, high, high gain, high risk and received that waiver.

17 **CAPT Phillips:** Thank you. And I think you said you also requested any and all  
18 aviation assets, did I hear that correctly?

19 **WIT:** Correct. As I mentioned Captain that's going to done through the District. They  
20 are the Operational Commander for Air Stations. The request was for both fixed and  
21 rotary wing.

22 **CAPT Phillips:** And what was the initial response to those request for aviation assets?

1       **WIT:** They concurred with the recommendation and contacted those units  
2 independently to find out about availability.

3       **CAPT Phillips:** You said you were on a 12 hour watch schedule and you arrived at  
4 4:30 did you finish up your watch at 1630?

5       **WIT:** So that's when, at 1630 the night watch had arrived at the command center. We  
6 immediately incorporated them into the pending cases. I split the watch floor into  
7 essentially, with the recommendation of Senior Chief Cantu and Commander Ferguson  
8 we split the watch into two, basically we split the watch floor into two difference  
9 components. One would maintain the operational posture of the day to day mission at  
10 the Coast Guard Command Center. The other one would maintain priority, focus and  
11 emphases on the SEACOR POWER case.

12       **CAPT Phillips:** And so you continued to work the SEACOR POWER case that  
13 afternoon?

14       **WIT:** Correct Captain. I maintained involvement with the SEACOR POWER case till  
15 right around midnight.

16       **CAPT Phillips:** Right around what time? Sorry.

17       **WIT:** Right around midnight.

18       **CAPT Phillips:** Thank you. You said that the first aircraft on scene was a fixed wing  
19 aircraft, correct?

20       **WIT:** Correct. According to my records it was on scene at 1944 from Corpus Christi.

21       **CAPT Phillips:** And you said they deployed a self-locating data marker buoy?

22       **WIT:** Deployed three of them at my request Captain.

23       **CAPT Phillips:** And what did the information from those buoys show you?

1 **WIT:** So those buoys are specifically tied to our SAROPS system. What they do is  
2 validate for environmentally or for environmental data which feeds into that set and drift  
3 of particles and to optimize objects. So essentially it give credence that we're searching  
4 in the right direction that the set and drift is concurrent with what we're anticipating  
5 through our virtual system.

6 **CAPT Phillips:** And so that day the buoy said that your assumptions were good?

7 **WIT:** To the best of my knowledge Captain.

8 **CAPT Phillips:** Thank you. When you were working the search and rescue case on  
9 the afternoon of the 13<sup>th</sup> did you know how many people were on board the SEACOR  
10 POWER?

11 **WIT:** So the initial report was 17 individual on board. After confirmation through their  
12 crew manifest with SEACOR it was determined that there were 19 souls.

13 **CAPT Phillips:** Do you remember about what time you got those reports?

14 **WIT:** I believe my first contact with the SEACOR POWER representative was roughly  
15 around 1800. Once Commander Ferguson had arrived at the command center she took  
16 primary point of contact with the SEACOR POWER and maintained communications  
17 throughout the evening.

18 **CAPT Phillips:** Did you have the information about the total number at 19 before you  
19 got off watch at midnight?

20 **WIT:** I believe so Captain.

21 **CAPT Phillips:** Thank you. During the day did you hear of reports of any weather  
22 related damage from any Coast Guard units?

1 **WIT:** Yes. So after the storm system had impacted the greater New Orleans area and  
2 it's of my personal preferences is that we call each unit independently and find out if  
3 there was any damage or anything significant. Nobody had explained or nobody had  
4 relayed any significant impact or injuries to their location. But there were some  
5 environmental impacts as a result of the storm system.

6 **CAPT Phillips:** Do you remember what any of those were?

7 **WIT:** I do. So Station New Orleans had trailered some of their boats to move to a safer  
8 location. Station Grand Isle had water ingress up to the boathouse. And I believe we  
9 had placed an inquiry to Coast Guard District Eight about any aviation limitations.

10 **CAPT Phillips:** You said that it's your personal preference to call units and check for  
11 damage after weather, is that a standard process?

12 **WIT:** Captain I can't speak for what the policy is. But for me personally from an  
13 operating picture the watch team and I contacted each of the Small Boat Station that  
14 could have potentially been impacted. Just to get an update to relay. As I mentioned at  
15 the Sector Command Center operates on behalf of the Sector Commander and that's  
16 just relevant knowledge for the Coast Guard posture.

17 **CAPT Phillips:** Do you have guidance in your command center about how to handle  
18 multiple search and rescue cases at the same time?

19 **WIT:** The backbone of every search and rescue case is our quick reference card. It  
20 provides a checklist, initial checklist an amplifying checklist on the steps, notifications,  
21 initial actions and procedures that should be taken. That was used in every specific  
22 incident relayed to the command center.

1 **CAPT Phillips:** Do you have any guidance if you receive multiple cases at the same  
2 time? Do you have any guidance on how to triage those cases?

3 **WIT:** Through the experience and judgement of the Command Duty Officer who's  
4 earned that recommendation for certification. While I don't believe there is a set policy  
5 it's clear that the quick reference card should be used each and every time and  
6 prioritization would be based scenario and circumstance.

7 **CAPT Phillips:** Do you have guidance for mass rescue operations?

8 **WIT:** We do have a mass rescue plan. We have a Sector New Orleans mass rescue  
9 plan, yes.

10 **CAPT Phillips:** Is there a certain threshold before something is considered a mass  
11 rescue operation?

12 **WIT:** A mass rescue operation is determined is anything that would exceed the  
13 capabilities of a single unit. While I do not believe that there is a predetermined  
14 number, it's anything that would overwhelm those intrinsic capabilities.

15 **CAPT Phillips:** Did this qualify as a mass rescue operation?

16 **WIT:** Yes.

17 **CAPT Phillips:** Does the Sector Command Center conduct drills of any kind to practice  
18 different responses?

19 **WIT:** Absolutely. So there's a mandated monthly training that they run through. You  
20 know the Coast Guard trains frequently and often for a number of contingencies and  
21 circumstances. Is there one in particular that you're looking for Captain?

22 **CAPT Phillips:** No just in general.

23 **WIT:** Yes they train frequently and often and that's mandated by policy.

1       **CAPT Phillips:** Do you have a way to know what the weather is doing in certain areas  
2 of the Sector's responsibility?

3       **WIT:** We leverage the National Weather Service and National Oceanic Atmospheric  
4 Administration websites. Plus they have been consistent with messaging and sharing  
5 any advisories or updates.

6       **CAPT Phillips:** So you have the websites available to look at. And then did you say  
7 the weather service sends you advisories?

8       **WIT:** They do through normal means of communication depending on what the  
9 circumstance or overview is.

10       **CAPT Phillips:** How do they send those advisories to you?

11       **WIT:** Via email Captain.

12       **CAPT Phillips:** Is that sent to a personal email addresses or to the general email at the  
13 command center?

14       **WIT:** I receive them on my work related email.

15       **CAPT Phillips:** Is everybody -----

16       **WIT:** I can't speak if it is sent – I do not know Captain.

17       **CAPT Phillips:** Does the general command center email receive those warnings?

18       **WIT:** I would have to check Captain.

19       **CAPT Phillips:** Okay. Did you see any weather forecasts for the day of the accident?

20       **WIT:** I did. We knew it was one that I recall seeing was for a slight risk of severe  
21 weather and excess rainfall for the 13<sup>th</sup>.

22       **CAPT Phillips:** Do you remember what time you saw that?

1 **WIT:** I don't. I believe it came through the National Weather Service normal email  
2 communication early that morning.

3 **CAPT Phillips:** Does the Command Center have a way to receive special marine  
4 warnings from the weather service?

5 **WIT:** I do not know Captain I would have to refer you to the command center  
6 Communication Chief or the Command Center Chief for that information.

7 **CAPT Phillips:** Okay. Does the Sector issue weather warnings of any kind?

8 **WIT:** So the safety marine information broadcast are not a Coast Guard requirement,  
9 but rather a practice that's employed to augment, support or emphasize the National  
10 Weather Service or NOAA's messaging.

11 **CAPT Phillips:** So tell us how that works.

12 **WIT:** So depending on what that would be, safety marine information broadcast could  
13 be pushed over VHF alerting mariners of potentially hazardous conditions based on the  
14 known circumstances. But again this is not something that's a Coast Guard  
15 requirement it's rather a practice to support the weather service.

16 **CAPT Phillips:** So if you need to send out one of these broadcasts does the weather  
17 service contact you? How does that work?

18 **WIT:** Right. So I don't think it's a clearly delineated policy. It's based on circumstances  
19 and the severity of the event. In the event in of tropical storm, hurricane, gale force  
20 winds through a broadcast a notice to mariners through the SMIB. But you know really  
21 we leverage heavily on the weather service and NOAA to make those communications.

22 **CAPT Phillips:** And those broadcast are made over VHF radio?

23 **WIT:** Correct Captain.

1       **CAPT Phillips:** Is there any other way that the Sector Command Center might warn  
2       mariners of severe weather in their area?

3       **WIT:** Nothing comes to mind Captain.

4       **CAPT Phillips:** Thank you. I'm going to pass the microphone to Mr. Ehlers with the  
5       NTSB. I think he has a question for you.

6       **WIT:** Thank you Captain.

7       **Mr. Ehlers:** I have a few questions. Good afternoon Lieutenant Gross. While we're on  
8       the subject of the weather again. So when the weather service has a special marine  
9       warning and it's going to go out over VHF again who – is that based on a call from the  
10      weather service asking the command center to make that broadcast?

11      **WIT:** To the best of my knowledge, sir it would be the discretion of the command center  
12      based on what that specific condition is. The weather service has provided the Coast  
13      Guard with you know relevant updates in the middle of a case or upon request. But  
14      from my understanding it would be just promulgated through normal means of  
15      communication to the mariner.

16      **Mr. Ehlers:** Okay. So if the weather service sends to the standard email address as a  
17      special marine warning how does that not necessarily result in a broadcast over VHF  
18      16?

19      **WIT:** No, sir. As I mentioned it's not a Coast Guard requirement. It's just something  
20      that we employ to support the messaging on behalf of the weather service.

21      **Mr. Ehlers:** Okay. Whose decision would it be to make that broadcast if a broadcast is  
22      made?



1 **WIT:** I don't know the final decision maker for a broadcast would be. It would be a  
2 collective effort based on the circumstance and the information provided by the weather  
3 service on whether it's not relevant to the mariner.

4 **Mr. Ehlers:** Okay. So who monitors those weather messages when they come in from  
5 the weather service?

6 **WIT:** It should be the command center. I'm just not sure in what way the weather  
7 service is currently communicating with the Sector Command Center whether it's  
8 through a shared inbox or independent messaging. I can only speak for my inbox.

9 **Mr. Ehlers:** Okay. Since you've been working as a CDO at Sector New Orleans has  
10 your watch team issued these weather warnings?

11 **WIT:** We have. From my experience it's typically been small craft or gale force that we  
12 issued the warnings for.

13 **Mr. Ehlers:** And in one of those instances what was the – what was the deciding factor  
14 issuing that? Was it the small craft warning?

15 **WIT:** In my experience yes.

16 **Mr. Ehlers:** Did you receive warnings on the afternoon of April 13<sup>th</sup>?

17 **WIT:** The only warning that we received to my inbox from the National Weather Service  
18 was a slight risk for severe weather and excessive rainfall.

19 **Mr. Ehlers:** So you didn't receive any specific warnings about severe weather, small  
20 craft warnings, etc. that afternoon?

21 **WIT:** To the best of my recollection my inbox did not receive any of those.

22 **Mr. Ehlers:** Okay. Does the command center receive NAVTEX broadcast?

23 **WIT:** Not to my knowledge, sir. I'm not familiar with the term.

1 **Mr. Ehlers:** Okay. Lieutenant Alger will you bring up Exhibit 23, page 4 [showing  
2 Exhibit]. This is the Sector SITREP for this incident. Can you see that Lieutenant  
3 Gross?

4 **WIT:** I can, sir.

5 **Mr. Ehlers:** Sorry move to page 6 I think. Right there. My apologies, page 5. Keep  
6 scrolling down please. Okay, keep scrolling down please. Or up, scroll up. My  
7 apologies. Keep going. Okay stop right there. Thank you. Okay I just have a few  
8 questions on this SITREP to help me understand the SITREP a little bit better. And  
9 actually you mentioned that Commander Ferguson assumed SMC, that's SAR Mission  
10 Commander or Coordinator?

11 **WIT:** Coordinator, sir.

12 **Mr. Ehlers:** Okay. And does the SMC operate out of the command center?

13 **WIT:** They do not. They may come into the command center for updates, imagery,  
14 things like but organically they would be in one of those four positions located inside of  
15 the command center.

16 **Mr. Ehlers:** And for the audience and those online I'm specifically looking at the line  
17 that begins 132230Z APR21. And I note that after that line or after that initial timeline  
18 there's another time listed with asterisks on both sides.

19 **WIT:** Sure.

20 **Mr. Ehlers:** Can you explain what that means?

21 **WIT:** Yes. So ----

22 **Mr. Ehlers:** Is that just a late entry?

1 **WIT:** It's either a late entry or a corrected entry. So what they're both trying to do is for  
2 accuracy. Each watch stander has watch a chronological log in front of them that  
3 they're making pen and ink changes as these cases develop and answer phone calls as  
4 the information floods in. Then they would look to do is capture that within one of our  
5 systems. Anytime there's a discrepancy following that initial notification when you can  
6 review your records the asterisks generally would rectify just a timeline.

7 **Mr. Ehlers:** Okay, alright. And so the SMC, is the SMC are they working with a team  
8 of people or are they working with the command center watch standers?

9 **WIT:** Sure. So I think to kind of explain the role a little bit more clearly the command  
10 center is a 12, for Sector New Orleans the command center watch schedule is a 12  
11 hour rotation. Search and Rescue Mission Coordinator operates independently on a  
12 various schedule that has nothing to do with the heartbeat of the command center. So  
13 for here I believe at the time they were operating on two weeks of scheduling and they  
14 would be responsible for any and all search and rescue cases coming out of the  
15 command center at all times. So for this particular case and for all cases prior to this  
16 she was the SMC who was notified once the command center understood the situation.

17 **Mr. Ehlers:** Okay. So is the SMC doing the SAR planning such as looking at SAROPS  
18 or is that being done by the command center?

19 **WIT:** The person responsible for SAROPS and SAR planning is our operational unit  
20 controller. And the CDO validates that all input is accurate based on current  
21 assumptions, facts and relevant information. The Search and Rescue Mission  
22 Coordinator is responsible for the overall search effort. Everything that includes  
23 SAROPS or optimizing what we're searching for, how we're doing it, now she's not

1 entering that information, but as her qualification would allow she would be responsible  
2 for it.

3 **Mr. Ehlers:** And last question related to that line in the SITREP. You mentioned also,  
4 this also distress phase, can you explain what the distress phase and maybe explain  
5 what the other phases are that are being referenced here?

6 **WIT:** So as I mentioned the command center should not be operating autonomously on  
7 their own rhythm or their own policies. Each Coast Guard Command Center should  
8 operate systematically. There's checks and balances that allow for that. What they've  
9 done is they've created three essential postures within a command center, uncertainty,  
10 alert and distress. What this does is it just kind of gives it backbone to how they're  
11 assessing a certain case and placing it into a specific category at which we would be  
12 able to articulate and weight a relevant response. A capsized vessel, any unknown  
13 distress, an uncorrelated mayday, any indicator of emergency would fall directly into  
14 that distress phase.

15 **Mr. Ehlers:** And Lieutenant Alger for my next series of questions it may not be directed  
16 related to the SITREP you can keep it up because I will reference it again. So first of all  
17 how do you receive indications of an EPIRB hit?

18 **WIT:** We would receive those directly from Coast Guard, from the District, Sectors in  
19 total would not receive EPIRB notifications.

20 **Mr. Ehlers:** Okay. And is that via phone call or other? What kind of communication is  
21 that? How is that communicated to you from the District?

22 **WIT:** In my experience it's been over the phone.

1 **Mr. Ehlers:** Over the phone, okay. If you receive an EPIRB notification from the  
2 District is that considered distress phase event or is that uncertainty or one of the other  
3 phases?

4 **WIT:** So when we're looking at EPIRBs specifically the Search and Rescue Mission  
5 Coordinator would lie within the District. Sectors would not be the Search and Rescue  
6 Mission Coordinator. I would assume that an EPIRB would most likely be distress, but  
7 again it would be completely up to the District and their SMC.

8 **Mr. Ehlers:** Okay. So the District would designate a distress phase if they're passing  
9 you that information? Or if they pass that information they would tell you what phase it  
10 is?

11 **WIT:** To be more clear, sir. It would 100 percent come from the District. I would not  
12 want to ascertain or assume on what the phase they're in with an EPIRB. I would rely  
13 on them to communicate that to me.

14 **Mr. Ehlers:** Did you get any EPIRB information on the 13<sup>th</sup>?

15 **WIT:** We did receive multiple requests from District to issue UMIBs or call outs  
16 regarding EPIRBs. I do not remember in what capacity or in what situation.

17 **Mr. Ehlers:** So you don't remember if there was an UMIB for the SEACOR POWER?

18 **WIT:** I do not recall.

19 **Mr. Ehlers:** So at I believe at 1628 is your first notification of the overturning of the  
20 SEACOR POWER. What Coast Guard assets were immediately available to you at that  
21 time?

22 **WIT:** So as I mentioned there were some limitations due to inclement weather. The  
23 initial action to us would have been the UMIB, which as I mentioned did get results for

1 multiple good Samaritans responding. We made the request right away with the District  
2 for aviation support. And then I looked at my long term posturing and how we could  
3 surge assets to expedite their on scene availability. We did have a Coast Guard Cutter  
4 AMBERJACK, an 87 foot patrol boat to the West. We have Station Grand Isle and then  
5 we had the Cutter MORAY that homeported in Grand Isle.

6 **Mr. Ehlers:** In statements immediately after the accident the Grand Isle response boat  
7 crew said that they were notified at about 1730. Let me ask really directly why weren't  
8 they immediately notified when you received the notification of the overturned vessel at  
9 1628?

10 **WIT:** I did not make the call to Station Grand Isle. So I couldn't accurately answer that.

11 **Mr. Ehlers:** Who would make that call?

12 **WIT:** It would typically be somebody within the watch floor. It would be one of the  
13 operational unit controllers. It could be a CDO. That was just not a call I had made.  
14 Talking about our initial planning or operations Station Grand Isle was always included  
15 when that call was made, I do know.

16 **Mr. Ehlers:** Okay. So how soon after the accident was Station Grand Isle notified of  
17 the accident?

18 **WIT:** I would have refer back to records for that. I don't have that on me.

19 **Mr. Ehlers:** Okay. I should say my question is how soon after you were notified, the  
20 command center was notified was Grand Isle notified. And we'll just take that question  
21 for the record.

22 **WIT:** Yeah I would say as soon as it's available or as soon as practicable. I do not  
23 have the timeline in front of me. But understanding that Grand Isle will be an asset of

1 availability they should have been notified fairly quickly or immediately. Or their  
2 Commanding Officer, Lieutenant Brian Waters would have received a call from Search  
3 and Rescue Mission Coordinator to ascertain their operational risk management, their  
4 availability, crew on scene and comfort level of launching.

5 **Mr. Ehlers:** Can you scroll down to page 6 Lieutenant Alger. And hold right there. So I  
6 note that at time 14044 which would have been I believe, if I do the math right here  
7 1844, see if I got it right. 1944, it would be 1944. CG2317 on scene. Would that be a  
8 helicopter?

9 **WIT:** That's a fixed wing out of Corpus Christi. That was the asset that deployed the  
10 three self-locating data marker buoys. On scene at 1944.

11 **Mr. Ehlers:** Okay. And I note in that line it says they did not want the initial search  
12 pattern A-1 and wanted to drop SLDM, excuse me DMBs and search pattern. Was that  
13 a search pattern, A-1 assigned to them from the Sector?

14 **WIT:** The Alpha 1 search would have been assigned to them, sir.

15 **Mr. Ehlers:** And are the air assets allowed to waive off assigned sectors, search  
16 sectors?

17 **WIT:** The operational commander on scene has the most local knowledge and they can  
18 currently be able to evaluate the circumstance and provide the most accurate update  
19 and recommendation. Yes.

20 **Mr. Ehlers:** That was based on the on scene commander's evaluation?

21 **WIT:** Correct.

22 **Mr. Ehlers:** Please scroll down please. And keep going. Stop there. The time of  
23 140329 CGR 6506 arrived on scene. What kind of asset is that?

1 **WIT:** That would be one of our 65 foot, 65 helicopters.

2 **Mr. Ehlers:** Okay so that's a helicopter?

3 **WIT:** Correct.

4 **Mr. Ehlers:** And I note that they also waived off a search pattern in lieu of attempt to  
5 rescue survivors from the vessel. There isn't another update in the SITREP about their  
6 efforts. Do you know what the results of their efforts were to try and rescue survivors?

7 **WIT:** I do not.

8 **Mr. Ehlers:** Alright. Thank you Lieutenant Alger. I just have one final question.  
9 District Eight representative this morning testified that the Coast Guard doesn't have  
10 any underwater rescue capability. Does the Sector have any agreements with local  
11 authorities who might handle underwater search and rescue capability?

12 **WIT:** Not to my knowledge, sir.

13 **Mr. Ehlers:** Thank you.

14 **WIT:** Thank you.

15 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

16 **Mr. Muise:** Thank you Captain. Good afternoon Lieutenant.

17 **WIT:** Good afternoon, sir.

18 **Mr. Muise:** I have some questions about the SAROPS to start with. What version of  
19 SAROPS are we on now?

20 **WIT:** I would have to defer you to programmatic specialist. I don't know.

21 **Mr. Muise:** And how is that you pass these search patterns to the search and rescue  
22 units out there? Would they also have SAROPS that they can import?



1 **WIT:** So we can, sure we can export a search action plan which provides search leg  
2 and direction and duration, whether it's, depending on the search pattern type. You  
3 know if we can get it to the Air Station prior to them getting airborne we'll send it in that  
4 capacity. Otherwise we'll pass it over the radio.

5 **Mr. Muise:** Is it the same for the Station small boats versus a FRC?

6 **WIT:** I don't know about the different types of technical components of the surface  
7 assets.

8 **Mr. Muise:** Did you pass search patterns to the GLENN HARRIS at all earlier in the  
9 case?

10 **WIT:** I do not know. As far as the conversation that I had went they were designated  
11 as on scene coordinator to maintain station for assisting with communication and  
12 managing on scene resources. I do not know if a pattern was passed.

13 **Mr. Muise:** Did you task any of the good Samaritans through the on scene coordinator  
14 with search patterns?

15 **WIT:** Not to my knowledge.

16 **Mr. Muise:** And I understand you can choose the environmental data source in  
17 SAROPS, there's apparently there's a drop down menu and you can select NOAA  
18 weather versus U.S. Navy versus some other models. Is that correct?

19 **WIT:** Correct, sir.

20 **Mr. Muise:** And which models are you using on this day?

21 **WIT:** I do not know. The operational unit controller is the one that navigated that pane  
22 selecting the environmental data.

1 **Mr. Muise:** This environmental data obviously is, is it an average over many, many  
2 years or is it specific to that day?

3 **WIT:** Yes, sir. I would have to refer you to a programmatic specialist. I'm an end user  
4 so I don't know how that's culminated and calculated. We just select one most  
5 appropriate for the region.

6 **Mr. Muise:** Do you update SAROPS with the on scene weather that you receive from  
7 the on scene coordinator?

8 **WIT:** That would be put into the asset specific search done by the operational unit  
9 controller.

10 **Mr. Muise:** And do you know has it been correlated with the environmental data server  
11 that SAROPS is using already?

12 **WIT:** I'm sorry could you repeat your question, sir?

13 **Mr. Muise:** Was the on scene weather that you were receiving, did it correlate at all  
14 with the environmental data that's already in SAROPS?

15 **WIT:** I didn't hear any part of that conversation with the operational unit controller. I  
16 would have to refer to him.

17 **Mr. Muise:** Does SAROPS – is its capabilities degraded at high wind speeds and high  
18 seas?

19 **WIT:** Not from my experience.

20 **Mr. Muise:** I understand previous versions might have had a warning if you tried to use  
21 winds over 30 knots or 25 knots, is that correct?

22 **WIT:** I would have to defer you to the programmatic specialist, sir. I don't know and I  
23 haven't experienced that.

1 **Mr. Muise:** How about EPIRB hits? I know you don't have visibility of the EPIRB hits  
2 from – the same information that District has, do you have to fat finger the EPIRB hit  
3 into SAROPS at your level?

4 **WIT:** Right. So with an EPIRB case the District maintains Search and Rescue Mission  
5 Coordinator. All search action planning would be done at District.

6 **Mr. Muise:** Right. But if they give you the EPIRB data, if they share that with you, can  
7 you enter that into your SAROPS so that you can overlay it with your existing search  
8 plans?

9 **WIT:** I do not know. We can bring up a read only from District, but as far as, I don't  
10 know if that's a capability or something that can be organically done.

11 **Mr. Muise:** And I believe you told me the self-locating data marker buoys though, that  
12 was automatically inputted, is that correct?

13 **WIT:** So you can toggle between the two and if you were looking to switch your  
14 environmental data server to the SLDMB's you can do that and then count for the set  
15 and drift based on that buoy.

16 **Mr. Muise:** And in this case the SLDMBs actually correlated with the 5000 particles  
17 that were – that you used?

18 **WIT:** To my understanding search drifted to the West.

19 **Mr. Muise:** Are you getting information from the good Samaritans via the on scene  
20 coordinator each time they pick up a survivor with a position?

21 **WIT:** Yes.

22 **Mr. Muise:** And did you enter that information into SAROPS?

23 **WIT:** I don't know.

1 **Mr. Muise:** If the position that somebody retrieved a survivor didn't correlate with your  
2 existing search plan or with what SAROPS thought it should be would you go ahead  
3 and update at that point?

4 **WIT:** Yes. So I think there were factors play into our search action plan. If we're  
5 noticing a discrepancy and when we're finding objects, life rings, life rafts, life boats that  
6 does not correlate with the set and drift of SAROPS we need to review our  
7 assumptions. That's part of the planning process should be done frequently and  
8 honestly at the responsibility of the Search and Rescue Mission Coordinator to evaluate  
9 all new information. In regards to essentially tagging or notating where survivors were  
10 located. An icon is placed within SAROPS specifying that specific location during my  
11 watch.

12 **Mr. Muise:** Okay thank you. And I understand that SAROPS is just an extension of  
13 Esri ArcGIS software is that right?

14 **WIT:** I'm sorry, sir, you froze, can you say that again?

15 **Mr. Muise:** SAROPS, is it just a modular extension Esri ArcGIS software, is that right?

16 **WIT:** Again, sir, I would have you to the programmatic specialist, I don't know.

17 **Mr. Muise:** Can you export the whole cases of GEO database?

18 **WIT:** I don't know.

19 **Mr. Muise:** How about the base map that's underneath the search plan can you display  
20 a NOAA ENC or electronic navigation chart in there or was it just the standard?

21 **WIT:** Yes. There's layers that you can toggle in between based on your specific need.

1 **Mr. Muise:** Okay. I have some questions about the watch there as well. You have a  
2 pretty busy area of responsibility. Is there just one member in the communication unit  
3 or is it divided up by area? Or by high site?

4 **WIT:** Yes, sir. So we have one qualified and certified person for each watch position  
5 section at Sector New Orleans.

6 **Mr. Muise:** Does that communication unit have visibility of AIS targets that are in the  
7 AOR? If I call you and say I'm the SEACOR POWER can they look up at their screen  
8 and see exactly where I am?

9 **WIT:** So that would fall within the responsibility of the situation unit controller who  
10 maintains a common operating picture for the area of responsibility. That would be a  
11 capability, yes.

12 **Mr. Muise:** How about radio direction finders? Can the communication unit look up at  
13 their screen and see exactly where I am based on a radio direction finder?

14 **WIT:** Yes. I mean typically, I couldn't say that's 100 percent accurate 100 percent of  
15 the time, but yes we've got the capability for line and bearing based on a specific radio  
16 transmission.

17 **Mr. Muise:** Okay. You touched earlier on the training that everybody receives there.  
18 What kind of training do the watch standers there get in just local industry?

19 **WIT:** Yeah. I think, so part of the local performance qualifying standard for certification  
20 would be an area of responsibility tour, getting to know the ports, harbors, locks. There  
21 is a map expectation requirement for local knowledge. As far as the industry exposure I  
22 would have to refer you to the Command Center Chief or the Command Center  
23 Supervisor who taught that specific training.

1 **Mr. Muise:** You mentioned that there were some communication issues between your  
2 watch and the ROCK FISH when it came in. It was jargon or dialectic issues. So if I  
3 were to call you or call your newest qualified watch stander and told you I'm in South  
4 1023 would they know what it is?

5 **WIT:** I couldn't speculate on their local knowledge, sir.

6 **Mr. Muise:** Do you know what that is? Where South 1023 is?

7 **WIT:** I would have to cross-reference it the chart that we have next to the desk.

8 **Mr. Muise:** But are you familiar with lease blocks?

9 **WIT:** Yes I'm familiar with the blocks.

10 **Mr. Muise:** How about if I called you and I said I'm on the Christian Chouest would you  
11 automatically recognize that is, just by the name, that's a supply boat?

12 **WIT:** No. I wouldn't recognize it as a name. That would be something that we look up  
13 immediately. We do have the capability to pull up all the official numbers, the statics,  
14 the specs of the vessel. As you mentioned we are an exceptionally busy and heavy  
15 port with a lot of vessels and a lot of vessel names. So it would take a little bit of  
16 immediate effort.

17 **Mr. Muise:** If I were to call you -- if I were to call you and tell you I'm on a lift boat  
18 would your watch standers know what this is?

19 **WIT:** Yes.

20 **Mr. Muise:** The search and rescue manual, I understand there's not a hard and fast  
21 requirement, but there's a goal to get search and rescue units on scene. Can you tell  
22 us about that?

23 **WIT:** You're saying the effort to get search and rescue assets on scene?

1 **Mr. Muise:** Yes. What does the search and rescue manual tells us? What is the  
2 objective?

3 **WIT:** The objective is to, without having the policy in front of me I couldn't read it to you  
4 verbatim.

5 **Mr. Muise:** If my math is right I understand the first, the 45's were on scene at 1837.  
6 That's about the same time that the First Mate was recovered 7 miles away. So that's,  
7 again if my math is right that's about 3 hours after the last AIS fix. And a little bit more  
8 than 2 hours after the call from the ROCK FISH. Is that – does that make sense?

9 **WIT:** It does. I have according to my records Station Grand Isle was on scene at 1839  
10 and 1849.

11 **Mr. Muise:** And if my understanding of the SAR Manual is correct the goal is to get  
12 assets on scene in 2 hours, that number is planning purposes, right? Not for – it's not a  
13 requirement, but 2 hours is the objective?

14 **WIT:** I would have to cross-reference that, sir.

15 **Mr. Muise:** And despite having to get an operational waiver the 45's were still on scene  
16 almost at 2 hours. Within 10 minutes they would recover the last survivor, is that  
17 correct?

18 **WIT:** According to my records, yes, sir.

19 **Mr. Muise:** You mentioned that District did ask for some call outs or urgent marine  
20 information broadcasts based on some EPIRB hits. Were any of those for the SEACOR  
21 POWER? And this is before the ROCK FISH called?

22 **WIT:** Not to the best of my knowledge.

1 **Mr. Muise:** How many ready SAR Cutters are there in your AOR? And what's the  
2 requirements as far as underway for them?

3 **WIT:** Sure. So right now we have a B6 and B24. Which is underway within 6 hours  
4 and 24 hours. And they have a rotational cycle.

5 **Mr. Muise:** And do you share those units with the Sectors to the East or the West?

6 **WIT:** I wouldn't know. That's a different department in charge of Cutter forces. So  
7 that's a question that would have to be answered by them.

8 **Mr. Muise:** Captain that's all the questions I have. Thank you Lieutenant Gross.

9 **WIT:** Thank you, sir.

10 **CAPT Phillips:** Thank you. We're going to take a recess. We'll reconvene at 1345.  
11 The time is now 1326. This hearing is in recess.

12 *The hearing recessed at 1326, 4 August 2021*

13 *The hearing was called to order at 1347, 4 August 2021.*

14 **CAPT Phillips:** The time is 1347. This hearing is now in session. The Marine Board  
15 has been asked by the representative from SEACOR Marine and Falcon Global to enter  
16 an additional record into the – an additional Exhibit into the record. They've asked to  
17 enter an email from SEACOR Marine to the Sector New Orleans Command Center on  
18 the evening of April 13<sup>th</sup>. The parties in interest have had an opportunity to review this  
19 document. First Mate are there any objections to adding this as an Exhibit?

20 **Mr. Sterbcow:** No objection.

21 **CAPT Phillips:** Thank you. ABS are there any objections to adding this as an Exhibit?

22 **Mr. White:** No objection. Thank you Captain.



1 **CAPT Phillips:** Thank you. Now I'm entering into the record Exhibit 228, an email from  
2 SEACOR Marine to Sector New Orleans Command Center. Thank you for your  
3 patience Lieutenant Gross. Are you still there? Can you still hear us?

4 **WIT:** [no audio].

5 **CAPT Phillips:** Looks like maybe you're talking. Try that again.

6 **WIT:** Captain I'm here. Can you hear me now?

7 **CAPT Phillips:** Okay. I can hear you now. Thank you.

8 **WIT:** Okay, excellent.

9 **CAPT Phillips:** So we do have some additional follow on questions for you. I'm going  
10 to start out by turning the microphone to Mr. Ehlers for a follow on question.

11 **Mr. Ehlers:** Thank you Captain. Lieutenant Gross if I understood correctly and I would  
12 like you to confirm this. If a SAR is initiated by an EPIRB that SAR OP is run by the  
13 District, but if it's initiated by let's say a mayday it's run by the Sector. Is that correct?

14 **WIT:** Yes, sir. So it's pretty delineated in Coast Guard District Eight policy on who will  
15 retain SMC for what particular scenario. In regards to an EPIRB as long as a position  
16 remains unconfirmed District will be the SMC. For a mayday or an uncorrelated  
17 mayday or VHF 16 Sector New Orleans will assume SMC and the search action  
18 planning.

19 **Mr. Ehlers:** Okay. So if the position is confirmed does the SMC then shift to Sector?

20 **WIT:** According to policy it would.

21 **Mr. Ehlers:** And if the District has an unconfirmed EPIRB that they are working on the  
22 Sector has a mayday how does the District and Sector coordinate if they are the same  
23 accident?

1 **WIT:** Sure. So speaking in this hypothetical or circumstantial scenario the District  
2 would contact the Sector Command Center looking for support assets since we  
3 maintain small boats and surface assets. If we're working the same thing based on our  
4 briefing thresholds and notification procedures we would also have that cross  
5 communication. So the two incidents would be shared across unit lines.

6 **Mr. Ehlers:** Okay. Thank you.

7 **CAPT Phillips:** Thank you Mr. Ehlers. At this time I would like to turn -- I'm getting an  
8 echo can everybody just verify their audio is on mute. It does look like they are. Okay.  
9 At this time I would like to offer the parties in interest opportunities to ask questions.  
10 We'll start off first with SEACOR and Falcon Global.

11 **Mr. Hemphill:** Yes Captain Phillips thank you. Lieutenant Gross this Gary Hemphill  
12 and I'm an attorney for SEACOR Marine and Falcon Global. I just have a few questions  
13 for you. And I apologize if I go over some points you've already covered. But some of  
14 the audio from your earlier testimony was not real clear to us. So if I touch on a subject  
15 you've already covered my apologies.

16 **CAPT Phillips:** Mr. Hemphill are you willing to turn on your camera for the  
17 questioning?

18 **Mr. Hemphill:** Absolutely.

19 **CAPT Phillips:** Thank you.

20 **Mr. Hemphill:** Just to get us on a little bit better understanding of the interaction  
21 between various Coast Guard offices. Lieutenant Gross can you tell me where you  
22 were physically located on April 13<sup>th</sup>?

1 **WIT:** Yes, sir. We were physically located at the Sector New Orleans building in  
2 Algiers located at 200 Hendee Street in New Orleans.

3 **Mr. Hemphill:** So on the West Bank of the river?

4 **WIT:** Yes, sir.

5 **Mr. Hemphill:** And District was located on the East bank of the river in downtown New  
6 Orleans as I understand it. Is that correct?

7 **WIT:** Yes, sir.

8 **Mr. Hemphill:** And what do you call the asset or the office that you had at Grand Isle?  
9 Is that called a Station?

10 **WIT:** Small Boat Station, sir.

11 **Mr. Hemphill:** Is there an individual or individuals in charge of the Grand Isle Station?

12 **WIT:** Yes. It's currently an O3 billet. The Commanding Officer at that time was  
13 Lieutenant Brian Waters.

14 **Mr. Hemphill:** Was he on site at Grand Isle on April 13<sup>th</sup>?

15 **WIT:** I believe so.

16 **Mr. Hemphill:** Earlier you had talked about how the District office receives EPIRB  
17 notifications and just to be clear Sector does not receive EPIRB notifications, is that  
18 right?

19 **WIT:** Correct.

20 **Mr. Hemphill:** And but Sector does receive VHF notifications or broadcasts from  
21 commercial entities in the Gulf, is that right?

22 **WIT:** Yes, sir. Depending on the frequency or the channel.

1 **Mr. Hemphill:** If they broadcast on channel 16 that's something the Sector would  
2 receive, correct?

3 **WIT:** Yes.

4 **Mr. Hemphill:** Would the Grand Isle Station in this particular instance also be  
5 monitoring channel 16?

6 **WIT:** They would be monitoring channel 16 with a dedicated watch stander.

7 **Mr. Hemphill:** So that dedicated watch stander, would he have the sole responsibility  
8 of monitoring channel 16 throughout his watch?

9 **WIT:** I would have to defer you to Station Grand Isle for the description of duties for that  
10 particular watch stander.

11 **Mr. Hemphill:** How about in the Sector office here in Algiers, is there an individual  
12 assigned with continuing monitoring channel 16?

13 **WIT:** Yes that would be our communication unit watch stander.

14 **Mr. Hemphill:** And who was that during the afternoon of April 13<sup>th</sup>, 2021?

15 **WIT:** I believe it was Petty Officer Harrell [sic].

16 **Mr. Hemphill:** Would you spell that last name please?

17 **WIT:** I would have to confirm, sir.

18 **Mr. Hemphill:** And that's an individual that would have been working in Algiers with  
19 you on April 13<sup>th</sup>, is that right?

20 **WIT:** Correct.

21 **Mr. Hemphill:** You described your normal watch day but I couldn't hear what your  
22 watch period was. Are you on watch for 12 hours at a time?

23 **WIT:** We are. So all four positions are on 12 hour watch rotations.

1 **Mr. Hemphill:** And what time did you come on watch that day?

2 **WIT:** I arrived at the Sector Command Center at 0430.

3 **Mr. Hemphill:** And was there an official transfer of the watch standing responsibilities  
4 at some time after that?

5 **WIT:** There was. So by policy it's 0445 to 1645. I believe we conducted watch just  
6 after 0430 as all members were present.

7 **Mr. Hemphill:** Would the entire Sector make a watch change at the same time that  
8 afternoon?

9 **WIT:** No, sir. It's independent to the Command Center.

10 **Mr. Hemphill:** How about at the Grand Isle Station, do you know when they made  
11 watch change?

12 **WIT:** No, sir. You would need to contact Station Grand Isle.

13 **Mr. Hemphill:** At some point in the afternoon on the 13<sup>th</sup> when things began to get  
14 hectic was it necessary to call in additional personnel to help respond to and deal with  
15 the emergency notifications that were coming in?

16 **WIT:** Referencing the increase in cases from 1500 on?

17 **Mr. Hemphill:** Yes.

18 **WIT:** We were able to manage it efficiently with the understanding that additional watch  
19 standers would be reporting for duty at 1630.

20 **Mr. Hemphill:** And as I appreciate the initial notification that Sector received about the  
21 capsizing of the SEACOR POWER was at 1628, is that right?

22 **WIT:** According to our records.

1 **Mr. Hemphill:** At that time what did you understand about the vessel that had  
2 capsized? Did you know for example that it was a lift boat?

3 **WIT:** Yes, sir. That was passed in the initial transmission which was described as a  
4 capsized lift boat with a life boat orange in close proximity and it included a latitude and  
5 longitude.

6 **Mr. Hemphill:** At that point and time when the initial report was made at 1628 did you  
7 have any information about the number of people on the lift boat?

8 **WIT:** No, sir.

9 **Mr. Hemphill:** Are you generally familiar with lift boats and the services they provide in  
10 the Gulf of Mexico?

11 **WIT:** Personally just notional, sir.

12 **Mr. Hemphill:** At the time of this initial notification did you have any understanding of  
13 the number of people that were likely to be on board?

14 **WIT:** Sir, my priority upon initial notification was to try and get as many on scene assets  
15 as possible as we worked to determine the circumstance.

16 **Mr. Hemphill:** So at that point and time it didn't matter to you how many people were  
17 on board you were going to marshal your assets and get to the scene as soon as  
18 possible, is that right?

19 **WIT:** While my team is working to understand the situation more clearly it's my  
20 responsibility to garner all available resources to search for survivors on the surface of  
21 the water.

22 **Mr. Hemphill:** On a related point I think it's implicit on what you have and other Coast  
23 Guard witnesses have described, but I do want to be clear about this. Once this

1 capsizing incident was reported and the search and rescue was underway is it not true  
2 that the Coast Guard was in charge of that entire operation?

3 **WIT:** The Coast Guard was the primary responding agency for the search and rescue  
4 of survivors from the SEACOR POWER.

5 **Mr. Hemphill:** Was there a point and time when you learned how many people were on  
6 the SEACOR POWER?

7 **WIT:** There was. It was that initial evening, sir.

8 **Mr. Hemphill:** I'm sorry could you repeat that? I couldn't hear you.

9 **WIT:** It was it was that initial evening.

10 **Mr. Hemphill:** Let me ask Lieutenant please pull up Exhibit 23, page 4 [showing  
11 Exhibit]. If you will scroll down about three quarters of that page, under numerated item  
12 2, action taken. Lieutenant if you will see there action taken and if you will read the first  
13 two lines there. Is that the record of the initial notification Sector received about the  
14 capsized SEACOR POWER?

15 **WIT:** What was passed to me from my communication unit watch stander is that they  
16 had a capsized lift boat approximately 6 to 7 nautical miles South of Port Fourchon and  
17 provided a latitude and longitude. As far as the SEACOR POWER as accentuated in  
18 the SITREP I do not know.

19 **Mr. Hemphill:** Well this is, you're calling it a SITREP, this is a situation report, correct?

20 **WIT:** Yes, sir.

21 **Mr. Hemphill:** And what does a situation report include?

22 **WIT:** It should include on scene weather, assumptions, actions taken, case summary  
23 and efforts allocated.

1 **Mr. Hemphill:** And so again the entry for 2230 hours Zulu, you see that?

2 **WIT:** I do.

3 **Mr. Hemphill:** And doesn't it reference an overturned U.S. Flagged lift vessel and it  
4 says the SEA POWER and it capsized with 17 persons in the water.

5 **WIT:** Yes, sir.

6 **Mr. Hemphill:** You see that?

7 **WIT:** I do.

8 **Mr. Hemphill:** So isn't that an indication that from that point at least Sector knew there  
9 were 17 people on the SEACOR POWER at least?

10 **WIT:** Sure. So as I mentioned I did speak with Mr. Michael Cenac a SEACOR rep who  
11 said that the assumption at the time there were 17 people on board. The number of  
12 potential persons in the water passed the initial report was not 17 that was expressed to  
13 me. I did not receive a number of people in the water during that initial report.

14 **Mr. Hemphill:** Well my questions all just have to do with the number of people on  
15 board, not the number of people in the water. And you've referenced communication  
16 with Michael Cenac and he is with SEACOR Marine, correct?

17 **WIT:** Yes, sir.

18 **Mr. Hemphill:** And do you recall receiving an email from Mr. Cenac later that evening  
19 which he told you first there were 18 people, but then within a few minutes 19 people on  
20 board providing Sector not only the number of people but their names and ages, do you  
21 recall receiving that?



1 **WIT:** That correspondence did not come to me directly. As I mentioned CDR Michelle  
2 Ferguson the Search our Rescue Mission Coordinator assumed communications with  
3 SEACOR POWER representatives once arriving on scene.

4 **Mr. Hemphill:** Let me ask Lieutenant please pull up Exhibit 228 [showing Exhibit]. If  
5 you could scroll all the way to the top please. Lieutenant Gross do you see the email  
6 address there?

7 **WIT:** Yep. I do.

8 **Mr. Hemphill:** And it's SCC NOLA at USG.MIL. Is that the email address of the Sector  
9 office in Algiers?

10 **WIT:** It is, yes, sir.

11 **Mr. Hemphill:** When an email comes in to that address who sees it?

12 **WIT:** That would be the on duty personnel in charge of the watch floor at that time.

13 **Mr. Hemphill:** And pardon me if you said so already, but who was that in the afternoon  
14 on April 13<sup>th</sup>?

15 **WIT:** It was. So as I mentioned my watch schedule is from 0445 to 1645. Due to the  
16 necessity to split the watch floor to maintain all operations and prioritize the SEACOR  
17 POWER response Lieutenant Junior Grade Hannah Spar was the on duty Command  
18 Duty Officer at the Command Center with her team.

19 **Mr. Hemphill:** So during this time from when you received the initial notice reflected in  
20 the SITREP with 17 people on board until Mr. Cenac advised you there were actually 19  
21 people on board did that have anything whatsoever to do with the scope or nature of the  
22 Coast Guard's search and rescue mission?

1 **WIT:** My priority was bringing as many assets available on scene as quickly as possible  
2 to search for any and all survivors on the surface of the water.

3 **Mr. Hemphill:** So my point is you didn't slack in your efforts because you thought there  
4 were 17 people rather than 19 people on the SEACOR POWER did you?

5 **WIT:** We did every available effort to put everything we had on scene to recover any  
6 survivors.

7 **Mr. Hemphill:** Do you recall when the assets were launched from the Grand Isle  
8 Station to head toward SEACOR POWER?

9 **WIT:** I would have to refer to my log as when they got underway. I do have them as  
10 arriving on scene at 1839 and 1849 respectfully.

11 **Mr. Hemphill:** If the logs indicated that the vessel got underway at approximately 1730  
12 would that sound about right to you?

13 **WIT:** I would have to defer to the logs, sir. I don't know.

14 **Mr. Hemphill:** When the vessels arrived at the location did they report on the weather  
15 conditions they were observing at that time?

16 **WIT:** They did.

17 **Mr. Hemphill:** What did they report to you in terms of the sea height, wave height that  
18 they were encountering?

19 **WIT:** I would have to refer back to the notes to be accurate. What I do know is that  
20 weather was still hazardous, heavy surface and sea conditions, heavy winds and limited  
21 visibility.

22 **Mr. Hemphill:** If they had reported to you of winds in the range of 80 to 90 knots and  
23 seas occasionally up to 16 feet would that sound consistent with what you recall?

1 **WIT:** Yes, sir.

2 **Mr. Hemphill:** Now going back to when all this began and your activities earlier in the  
3 day on the 13<sup>th</sup> I believe you indicated that it was a normal day as far as you were  
4 concerned until about 1500 when you – the section, the Sector began to receive a  
5 number of emergency calls via VHF, is that right?

6 **WIT:** Yes, sir. There were no particular cases of note that stand out to me prior to  
7 1500.

8 **Mr. Hemphill:** Prior to 1500 were you aware of any weather forecast from the Coast  
9 Guard or the National Weather Service or anyone else that predicted winds, sustained  
10 winds of 80 to 90 knots and seas of up to 16 feet?

11 **WIT:** I did not receive any correspondence from the National Weather Service  
12 indicating that.

13 **Mr. Hemphill:** Did you receive any such forecast from any other source?

14 **WIT:** Not to my recollection.

15 **Mr. Hemphill:** When in relation to when the ROCK FISH reported the capsizing of the  
16 SEACOR POWER was the UMIB issued?

17 **WIT:** According to my records the UMIB was issued at 1640.

18 **Mr. Hemphill:** I'm sorry, say that again, 16?

19 **WIT:** 40, 4-0, sir.

20 **Mr. Hemphill:** And was that the first UMIB issued to your knowledge by the Coast  
21 Guard on that day?

22 **WIT:** In reference to the SEACOR POWER? Because it was not the first UMIB that  
23 was issued by Sector New Orleans that day.

1 **Mr. Hemphill:** We've heard reference to certain environmental conditions being  
2 beyond the parameters of Coast Guard assets that might have been available to  
3 respond. Is that a phrase that you're familiar with, parameters of a vessel?

4 **WIT:** Yes, sir. All Coast Guard assets have specific parameters.

5 **Mr. Hemphill:** Do you recall what the parameters were of the vessels that were at  
6 Grand Isle on April 13<sup>th</sup>?

7 **WIT:** What their parameters were as far as the platform?

8 **Mr. Hemphill:** What their parameters were in terms of the environmental conditions  
9 under which they would be allowed to depart the Station and attempt a search and  
10 rescue.

11 **WIT:** Yes, sir. I would have to defer you to Station Grand Isle for their current on scene  
12 conditions located within the proximately of the State.

13 **Mr. Hemphill:** Again I'm sorry Lieutenant. I couldn't understand your answer it was  
14 just a bit garbled. Do you know what the conditions were pursuant to which or under  
15 which the Coast Guard vessels at Grand Isle could operate?

16 **WIT:** I would have to defer you to Station Grand Isle, sir. I couldn't venture to guess as  
17 what the on scene parameters were at the boat dock or Station Grand Isle proximity.

18 **Mr. Hemphill:** In any case was it your understanding that the environmental conditions  
19 that existed at that time exceeded the parameters of those vessels?

20 **WIT:** That's what was relayed to me.

21 **Mr. Hemphill:** And that was the reason why a waiver was necessary to allow them to  
22 depart the Station, is that right?

1 **WIT:** According to my records the waiver for operational risk assessment. As I  
2 mentioned earlier the high risk, high gain evolution requires operational commander  
3 consent which is Captain Will Watson, Sector New Orleans.

4 **Mr. Hemphill:** Do you know at what time that waiver was requested?

5 **WIT:** I do not.

6 **Mr. Hemphill:** Do you know how long it took for that waiver to be granted?

7 **WIT:** I do not.

8 **Mr. Hemphill:** Who would be the person in the best position to answer that question?

9 **WIT:** Probably the Station Grand Isle CO, would have initiated that request. So I would  
10 defer that question to Station Grand Isle.

11 **Mr. Hemphill:** Do you know whether or not it was more or less than 30 minutes?

12 **WIT:** I do not, sir.

13 **Mr. Hemphill:** Thank you Captain Phillips that's all the questions we have.

14 **CAPT Phillips:** Thank you Mr. Hemphill. American Bureau of Shipping?

15 **Mr. White:** Thank you Captain. ABS has no questions.

16 **CAPT Phillips:** Thank you Mr. White. First Mate.

17 **Mr. Sterbcow:** Thank you Captain. Lieutenant Gross, Paul Sterbcow I represent the  
18 First Mate on the SEACOR POWER Bryan Mires who was rescued, okay.

19 **CAPT Phillips:** Mr. Sterbcow are you willing to turn on your video screen?

20 **Mr. Sterbcow:** Sure.

21 **CAPT Phillips:** Thank you.

22 **Mr. Sterbcow:** Lieutenant do you know of anything that would have prevented good  
23 Samaritan vessels in the area of the SEACOR POWER sinking from immediately

1 instituting search and rescue efforts had they been called on channel 16 prior to 4:40  
2 p.m.?

3 **WIT:** No, sir. I have not been involved in any of those conversations.

4 **Mr. Sterbcow:** So be it weather or any other factor at least you're not aware of  
5 anything that would have prevented good Samaritans from trying to rescue the crew  
6 members and the passengers on the SEACOR POWER had your urgent marine  
7 broadcast gone out than 4:40 p.m., correct?

8 **WIT:** Correct, sir. I have not been part of any of those conversations.

9 **Mr. Sterbcow:** And my understanding is that your office and your first knowledge of  
10 any problem with the SEACOR POWER came from the ROCK FISH channel 16 call at  
11 4:48, correct?

12 **WIT:** Correct, sir.

13 **Mr. Sterbcow:** So any action that flowed from your office from that point forward  
14 necessarily started at or shortly after 4:28 when you first learned that this situation was  
15 in progress?

16 **WIT:** We received the initial notification of a capsized vessel at 1628 and started  
17 making immediate preparations for a rescue response.

18 **Mr. Sterbcow:** Okay. And do you know if the GLENN HARRIS responded in direct  
19 response, did they take their responsive action and direct response to hearing your  
20 urgent marine broadcast on channel 16?

21 **WIT:** I do not know, sir.

22 **Mr. Sterbcow:** So you don't know one way or another how the GLENN HARRIS  
23 received notice of this situation?

1 **WIT:** No, sir. I was not privy to those conversations. And we never – I never received  
2 anything back.

3 **Mr. Sterbcow:** Okay. And is it my understanding based on what we just heard that  
4 SEACOR Marine's first notification to you of the accurate count of the persons on board  
5 was an email of 6:23 p.m.?

6 **WIT:** I couldn't confirm if that was the first notification. That has been provided, that  
7 email was an accurate depiction. It was a conversation to me from CDR Ferguson later  
8 on that evening.

9 **Mr. Sterbcow:** Are you aware of any notification from SEACOR prior to the email at  
10 6:23 that informed the Coast Guard in any fashion that there were actually 19 people on  
11 board the vessel?

12 **WIT:** I can only speak for myself, sir. No notification was submitted to me directly.

13 **Mr. Sterbcow:** And I think you testified that there were no weather alerts to mariners  
14 issued to your office on April 13<sup>th</sup> at any point prior to 4:28 p.m., is that correct?

15 **WIT:** To the best of my knowledge, yes, sir.

16 **Mr. Sterbcow:** And you said, and I'm going to confirm that as far as you can recall on  
17 April 13<sup>th</sup> the only warning that you had in terms of weather was a weather email from  
18 the National Weather Service in your box that called for slight risk of severe weather, is  
19 that correct?

20 **WIT:** Correct. Through the National Weather Service in New Orleans and Baton  
21 Rouge the routine correspondence that I received to our inbox, or the Command Center  
22 inbox extenuating severe weather impacts, heavy rainfall, flooding impacts in the  
23 localized area.

1 **Mr. Sterbcow:** And having said that I just want to confirm on the record you have no  
2 record or recollection of receiving special marine warnings issued by the National  
3 Weather Service for the SEACOR POWER's voyage area at 12:07, 2:27, 2:55 and 3:38  
4 p.m., you were not aware of any of those?

5 **WIT:** No, sir. I did not receive any coordination or direct contact from the National  
6 Weather Service to me directly. And the conversation was not had on the watch floor  
7 regarding any potential impact.

8 **Mr. Sterbcow:** In your experience if the National Weather Service issues serial  
9 warnings like the ones I just mentioned starting at 12:07 p.m. that called for an impact of  
10 wind gusts in excess of 34 knots, suddenly higher waves, boats could sustain damage  
11 or capsize, large hail could result in injury and damage to boats, vessels, and oil rigs. Is  
12 that information that you would typically receive from the National Weather Service or  
13 no?

14 **WIT:** I couldn't confidently say whether we receive those types of notifications on a  
15 routine basis.

16 **Mr. Sterbcow:** If you received a National Weather Service special marine warning  
17 containing that language would that be the type of warning that then you would use as a  
18 basis to send out an alert to mariners in a navigation area where that weather could be  
19 located?

20 **WIT:** Yes, sir. As I mentioned you know the broadcast are not a Coast Guard  
21 requirement. Rather employed to augment to reemphasize. So in this circumstance  
22 with the hypothetical I couldn't give you a confident answer.



1 **Mr. Sterbcow:** Okay. It's not something that's required it's just something you do to  
2 help out basically?

3 **WIT:** Correct, sir.

4 **Mr. Sterbcow:** Okay, got it. Okay thank you very much Lieutenant for your time. I  
5 don't have anything further.

6 **WIT:** Thank you, sir.

7 **CAPT Phillips:** Thank you Mr. Sterbcow. Mr. Verdin.

8 **Mr. Verdin:** Thank you Captain. Mr. Gross you said you, excuse me for a second.  
9 Command Center there is a watch stander marine radio watch stander monitoring  
10 channel 16 at all times.

11 **WIT:** Yes, sir.

12 **CAPT Phillips:** Are you willing to turn on your camera Mr. Verdin?

13 **Mr. Verdin:** Yes, ma'am, I sure am.

14 **CAPT Phillips:** Thank you.

15 **Mr. Verdin:** I'm sorry I missed your answer, was it yes?

16 **WIT:** Correct, sir, yes.

17 **Mr. Verdin:** Is that the only marine radio frequency that is monitored?

18 **WIT:** Yes, sir. For channel 16 for International hailing in distress would be monitored.  
19 In addition to all other formal communication methods incorporated by the Coast Guard.

20 **Mr. Verdin:** Is there – are you familiar with digital selective calling?

21 **WIT:** Notionally, sir.

22 **Mr. Verdin:** So no distress calling on digital selective equipment like VHF or MFHF?

1 **WIT:** We would receive a digital selective calling an emergency broadcast message  
2 would be received by the Coast Guard.

3 **Mr. Verdin:** Would you receive that?

4 **WIT:** We would.

5 **Mr. Verdin:** Okay. So and it would be VHF and MFHF?

6 **WIT:** It would be through channel 70 is for DSC's.

7 **Mr. Verdin:** Okay. So how does the vessel initiate a distress call, press the red  
8 button? The emergency distress call button on the VHF or and MFHF radio, wouldn't  
9 you have received that call earlier?

10 **WIT:** In a particular scenario we have the technology, the capabilities to receive digital  
11 selective calling over channel 70. Whether we would have received it or not I would not  
12 speculate.

13 **Mr. Verdin:** Okay. Have you received the calls on channel 70 before?

14 **WIT:** We have.

15 **Mr. Verdin:** What type of, can you describe or let us know what type of information  
16 comes through channel 70 about the vessel?

17 **WIT:** Yes, sir. So typically it would provide, depending if it's registered it would provide  
18 vessel number, name, description. But again this is, you know DSC calling is not my  
19 expertise. And that would be funneled through the Command Center watch stander.

20 **Mr. Verdin:** Okay. So you haven't ever seen one or not really familiar with the  
21 information?

1 **WIT:** Yeah. I mean notionally so sometimes with a position if it's equipped with a GPS  
2 and it's registered it would provide us amplifying information for the potential distress  
3 location. And a generic idea of the vessel or the asset that we would be searching for.

4 **Mr. Verdin:** So it would also give you the location and it would also give you, it could  
5 possibly give you the nature of the distress and possibly the amount of persons on  
6 board?

7 **WIT:** Correct, sir if equipped with a GPS and it's registered.

8 **Mr. Verdin:** That's all got. Thank you.

9 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Muise.

10 **Mr. Muise:** Thank you Captain. Lieutenant so we've talked about EPIRB, EPIRBs and  
11 now digital selective calling. The last one would be Inmarsat C. If I were to send a  
12 distress signal by Inmarsat C telex would that go to the Sector or the District?

13 **WIT:** Sir, I believe that would go to the District.

14 **Mr. Muise:** And the last one is the ship's security alerting system. If I were to press  
15 that button does that go to you or to the District or to somebody else?

16 **WIT:** It would go, it would not come to the Sector. I'm not familiar with the technology  
17 where that information would be channeled, sir.

18 **Mr. Muise:** Okay. Thank you Lieutenant.

19 **WIT:** Thank you, sir.

20 **CAPT Phillips:** Thank you Mr. Muise. Lieutenant Gross thank you for the questions  
21 that you've answered today and the information you've provided. Is there anything else  
22 that you want to tell us about that we haven't already asked you?

23 **WIT:** Not at this time Captain. Thank you.

1       **CAPT Phillips:** Okay. Thank you very much. You're now released as a witness at this  
2 Marine Board of Investigation hearing. Thank you for your cooperation. If I later  
3 determine that this board needs additional information from you I will contact you  
4 through your counsel. If you have any questions about this investigation you may  
5 contact the board Recorder Lieutenant Anthony Alger. We'll take a recess until our next  
6 witness. We will reconvene at 1445. The time is now 1424. This hearing is now in  
7 recess.

8                   *The hearing recessed at 1424, 4 August 2021*

9                   *The hearing was called to order at 1445, 4 August 2021.*

10       **CAPT Phillips:** The time is 1445. This hearing is now in session. We will now hear  
11 testimony from BM1 Jessica Gill and BM2 Anthony Abbate. Lieutenant Alger can you  
12 please administer the oath?

13       [Wit 1 = BM1 Jessica Gill. Wit 2 = BM2 Anthony Abbate].

14       **Recorder:** BM1, BM2 please stand and raise your right hand. A false statement given  
15 to an agency of the United States is punishable by a fine and or imprisonment under 18  
16 U.S. Code 1001 and may also subject you to discipline under the Uniform Code of  
17 Military Justice. Knowing this do you solemnly swear that the testimony you're about to  
18 give will be the truth, the whole truth and nothing but the truth, so help you God?

19       **Wit 1:** I do.

20       **Recorder:** BM1 if you could state your full name and spell your last.

21       **Wit 1:** BM1 Jessica L. Gill. G-I-L-L

22       **Recorder:** And you both can lower your hand and have a seat. BM2 if you could state  
23 your full name and spell your last please.

1 **WIT 2:** Yes, sir. BM2 Anthony Abbate, A-B-B-A-T-E.

2 **Recorder:** Thank you. And both of you if you could please identify your counsel  
3 present to confirm representation.

4 **Counsel:** BM2 you can put your hand down and be seated. Good afternoon this is  
5 Lieutenant Commander Philipp Kunze spelled K-U-N-Z-E.

6 **Recorder:** Thank you.

7 **CAPT Phillips:** Thank you Lieutenant Alger. BM1 for those in the room that are not  
8 familiar with Coast Guard rates and ranks could you tell us what BM1 indicates?

9 **Wit 1:** Yes, Ma'am. BM1 is a Boatswains Mate First Class.

10 **CAPT Phillips:** Thank you. And BM2, what is a BM2?

11 **Wit 2:** BM2 is a Boatswains Mate Second Class.

12 **CAPT Phillips:** Thank you. BM1 where do you currently work?

13 **Wit 1:** I currently work at Training Center Petaluma. I'm part of the MAA staff.

14 **CAPT Phillips:** And how long have you been there?

15 **Wit 1:** One month Captain.

16 **CAPT Phillips:** And what was your prior position?

17 **Wit 1:** My prior position was a [in audible] petty officer at Station Grand Isle.

18 **CAPT Phillips:** I didn't hear all that. Could you repeat it please?

19 **Wit 1:** My previous unit was Station Grand Isle. I was the Operations Petty Officer.

20 **CAPT Phillips:** Can you tell us what your responsibilities were as an Operations Petty  
21 Officer?

1 **WIT 1:** Yes I was – I planned ops for the unit, all the operations that happened whether  
2 it be law enforcement or whatever was coming in. I planned the operations, scheduled  
3 them on the calendar and made sure that they were executed.

4 **CAPT Phillips:** Thank you. How long have you worked in the Coast Guard?

5 **Wit 1:** Over 16 years Captain.

6 **CAPT Phillips:** And what else have you done during your Coast Guard career?

7 **Wit 1:** During my Coast Guard career I have been at three Small Boat Rescue  
8 Stations, one in Rockland, Maine, and then one in Paul, Massachusetts which is Station  
9 Point Allerton and then Station Grand Isle. I've also been to an Aids to Navigation Unit  
10 in Philadelphia. A Coast Guard Cutter GEORGE COBB which a buoy tender out of San  
11 Pedro, California. I've been on an 87 patrol boat in Grand Isle that was the Coast  
12 Guard Cutter STURGEON. And I spent 4 years at Training Center Yorktown as the  
13 National Aids to Navigation structure climber instructor.

14 **CAPT Phillips:** Thank you. Have you ever worked for any companies besides the  
15 Coast Guard?

16 **Wit 1:** No, I haven't Captain.

17 **CAPT Phillips:** Okay. What's the highest level of education that you completed?

18 **Wit 1:** Some college.

19 **CAPT Phillips:** Thank you. Do you hold any professional licenses or certificates?

20 **Wit 1:** Not currently.

21 **CAPT Phillips:** Okay. BM2 I'm going to ask you the same questions. Where do you  
22 currently work?

1 **Wit 2:** I currently work in St. Petersburg, Florida on Coast Guard Cutter PABLO  
2 VALENT.

3 **CAPT Phillips:** And how long have you been there?

4 **Wit 2:** Approximately three weeks.

5 **CAPT Phillips:** What was your prior position?

6 **Wit 2:** I was the Training Petty Officer at Station Grand Isle.

7 **CAPT Phillips:** Can you tell us a little bit about your responsibilities as the Training  
8 Petty Officer?

9 **Wit 2:** Yes, Ma'am. Responsibilities was to make sure all members of the unit were  
10 getting trained completed for currencies and to earn qualifications and certifications in  
11 different job roles that we held at the unit.

12 **CAPT Phillips:** Thank you. How long have you been in the Coast Guard?

13 **Wit 2:** A little over 13 years.

14 **CAPT Phillips:** And what else have you done during your career?

15 **Wit 2:** I was on the Coast Guard Cutter GALLATIN for a year. Then I've gone three  
16 Small Boat Stations. One was Sturgeon Bay, Wisconsin I was there for 4 years. Then  
17 to Mayport, Florida for 4 and then Grand Isle for 4 years.

18 **CAPT Phillips:** Have you ever worked for companies besides the Coast Guard?

19 **Wit 2:** No, Ma'am.

20 **CAPT Phillips:** And what's the highest level of education you've completed?

21 **Wit 2:** High School.

22 **CAPT Phillips:** Okay. Do you hold any professional licenses or certificates?

23 **Wit 2:** Not currently.

1       **CAPT Phillips:** Thank you. BM2 I'm just going to ask you a couple of questions about  
2       Station Grand Isle itself. Can you tell us a little bit about what that Station does?

3       **Wit 2:** Yes, Ma'am. The Station Grand Isle is a search and rescue Small Boat Station.  
4       The unit conducts search and rescue. It does law enforcement. They conduct  
5       recreational boating safety. So go out and you board smaller vessels up to 45 to 50 foot  
6       vessels that do not have a Captain's license. And then we also do commercial fisheries  
7       boarding's.

8       **CAPT Phillips:** And how many people are assigned to Station Grand Isle?

9       **Wit 2:** 36. It's considered a one boat Station.

10      **CAPT Phillips:** What does that mean a one boat Station?

11      **Wit 2:** That at any given time we're obligated to get at least one boat underway if it's for  
12      a search and rescue case or an LE mission.

13      **CAPT Phillips:** How many boats in total are there at the Station?

14      **Wit 2:** There's four total. Two 45 response boat mediums and two 24 shallow purpose  
15      crafts.

16      **CAPT Phillips:** And what's the area of responsibility for Station Grand Isle?

17      **Wit 2:** Area of responsibility for Grand Isle goes from our East side by Bassa Bay out  
18      50 nautical miles. Down to the West just the West side of Vermillion Bay and to the  
19      North up to the ICW.

20      **CAPT Phillips:** Thank you. You talked about the different boats that are there at  
21      Station Grand Isle. Can you tell us what other kind of equipment the Station has to  
22      respond to search and rescue cases?



1 **Wit 2:** For search and rescue cases the unit has, if we have to deal with any sort of  
2 dewatering a vessel could have, dewatering pumps. One on each of our assets. Then  
3 we have a stow slitter or medical board on board the 45's. We have MPG's so night  
4 vision goggles that if we're searching throughout the night then we can use those.  
5 They're limited on their capabilities though in certain environments. Then also have a  
6 Mark 127 parachute flares that we can use for illumination at night. And also first aid  
7 kits.

8 **CAPT Phillips:** Good. Is the Station equipped with any type of specific  
9 communications on board?

10 **Wit 2:** The Station itself is equipped with radios for VHF. We have rescue 21 that  
11 monitors channel 16 and channel 22. And we have our secured transmissions on Coast  
12 Guard channels. And VHF and UHF.

13 **CAPT Phillips:** Thank you. On the day of April 13<sup>th</sup>, 2021 what were you assigned as  
14 when you got underway to respond to this incident?

15 **Wit 2:** I was the Coxswain in charge of the 45687.

16 **CAPT Phillips:** BM1 were you also a Coxswain on April 13<sup>th</sup>?

17 **Wit 1:** Yes. I was a Coxswain aboard the other 45.

18 **CAPT Phillips:** Thank you. BM1 can you tell us what kind of training you need to  
19 become a Coxswain?

20 **Wit 1:** Yes Captain. In order to become a Coxswain you have to follow standard  
21 qualification. There are certain tasks that you have to complete. Both are for – some of  
22 them are actual tasks that you have to perform and the others are knowledge. You go  
23 through a training period where you learn all of those things and accomplish all of those

1 things and then you sit down in front of a board of senior Coxswains, people that have  
2 been Coxswains for a while. Usually the Commanding Officer or at least the Executive  
3 Petty Officer of the unit as well as the Engineering Petty Officer. You sit down in front of  
4 a board where you're asked questions to ensure you have the knowledge. And then  
5 you get underway for a check ride. And during that check ride there's a select amount  
6 of tasks depending on the check ride that they put you through to make sure that you  
7 can accomplish tasks.

8 **CAPT Phillips:** Thank you. BM2 as the Training Officer there at Station Grand Isle in  
9 your experience how long did it take usually for somebody to become qualified as a  
10 Coxswain?

11 **Wit 2:** On average it was 8 to 12 months.

12 **CAPT Phillips:** And does somebody have to go to any formal classes or schools in  
13 order to become a Coxswain?

14 **Wit 2:** You have to go, they have schools now for Coxswain or BM Operator school.  
15 It's recommended for you to go, it's not mandatory.

16 **CAPT Phillips:** Thank you. BM1 now I would like to walk through what happened on  
17 the day of the accident with the SEACOR POWER. Starting with the beginning of the  
18 day can you just walk us through the whole day and provide as many details as you  
19 remember about what happened?

20 **Wit 1:** Yes Captain. So I was standing duty. I was filling in for some crew, for a  
21 Coxswain that had been away in training. We were on our second day of duty for the  
22 duty period. And most of the day was pretty normal. And then we had report of the  
23 weather going to be getting worse. So we started preparing the boats. And the unit,

1 and as the weather got worse we continued to do damage control and just ensure that  
2 our assets were going to be able to handle the weather coming in. When the storm hit  
3 pretty bad I was inside. I was trying to help out the Officer of the Day and the  
4 communications watch stander started receiving several calls in, both via radio and  
5 telephone. And I was trying to help them manage that when Lieutenant Waters walked  
6 into the Communication Center and said did you guys get the call, and we said what  
7 call? And he said there was people in the water out Port Fourchon we need to get out  
8 there. Myself and BM2 Abbate went down and assembled our crews, got on the 45's.  
9 My crew as well as his crew I'm sure did a risk assessment. My crew came back with a  
10 risk assessment of high, high. That means high risk but high gain as well. Lieutenant  
11 Waters was right there. We discussed with him that we had high, high. And he said he  
12 was comfortable with that if we were comfortable with that. We were comfortable, I  
13 talked to the crew. We were all comfortable to go out and take on the mission. We left  
14 not knowing what we would see out there. We knew the weather was bad, we didn't  
15 know how it was going to be. And then we got underway as soon as we left Baratavia  
16 Pass the weather just started to hit. At that point we discussed that it was definitely 8 to  
17 10 foot seas. However, once we got closer to the actual SEACOR POWER lift boat,  
18 once we got there it was closer to 10 to 12 foot seas with an occasional 15. And strong  
19 winds probably 40, 50, maybe even 60 knots. And the – once we got on scene we both  
20 arrived about the same time. BM2 Abbate's boat was up closer from where we were at  
21 the time I could see that there was 4 members holding to the super structure of the lift  
22 boat as it was capsized. And they were holding on. And at one point there was, there  
23 was 5, I'm sorry. It's been awhile since this happened. The – there was 5 crew I

1 believe holding on to the lift boat shortly after we got on scene. One had gone into the  
2 water. BM2 Abbate's crew was able to retrieve that person and bring them in for  
3 medical attention to Port Fourchon. And during that time Sector was trying to hand us,  
4 uh trying to pass us a search pattern so that we could try and start searching for any  
5 members that had fallen overboard prior to arriving on scene. But with the new  
6 development of one 45 leaving the scene we moved up into that position while they  
7 were gone to stay close in case anybody else had gone into the water. As we were  
8 station keeping we noticed that as you got closer to the lift boat the seas acted a little  
9 different. Definitely was sustained 10 to 12 foot seas and the winds were strong, rain  
10 was coming down. We stayed there quite a while trying to find a way to communicate  
11 with the people holding onto the lift boat. Eventually they – a helicopter was on scene.  
12 When they got on scene they were able to lower a radio and life jackets down to the  
13 crew members still attached. And once they lowered that down we had some  
14 communication. There was a bit of a language barrier. But we were able to  
15 communicate. The members were very scared. And they were very hesitant. We  
16 discussed ways of getting them off, but unfortunately because of the seas and the way  
17 that the other boat was we couldn't get close enough to take them directly from the lift  
18 boat without damaging our equipment or causing more of a problem. So we stayed  
19 close by trying to come up with any solutions that we could. The 45 that had brought  
20 the member back to Port Fourchon arrived back on scene as the helicopter was trying  
21 to come up with a way of getting a life raft down to the members. During that time BM2  
22 Abbate's 45 went over and tried to work on that. I heard over the radio he slipped in  
23 and so we knew somebody else was in the water. So we immediately to find that

1 person in the water. We couldn't see them right away. Knew they were wearing a life  
2 jacket. My crew and I discussed that we didn't have visibility and that we should turn  
3 around and see if he actually ended up behind of us because of the seas. And we  
4 turned around, as soon as we turned around we caught sight of them. We hold up, we  
5 were able to recover the member. They were wearing jeans and a blue T-shirt and a  
6 life jacket. The life jacket was up over their – on their back. And you couldn't really see  
7 that they, their head they were unresponsive. My crew members were able to get the  
8 member on to the end of the recess of our boat. And after they did that they worked on  
9 moving him from the recess, it's a lower portion of the boat in order, so we use it  
10 specifically for getting people out of the water and what not. They had moved up to the  
11 back deck. During that time my, one of my crew members actually my Engineer he got  
12 caught and ended up falling in. He went overboard with the person in the water that we  
13 just recovered. And I heard the, my other crew member Senior Chief call out he's in the  
14 water, he's in the water. And when I turned and looked I saw my crew member off the  
15 starboard quarter of the boat. And I quickly maneuvered and we were able, Senior  
16 Chief was able to bring him on board. We got him on board, but unfortunately during  
17 that we lost sight of the person in the water we had taken on board. So at that point we  
18 discussed as a crew that it was no longer safe for us to continue with the mission that  
19 he needed to get out of the wet clothes and we need to get back to – back into port. So  
20 we contacted the command of Station Grand Isle and let them know we would be  
21 RTVing. We ended up going into Port Fourchon instead of back to the Station. And  
22 once we did that we were able to get our member back into dry clothing and everything.  
23 And the other 45 stayed on the scene.

1       **CAPT Phillips:** Thank you very much. Thank you for providing those details.

2       **Wit 1:** Absolutely Captain.

3       **CAPT Phillips:** BM2 I will have you run through what you remember from that day.

4       **Wit 2:** Yes Captain. You want me to go over the entire thing from that day?

5       **CAPT Phillips:** If the details are the same you don't have to go through all of those  
6 details. But just the things that may have been different about what you experienced  
7 and what you saw.

8       **Wit 2:** Roger Captain. Right as we headed out my crew had a medium risk, high gain  
9 just due to the environment and unknown conditions. But due to the crew we had on  
10 board we felt comfortable with a medium risk headed out. As we headed out Barataria  
11 Pass started heading West there was tug vessel that was East bound that called us  
12 over the radio said there was a capsized tender vessel approximately half mile off their  
13 stern. So we got on scene to it. We conducted a Victor Sierra search pattern of the  
14 area got any ample information off so we were able to get the State numbering and  
15 passed it to Sector. Then got a hold of my Commanding Officer and talking about us  
16 continuing on to the SEACOR due to it being a more precedence case at the time.  
17 Once we were on scene out there same as BM1 had discussed earlier. Sea states 10  
18 to 12 with your occasional 14. We were the front vessel up closest to the SEACOR. I  
19 should before it was a complete washing machine. We had the sea state hitting into the  
20 side of the SEACOR vessel which was stacking the seas. It was – the waves were  
21 crashing over the crew that were still holding on to the SEACOR vessel. I had  
22 discussed with my crewmen on board that if anyone was to go out onto the deck that  
23 they needed to put on heavy weather harnesses and for them to make sure they clipped

1 into the D rings on the vessel. I had one of my crewmen who was actually Engineer go  
2 up to the bow of the 45 and had him yell out to the people from the SEACOR. And we  
3 was as close as we possibly could get. And if they felt comfortable getting in the water  
4 the minute they were clear from the vessel structure that we would be there to pick them  
5 up. And within about 20 minutes of us being on scene we had one crewman work his  
6 way down the structure and debris and was able to get himself away from the structure.  
7 And I was able to maneuver the boat, get us up alongside the person in the water and  
8 my crewman used one of the expandable boat hooks to reach out to get a hold of him  
9 and bring him up to the vessel. We got him on recess and once he came into the  
10 recess we noticed there was an excessive amount of blood which came to find out he  
11 had a large laceration across his abdomen. Got the man on the back deck. One of the  
12 crewmen went down to the survivors compartment was able to get the first aid kit and  
13 apply gauze and wraps to try to slow down bleeding. And I had contacted the GLENN  
14 HARRIS letting them know that we were heading back into Fourchon to bring the victim  
15 from SEACOR back in to receive EMS, get medical attention. Once we dropped him off  
16 in Fourchon we headed back out. We got back on scene and we sat approximately 200  
17 yards off the stern of the other 45. Then we were trying to work with the helo trying to  
18 get the survivor craft or survivor life raft in the water and us to be able to maneuver it  
19 over to the SEACOR vessel. Due to the sea state and winds and just the way the  
20 current was working around the vessel we were unable to actually try to attempt that. At  
21 the time of the one crew member going in the water one 45 was searching back and  
22 forth and we were scanning the area as they were picking up or came alongside the one  
23 crewman. We maneuvered or I maneuvered the 45 back up to the front using our

1 spotlight to keep light on the survivors or keep on board the SEACOR vessel. And the  
2 GLENN HARRIS was using their spotlight to keep eyes on the people of the SEACOR  
3 vessel. Trying to talk to them to get them if they were comfortable to get in the water we  
4 would get as close as we could to pick them up. Neither of the two left on board the  
5 vessel came off the vessel. They ended up actually opening the super structures cabin  
6 door and finding refuge inside the SEACOR from the battering waves that evening. We  
7 ended up staying until approximately 11 O'clock, 11:30 that evening after we had lost  
8 coms with the passengers or the people on board the SEACOR and of us not being  
9 able to make any sort of contact with them we headed back to Fourchon.

10 **CAPT Phillips:** Thank you very much.

11 **Wit 2:** Yes, ma'am.

12 **CAPT Phillips:** BM1 I'm going to walk back and go through and ask you some  
13 questions about the things that you told us about. You said you were on duty the day of  
14 the accident. What is your duty rotation there at Station Grand Isle?

15 **Wit 1:** Captain the duty rotation is 2 days on, 2 days off sliding weekends. What that  
16 means is your on duty for 48 hours then you're off for 48 hours. Every other week you  
17 stand a weekend duty, it ends up being 72 hours. However, I was the Operations Petty  
18 Officer so my normal duty is Monday through Friday and then I fill in when needed for  
19 Coxswain. So I was filling in for the normal duty section Coxswain.

20 **CAPT Phillips:** And you said you were on your second day of duty?

21 **Wit 1:** That's correct, Captain.

22 **CAPT Phillips:** Was the day before particularly busy?

23 **Wit 1:** No it wasn't Captain.



1       **CAPT Phillips:** Okay. Then at some point you said you got a report of the weather  
2 getting worse. Can you tell me more about that?

3       **Wit 1:** Yes Captain. So as you're on duty as Coxswain you just want to keep an eye on  
4 the weather. So you're just ready to respond at any time and we had discussed that  
5 there was a, you know potential for a storm coming right there in Grand Isle.

6       Sometimes a storm wouldn't hit that end of our Island. So we just kind of keep an eye  
7 on the weather periodically just to make sure that we're prepared. And that's all we  
8 were really doing.

9       **CAPT Phillips:** Do you remember where you got the report from that day? How you  
10 received that report?

11       **Wit 1:** I generally look at the NOAA App on my phone. It just says the periodic  
12 updates.

13       **CAPT Phillips:** So you saw on the NOAA App that the weather was going to get worse  
14 and you told the other people that were on duty?

15       **Wit 1:** Yes Captain. It was kind of our discussion just kind of like hey it looks like there  
16 might be something coming. But it wasn't anything like what we ended up experiencing.

17       **CAPT Phillips:** What did you anticipate based on that report?

18       **Wit 1:** It's been quite a while. I remember seeing that it was calling for – it was 2 to 3  
19 foot seas, I think it was 3 foot, sorry 3 to 5 foot seas and 25 knot winds which is pretty  
20 typical area anyway.

21       **CAPT Phillips:** And what did you actually see that day? There at Grand Isle.

22       **Wit 1:** Yes Captain. So from the actual Station before we had launched the boats the  
23 winds were extremely strong. There was – and then the winds I know had gotten up to,

1 I think it was about 90 miles per hour on the Coast Guard Cutter MORRAY. My  
2 husband was attached to that and he was talking to his watch stander and they were  
3 kind of recording how their winds were and they actually had lost flag staffs on the aft  
4 deck because of it. So winds were really bad, it was raining, lightning. I couldn't really  
5 see the sea state at that point, but when we got underway and we got out there the sea  
6 state was 8 to 10 closer to Grand Isle. In Fourchon area it was 10 to 12 and the winds  
7 were about 50 knots.

8 **CAPT Phillips:** Thank you. You said that 90 mile an hour rating came from the Cutter  
9 that was nearby?

10 **Wit 1:** Yes the 87 that's tied up there in Grand Isle.

11 **CAPT Phillips:** Does it tie up at the Station?

12 **Wit 1:** Yes it does.

13 **CAPT Phillips:** Okay. Do you remember about what time that was?

14 **Wit 1:** Captain I know that my husband sent me the picture of the flag staff that had  
15 broken off just shortly before we got the call in. I would say it was probably around  
16 1600. Probably 1630.

17 **CAPT Phillips:** Thank you. And BM2 were you on duty that day as well?

18 **Wit 2:** Yes I was Captain.

19 **CAPT Phillips:** So you had also finished your second day of duty? You were also on  
20 your second day of duty?

21 **Wit 2:** I was not. I was also filling in on the second day of duty since the Training Petty  
22 Officer for the Station I have the same work schedule as BM1 does. Day work from

1 Monday through Friday and filling in for the duty sections when they need either a  
2 Coxswain or Boarding Officer or OOD.

3 **CAPT Phillips:** Okay. What time did you start filling in?

4 **Wit 2:** At 0730 that morning.

5 **CAPT Phillips:** Okay. And after this heavy weather moved through Grand Isle was  
6 there any damage to the Station?

7 **Wit 2:** There was a little bit of damage that you could see. They started to do an  
8 assessment of the unit rounds when the call came in for the case. I was actually down  
9 in the middle of the storm trying to retie off one of our 24's that was still in the water due  
10 to the stern lines snapping from the water and the winds.

11 **CAPT Phillips:** Okay. You had been at the Station at that point for close to 4 years,  
12 had you ever seen any weather like this at Station Grand Isle before?

13 **Wit 2:** Only when we had the hurricane come through. And even then due to that  
14 storm we didn't really, or I had never really saw anything to that extent in that short of  
15 amount of burst.

16 **CAPT Phillips:** Had you ever seen any of the boats there at the Station snap their lines  
17 before due to weather?

18 **Wit 2:** Negative Captain.

19 **CAPT Phillips:** Sounds like both of you were preparing to get underway at the same  
20 time, is that correct?

21 **Wit 2:** Yes, ma'am.

22 **Wit 1:** Yes Captain.

1 **CAPT Phillips:** About how long was it, thanks. About how long was it between the  
2 time that the call came in or between the time that Lieutenant Waters said that there  
3 were people in the water out of Fourchon and the time that you both got underway?

4 **Wit 1:** About 10 minutes, ma'am.

5 **CAPT Phillips:** Is that pretty average for the time it would take to get underway for a  
6 search and rescue case?

7 **Wit 2:** It's a case by case Captain. You have your SAR cases of a disabled vessel that  
8 we have a window of 30 minutes to get underway. But if it's a person in the water or a  
9 taking on water or a vessel on fire or capsized vessel it's as fast as we possibly get a  
10 boat crew safely together and underway.

11 **CAPT Phillips:** Thank you. BM2 did you, you said you had a medium risk high gain  
12 risk assessment score when you were getting ready to get underway. Did that require  
13 an operational waiver as well?

14 **Wit 2:** It did not. Our risk score we were able to get underway without getting a waiver.  
15 Once we did get out past Barataia Pass though we needed to an operational waiver due  
16 to the sustained winds and seas.

17 **CAPT Phillips:** Okay. So there's some different waivers here. So there's a waiver if  
18 your risk assessment comes high risk high gain, who grants those kinds of waivers?

19 **Wit 2:** That's a grant from the Sector Commander.

20 **CAPT Phillips:** And there's also a waiver for exceeding the operational parameters, is  
21 that correct?

1 **Wit 2:** Sorry. So for your GAR assessment that is going to be granted by our  
2 Commanding Officer. But for an operational limitations waiver that is going to be  
3 through your Operational Commander's Sector, so the Sector Commander.

4 **CAPT Phillips:** Okay, thank you. BM1 you had a waiver for your risk assessment.  
5 Was that done very quickly? It sounds like Lieutenant Waters was right there with you  
6 as you're getting underway. Did I hear that right?

7 **Wit 1:** Yes Captain. Lieutenant Waters was right in the boathouse with us. I actually  
8 talked to him through the window of the 45 as we were getting ready to go. So I talked  
9 to him directly right there. And we discussed whether we need to move forward with the  
10 high, high.

11 **CAPT Phillips:** And he gave you approval for that?

12 **Wit 1:** Yes he did Captain.

13 **CAPT Phillips:** Okay. Can you tell me BM1 how – what the operational parameters  
14 are for a 45?

15 **Wit 1:** Yes Captain. Ten foot seas and 30 knot winds max.

16 **CAPT Phillips:** So when you got out, outside Baratavia Bay it sounds like it was the  
17 seas that were exceeding the limits, is that correct?

18 **Wit 1:** Seas and winds as well Captain.

19 **CAPT Phillips:** What were the winds when you got out there? I think you probably  
20 said that.

21 **Wit 1:** Yes Captain it was I would say 40 knot sustained, 50, definitely 50 gusts.

22 **CAPT Phillips:** Can you walk me through how that process went to get that operational  
23 waiver?

1 **Wit 1:** Captain BM2 Abbate actually got the operational waiver and since he was  
2 communicating with them it was for both platforms.

3 **CAPT Phillips:** Thank you. BM2?

4 **Wit 2:** Yes, ma'am. I ended up contacting the Commanding Officer, Lieutenant  
5 Waters. And let him know that since he was up in the communication room with the  
6 OOD for the Station that we were experiencing winds over 30 knots and we were  
7 getting reports of winds over 45 knots and the seas were over 10 foot and requesting  
8 the waiver for us to continue on with the mission.

9 **CAPT Phillips:** And how long did that take to get that waiver?

10 **Wit 2:** We had a waiver I believe it was within 15 minutes. We continued pushing on  
11 without the waiver.

12 **CAPT Phillips:** Thank you. BM2 when you got on the scene was it still light out or was  
13 it dark at that point?

14 **Wit 2:** We still had light. So we still had about 45 minutes of light left.

15 **CAPT Phillips:** Thank you. BM1 out on the scene what was the role that the GLENN  
16 HARRIS was serving while they were out there?

17 **Wit 1:** Captain their role was kind of like an on scene commander. They were handling  
18 a lot of the communications and just kind of a platform of discuss and what not when we  
19 were out there.

20 **CAPT Phillips:** Thank you. Okay. I'm going to turn the microphone over to the NTSB  
21 representatives to see if they have some questions. Mr. Muise would you like to go  
22 first?

1 **Mr. Muise:** Yes Captain, thank you. Good afternoon BM1, BM2. When Lieutenant  
2 Waters came into the COMMS Center and told you or asked you did you hear the call,  
3 was he referring to the distress call from the lift boat ROCK FISH or was that the urgent  
4 marine information broadcast from Sector?

5 **Wit 1:** Sir I can't speculate on that. I don't know what at the time. The only thing he  
6 said was did you guys get the call. We said what call and he said there's people in the  
7 water out of Fourchon we had to go. And that was enough for us to just go.

8 **Mr. Muise:** Okay. And in your training as Coxswain or as underway officer of the day  
9 have you ever been trained on how to recognize an activated search and rescue  
10 transponder also known as a SART, how to recognize that on a radar? BM1?

11 **Wit 1:** Can you repeat the question?

12 **Mr. Muise:** Merchant vessels carry something called a search and rescue transponder.  
13 And it acts like a, similar to a recon buoy. And I'm curious have you ever been trained  
14 on how to recognize that on your boat's radar?

15 **Wit 1:** Not that I can remember.

16 **Mr. Muise:** BM2?

17 **Wit 2:** No I have not.

18 **Mr. Muise:** For actually BM1, what was the closest point of approach you ever made to  
19 the SEACOR POWER while you were there?

20 **Wit 1:** It's hard to say exactly because it's been a while. But I would say probably  
21 about 20 yards or so.

22 **Mr. Muise:** So about a boat length and a half? Is that right?

23 **Wit 1:** Probably about 2 boat lengths I would say.

1 **Mr. Muise:** BM2?

2 **Wit 2:** Yes. We were, the closest we got to approach was about 20 feet when we  
3 actually picked up the one crewman out of the water. And we had structure underneath  
4 us about 5 feet under our keel.

5 **Mr. Muise:** Did you touch any of the structure at any time?

6 **Wit 2:** I am not entirely sure. I didn't feel anything hit the vessel, but at the time I had a  
7 higher precedence worrying about touching anything.

8 **Mr. Muise:** The 45 foot response boat medium does it carry an EPIRB? Also known as  
9 an emergency positioning indicating radio beacon?

10 **Wit 2:** It does not. It used to, but all of our crewmen on board our vessels wear PLBs.

11 **Mr. Muise:** And is that standardized nationwide?

12 **Wit 2:** its standardized nationwide, yes, sir.

13 **Mr. Muise:** Now I understand the 45 footer does not have a line throwing appliance.  
14 BM2 have you ever used that equipment on another Coast Guard Cutter or a boat?

15 **Wit 2:** I have not used it on another Coast Guard boat. But in Sturgeon Bay we had  
16 one that we could use if we needed.

17 **Mr. Muise:** Was that outfitted on a specific platform in Sturgeon Bay?

18 **Wit 2:** It was not outfitted on a specific platform. It was just what we had when I was  
19 there.

20 **Mr. Muise:** BM1 have you ever used a life throwing appliance or seen one on another  
21 Coast Guard platform?

22 **Wit 1:** I have seen one. I have not used one.

23 **Mr. Muise:** What platform was that?



1 **Wit 1:** We had one on the GEORGE COBB, 175 foot Buoy Tender I was on.

2 **Mr. Muise:** Was that specifically to use on ATON operations? Or aids to navigation  
3 operations?

4 **Wit 1:** No, sir. All of our platforms are set up so if needed to respond to SAR as well  
5 that we can respond.

6 **Mr. Muise:** And my last question to you BM1 the one victim that you tried to recover  
7 what kind of life jacket was he wearing?

8 **Wit 1:** Sir he was wearing a yellow inflatable life jacket. It's one that was lower down  
9 from the helo that was on scene.

10 **Mr. Muise:** And was that inflated?

11 **Wit 1:** Yes it was inflated.

12 **Mr. Muise:** Thank you. I have no further question.

13 **CAPT Phillips:** Thank you Mr. Muise. Mr. Ehlers.

14 **Mr. Ehlers:** Good afternoon BM1, BM2 thank you again for your testimony. BM1 when  
15 were you notified, do you know what time specifically you were notified of the persons in  
16 the water by your Commanding Officer?

17 **Wit 1:** Sir, I don't know the exact time. It was approximately 5:20, 1720. I know that  
18 right after I had texted my husband to let him know that I was getting underway for a  
19 case, because he was home with our four children, so I texted him at 1723. That was  
20 right after. And we were underway at 1730.

21 **Mr. Ehlers:** Is that information in a log kept at the Station?

22 **Wit 1:** Yes, sir.

1 **Mr. Ehlers:** And BM2 is that about the same time you recollect is when you got the  
2 notification and got underway?

3 **Wit 2:** Yes, sir.

4 **Mr. Ehlers:** Okay. And back to BM1. BM1 can you tell me who your crew members  
5 were and what their job was on the boat when you departed Station Grand Isle?

6 **Wit 1:** Yes, sir. My crew members were myself as the Coxswain and then I had two  
7 members that were both engineer qualified, Senior Chief, he was an MK, it's a  
8 Machinery Technician Senior Chief. He was the EPO for the station at the time. He just  
9 happened to still be on board. So he was, he acted as my crew member. And then I  
10 had EM2 Sosa who was the Engineer.

11 **Mr. Ehlers:** So a total of 3 crew members?

12 **Wit 1:** That's correct.

13 **Mr. Ehlers:** And are all members of the crew trained in search and rescue? In other  
14 words you mentioned they're both Engineers.

15 **Wit 1:** Yes, sir. So an Engineer is a more senior qualification. They are both required  
16 to get crew member certifications prior to getting their Engineer.

17 **Mr. Ehlers:** And the Senior Chief was senior to you. How does that work on a boat  
18 between the Coxswain and the crew member and rank?

19 **Wit 1:** Sir, as soon as the Coxswain on the boat the Coxswain is in charge.

20 **Mr. Ehlers:** And you mentioned I think a couple of times when talking to your crew, is  
21 that a regular practice to confer with the crew on operations?

22 **Wit 1:** Yes it is, sir. My responsibility as a Coxswain is my crew. So I don't make  
23 decisions without letting them know what's going on and getting their input.

1 **Mr. Ehlers:** Okay, thank you. And BM2 the same question for you as far as who's in  
2 your crew that day?

3 **Wit 2:** I had and Engineer MK3 Brown. I had a crew member Seaman Witt. And I  
4 cannot remember the second crew member on board. But we had four total on board  
5 with us. Including myself it was four total on my vessel.

6 **Mr. Ehlers:** And were all the crew members on your vessel qualified? Fully qualified  
7 as a crew member or Engineer?

8 **Wit 2:** Yes, sir.

9 **Mr. Ehlers:** And BM1 same question.

10 **Wit 1:** Yes, sir.

11 **Mr. Ehlers:** I'm sorry BM2 I cut you off. Were you going to say something else?

12 **Wit 2:** No, sir. I was just going to say I had one Engineer and two certified crew  
13 members on board.

14 **Mr. Ehlers:** Why did you have four crew members and BM1 only had three crew  
15 members?

16 **Wit 2:** We pulled pretty much every person we had at the unit at that time to be able to  
17 get underway.

18 **Mr. Ehlers:** BM1 how much information did you have about the SEACOR POWER and  
19 what it's status was when you left Grand Isle?

20 **Wit 1:** From what I remember, sir we were told that there were people in the water and  
21 the numbers had ranged between 17 and 19 people in the water and that they were –  
22 the boat was capsized and the members were sitting on, the ones that weren't in the  
23 water were sitting on the hull.

1 **Mr. Ehlers:** And were you aware that it was a lift boat?

2 **Wit 1:** I don't remember.

3 **Mr. Ehlers:** And BM1, or excuse me BM2 did you have similar information?

4 **Wit 2:** I just had the information that it was a large vessel that capsized with  
5 approximately 17 people that had gone into the water. And didn't receive word of it  
6 being a larger vessel until we were making our way out.

7 **Mr. Ehlers:** BM1 it's already been discussed a little bit, but I would like you to provide a  
8 little bit more explanation. You were standing off the vessel, you couldn't approach  
9 closer. What were the dangers of approaching close to the SEACOR POWER when it  
10 was capsized?

11 **Wit 1:** Sir, so from my perspective it was the sea state because of such large seas and  
12 then it became a washing machine as we got closer. My fear was that we were going to  
13 hit the bottom of our boat with the super structure that I could not see was underneath  
14 the water or another portion of the lift boat. I didn't know what kind of damage that  
15 happened to it when it capsized. Or if something had happened that caused it to  
16 capsize. So I did not want to get close enough to where the bottom of my boat was  
17 going to hit the lift boat and cause damage to where now we were in an emergency  
18 situation as well.

19 **Mr. Ehlers:** BM1 you said that you heard over the radio the call that he slipped in  
20 somebody that who had been on the hull of the vessel that's gone into the water. How  
21 long was it do you estimate when you heard that over the radio to when you found the  
22 person in the water?

23 **Wit 1:** Minutes. Just a few minutes.

1 **Mr. Ehlers:** And how far away from the SEACOR POWER from the overturned vessel  
2 was that person? Can you estimate?

3 **Wit 1:** Actually they traveled quite far. I would say at least 100 feet, maybe more.

4 **Mr. Ehlers:** And what condition was the person in at the time you recovered them on  
5 board the boat?

6 **Wit 1:** When we recovered them they were unresponsive, face down in the water. We  
7 could not see any injuries on them from my perspective. The only thing I could see was  
8 the clothes he was wearing and that he was face down in the water and his life jacket  
9 had inflated.

10 **Mr. Ehlers:** Okay. And I believe you said you were able to initially get the person onto  
11 the back deck. Was any of your crew members able to take vital signs?

12 **Wit 1:** No, sir. He didn't actually make it all the way to the back deck. Talking to my  
13 crew on the way back they said that when they had him in the recess he was still  
14 unresponsive. But I don't believe they had a chance to actually take specific vitals, just  
15 that he was unresponsive.

16 **Mr. Ehlers:** Okay. And BM1, BM2 mentioned his crew having heavy weather  
17 harnesses on, did your crew have heavy weather harnesses on?

18 **Wit 1:** No they did not, sir.

19 **Mr. Ehlers:** Was the boat outfitted with those harnesses?

20 **Wit 1:** Yes they were, sir.

21 **Mr. Ehlers:** Is there a Coast Guard policy or training on when harnesses should be  
22 worn?

23 **Wit 1:** Yes, sir.

1 **Mr. Ehlers:** Say it again.

2 **Wit 1:** Yes there is.

3 **Mr. Ehlers:** And what are those conditions?

4 **Wit 1:** I can't recall at the moment.

5 **Mr. Ehlers:** Was it a conscious decision not to don those harnesses?

6 **Wit 1:** No it was not, sir.

7 **Mr. Ehlers:** Had the crew been wearing harnesses would it still – would they have  
8 been washed over board?

9 **Wit 1:** I can't speculate on that.

10 **Mr. Ehlers:** That's all I have. Thank you both.

11 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Verdin.

12 **Mr. Verdin:** Thank you Captain. BM2 you stated that you were underway, both of you  
13 were underway when you requested that waiver to proceed?

14 **Wit 2:** Yes, sir.

15 **Mr. Verdin:** Were you offshore at that time?

16 **Wit 2:** We were right at the mouth of the pass.

17 **Mr. Verdin:** So still close to shore. What was the wind direction at that time? Which  
18 way was it coming from?

19 **Wit 2:** I do not remember the exact direction.

20 **Mr. Verdin:** But general direction is fine. Was it out of the North?

21 **Wit 2:** The general direction would have been out the East, Northeast.

22 **Mr. Verdin:** Okay. Fine that's perfect. How far out did you all get out the pass before  
23 you all started heading towards the West, toward Port Fourchon?

1 **Wit 2:** About three quarters of a mile.

2 **Mr. Verdin:** Say past Beacon 8, just between Beacon 8 and the Sea Buoy?

3 **Wit 2:** Yes, sir.

4 **Mr. Verdin:** Okay. So the transit from Grand Isle Pass, Barataria Pass to Port  
5 Fourchon is basically parallel with the coast, am I correct?

6 **Wit 2:** Yes, sir. Its more [in audible] a split make a run out.

7 **Mr. Verdin:** I'm sorry.

8 **Wit 2:** Due to the angling of the Islands.

9 **Mr. Verdin:** I'm sorry it broke up. I didn't catch most of that.

10 **Wit 2:** I was saying it's not a complete, it wasn't a complete parallel run on the shore  
11 line. You had to run offshore.

12 **Mr. Verdin:** But you run offshore a little bit but you're out just a few miles. So Barataria  
13 Pass the sea buoy I think is about 7 or 8 miles. I think SEACOR POWER I think was 7  
14 or 8 miles offshore. So you're basically following the coast to get to the location. With  
15 winds coming, let me just ask you, I'll tell you where I'm going. With winds coming out  
16 of the North have you, you've been there, and BM1 you've all been there for four years I  
17 believe you all said. Have you ever seen the sea conditions, the sea state that high with  
18 winds coming out of the North that close to the beach?

19 **Wit 2:** No, sir.

20 **Mr. Verdin:** I'm sorry you broke up. You said that was no?

21 **Wit 2:** No I haven't.

22 **Wit 1:** I have not either, sir.

1 **Mr. Verdin:** Okay so this was a significant event the weather, the waves and  
2 everything else out of the North?

3 **Wit 2:** Yes, sir.

4 **Mr. Verdin:** Okay. That's all I have. Thank you guys.

5 **Wit 2:** Yes, sir.

6 **CAPT Phillips:** Thank you Mr. Verdin. A couple questions that I didn't ask the first  
7 time. I want to go back and fill those in. Let's start with you BM1. When you got to the  
8 point where you realized that the weather conditions were outside of the parameters of  
9 the 45 were you concerned?

10 **Wit 1:** Captain it was a little bit concerning. I felt that the platform was handling very  
11 well in the conditions. And I felt we were able to handle it.

12 **CAPT Phillips:** Had you operated in conditions like that before?

13 **Wit 1:** Only in training Captain.

14 **CAPT Phillips:** BM2 were you concerned at that point?

15 **Wit 2:** For the vessel we were on I was concerned. I was more concerned for the  
16 members that I had on board my vessel.

17 **CAPT Phillips:** Had you operated in conditions like that before?

18 **Wit 2:** I have. Not entirely on the wind side, but for the sea state side I have.

19 **CAPT Phillips:** Where was that that you operated?

20 **Wit 2:** It was at Mayport, Florida.

21 **CAPT Phillips:** Thank you. BM2 was the boat running well that day?

22 **Wit 2:** It was Captain.

23 **CAPT Phillips:** Did you notice any problems with any of the equipment?



1 **Wit 2:** We were having issues talking over the radios to the other 45. If we got behind  
2 any sort of large structure it was – we had issues talking to Sector or the Station.

3 **CAPT Phillips:** And issues meaning they couldn't hear you or you couldn't hear them?

4 **Wit 2:** I wasn't able to hear them. There – it was intermittent for the transmissions.

5 **CAPT Phillips:** The engines were running well?

6 **Wit 2:** Yes, ma'am. We were able to run at a safe speed out there to where we had no  
7 issues of any sort of overheating.

8 **CAPT Phillips:** Okay. BM1 was the equipment on your boat working well?

9 **Wit 1:** Yes Captain. The equipment was working great. The engines were doing as  
10 they should have been. The seas only, they caused a hydraulic fluid alarm to continue  
11 to go off, but it was investigated and it was just because of the rocking of the boat that  
12 was causing the hydraulic level to show that it was not what it was supposed to be. But  
13 it was just because of the rocking of the boat not because we were actually having a  
14 hydraulic fluid [in audible]. The radios we had a similar experience. They were  
15 intermittent. And it seemed to be worse when we were at the scene. A lot of the  
16 communication had to go through the GLENN HARRIS in order to get to Sector.

17 **CAPT Phillips:** Have you seen that kind of difficulty talking directly to the Station when  
18 you've been that far offshore before?

19 **Wit 1:** No I've never seen that Captain.

20 **CAPT Phillips:** Thank you. When you were out on scene did either one of you get any  
21 search patterns from the Sector?

22 **Wit 1:** Captain they past a search pattern to us. We had just finished writing it down  
23 and my crew member was entering it into the chart plotter when the 45 recovered the

1 person in the water and brought them to Port Fourchon and we remained on scene  
2 instead of the search pattern.

3 **CAPT Phillips:** BM2 did you get any search patterns that evening?

4 **Wit 2:** I do not recall Captain if they had given me a search pattern that evening.

5 **CAPT Phillips:** Did the weather get worse while you were out there?

6 **Wit 2:** It did. It came in burst. It came with a gust that we had out there. But the sea  
7 state did end up building throughout the evening. Hope that it was going to diminish  
8 throughout the evening, but it sustained itself and with the winds it sustained that 35 and  
9 45 knots. It allowed the seas to continue to build.

10 **CAPT Phillips:** What would you say they were when you were on your way back in at  
11 the end of the evening?

12 **Wit 2:** That they were sustained 12 to 14 with your occasional 16. But it's a completely  
13 different when you're up close to the capsized vessel due to the size of it and waves  
14 were crashing into it and turned it into a washing machine. Which then stacked the  
15 waves.

16 **CAPT Phillips:** Thank you.

17 **Wit 2:** Yes, ma'am.

18 **CAPT Phillips:** BM1 is the 45 equipped to receive any kind of weather information  
19 when you're out and underway?

20 **Wit 1:** Not that I'm aware of Captain.

21 **CAPT Phillips:** Okay. At this point I'm going to see if our parties in interest have any  
22 questions for you. I'll start with the First Mate.

1 **Mr. Sterbcow:** Good afternoon my name is Paul Sterbcow and I represent the First  
2 Mate Bryan Mires from the SEACOR POWER. BM1 I think I really have just one  
3 question. I want to make sure I understood what you said. You had mentioned that you  
4 received some information on a NOAA weather App that I believe caused you to make  
5 sure that your assets were ready that day. Did I understand you say that?

6 **Wit 1:** Yes, sir. We generally discuss with the crew with any weather changes. When  
7 the weather started to get worse is when we addressed the asset thing and started  
8 coming in. That wasn't actually a report that was what was actually happening. The  
9 fact that there was a report of the sea state changing just increasing a little bit is all we  
10 had discussed prior to that. Otherwise we would have pulled the boat that ended up  
11 snapping lines, we would have pulled that out of the water had we had more warning.

12 **Mr. Sterbcow:** Okay. So in terms of you taking action to get the assets ready that was  
13 in response to you actually visualizing seeing the weather reach your location in Grand  
14 Isle?

15 **Wit 1:** That is correct, sir.

16 **Mr. Sterbcow:** And what happened when the weather got to Grand Isle? What  
17 actually happened? What type of weather was it?

18 **Wit 1:** Strong winds, rain, lighting. I know I took a video on my phone because like the  
19 winds were, sorry the winds were so bad I just looked out my office window and took the  
20 whole video because I could see actually my house from my office and the RV in my  
21 driveway was rocking and we were afraid it was going to tip over. So it was winds and  
22 the water coming up over the seawall and lighting and everything.

1 **Mr. Sterbcow:** Do you have any idea approximately what time that was that you took  
2 that video?

3 **Wit 1:** 1620, sir.

4 **Mr. Sterbcow:** And do you have any idea where that weather came from? Where it  
5 was before it got to Grand Isle?

6 **Wit 1:** I don't recall, sir.

7 **Mr. Sterbcow:** Okay. And last question. If I understand you correctly your vessel,  
8 your 45 foot vessel went to scene, stayed at the scene and you tried to recover the  
9 unresponsive person who was then lost at sea again and then you returned to  
10 Fourchon, is that right?

11 **Wit 1:** Port Fourchon, yes, sir.

12 **Mr. Sterbcow:** And when – you did not go back out again or did you go back out a  
13 second time?

14 **Wit 1:** No we did not go back out, sir.

15 **Mr. Sterbcow:** Okay. During the time that you were out from the time that you ran out  
16 of Barataria all the way through getting back to Port Fourchon did you feel like that your  
17 45 foot vessel was handling the wind and sea state okay?

18 **Wit 1:** Yes I did believe it was handling okay, sir.

19 **Mr. Sterbcow:** And BM2 if I understood you correctly you actually rescued someone,  
20 took them to Port Fourchon for medical attention then went back out to the SEACOR  
21 POWER?

22 **Wit 2:** Yes, sir.

23 **Mr. Sterbcow:** And then you stayed out there until around 11 p.m. that night?

1 **Wit 2:** Yes, sir.

2 **Mr. Sterbcow:** Did you feel like the entire time that you were operating your vessel,  
3 your 45 foot vessel that it was handling the wind and sea state okay?

4 **Wit 2:** I did, sir.

5 **Mr. Sterbcow:** That's all I have. Thank you both very much.

6 **CAPT Phillips:** Thank you Mr. Sterbcow. SEACOR and Falcon Global.

7 **Mr. Hemphill:** BM1 Gill and BM2 Abbate.

8 **Wit 2:** Yes, sir.

9 **Mr. Hemphill:** I'm trying to get the video to turn on. We're not able to do that so I just  
10 have a couple of questions so I'll do without the video. Just on that last point you were  
11 talking about how your vessel handled those conditions. What are the dimensions in  
12 horsepower of those two 45's that you were each on? BM1 can I start with you please?

13 **Wit 1:** It was a 47, I'm sorry a 45 foot boat, 14 foot beam, and it can handle 10 foot  
14 seas and up to 30 knot winds generally.

15 **Mr. Hemphill:** Now BM2 is that also true for your vessel?

16 **Wit 2:** It was. And you had 825 horsepower jet drives, twins.

17 **Mr. Hemphill:** Is it accurate to say both of those vessels are designed to operate in  
18 extreme weather conditions?

19 **Wit 2:** They are.

20 **Mr. Hemphill:** BM1 would you agree?

21 **Wit 1:** I agree, sir.

22 **Mr. Hemphill:** That's all the questions we have Captain Phillips. But on behalf of  
23 SEACOR Marine and myself personally as a member of this community I would like

1 express appreciation for the service of these two officers which was really extraordinary  
2 under extraordinary circumstances. We're very grateful.

3 **CAPT Phillips:** Thank you Mr. Hemphill. American Bureau of Shipping.

4 **Mr. White:** Captain ABS has no questions, thank you.

5 **CAPT Phillips:** Thank you Mr. White. Okay. It doesn't look like there's any additional  
6 questions from any of the other members. I'll just wrap up with the final question. BM1  
7 is there anything else that you would like to tell us that we haven't asked about from the  
8 day of the accident?

9 **Wit 1:** No I don't have anything Captain.

10 **CAPT Phillips:** Thank you. BM2 anything else you would like to tell us about?

11 **Wit 2:** No there's not Captain.

12 **CAPT Phillips:** Thank you. I'll echo what the representative from SEACOR said, thank  
13 you very much for your service. Thank you very much for what you did on the night of  
14 the accident. And thank you for being here today as witnesses. You're both now  
15 released as a witness at this Marine Board of Investigation hearing. Thank you for your  
16 cooperation. If I later determine that we need additional information from you I will  
17 contact you through your counsel. If you have any questions about this investigation  
18 please contact Lieutenant Anthony Alger who is the board Recorder for this  
19 investigation. We're going to recess until 0800 on August 5<sup>th</sup>. The time is now 1607.  
20 The hearing is now in recess. Thank you.

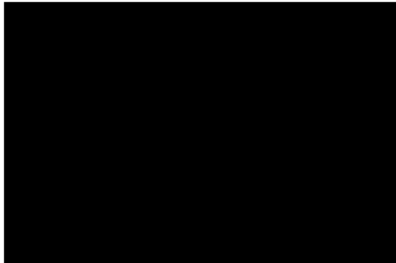
21 *The hearing recessed at 1607, 4 August 2021*

UNITED STATES OF AMERICA  
UNITED STATES COAST GUARD

In the Matter of:

THE MARINE BOARD OF INVESTIGATION INTO THE CAPSIZING OF THE L/B  
SEACOR POWER ON 13 APRIL 2021 WHILE TRANSITING THE GULF OF  
MEXICO

I, [REDACTED], an officially designated and qualified  
Court Reporter of the United States Coast Guard, hereby certify  
that the foregoing proceedings were taken by me and transcribed  
by me, and is a true record of the testimony of all witnesses,  
and of the proceedings herein contained. I further certify that  
there is no interest attached, either financially or by virtue  
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Court Reporter/Paralegal Specialist  
U. S. Coast Guard, Eighth District