

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

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Interview of: FRANKLIN H. SHEPPARD

Vessel Traffic Services
USCG Sector San Francisco

Friday,
November 14, 2007

The above-captioned matter convened, pursuant to Notice

BEFORE: LARRY D. BOWLING

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1 I N T E R V I E W

2 MR. SHEPPARD: -- copy of that transcript be made
3 available?

4 MR. BOWLING: Yes. They get it all transcribed, and
5 it's available to all --

6 MR. SHEPPARD: Okay.

7 MR. BOWLING: -- parties in interest. Okay. We'll get
8 kicked off today. This is Larry Bowling with the National
9 Transportation Safety Board, and I'm here with members of my
10 operation group, and we're beginning our interview with
11 Mr. Franklin H. Sheppard, vessel traffic management specialist.
12 If I can go around the table to my right, who all is present?

13 MR. HURT: Rick Hurt (ph.), San Francisco Bar Pilots.

14 MR. HOLLY: Rick Holly, Department of Fish and Game,
15 OSPR.

16 MR. TOLEDO: Gary Toledo, OSPR.

17 CAPTAIN ANGARAH: Agah Angarah (ph.) in Fleet
18 Management.

19 MR. WHEATLEY: Ross Wheatley, senior investigator, Coast
20 Guard Sector San Francisco.

21 CDR SCHAEFER: Scott Schaefer, Coast Guard District 11,
22 Incident Management.

23 MR. MALONEY: Pat Maloney, Pilot Commission.

24 MR. BROWN: Steve Brown, American Pilots Association.

25 LT KING: And my name is Lieutenant Jeff King. I'm the

1 Coast Guard attorney representing Sector San Francisco and Vessel
2 Traffic.

3 MR. BOWLING: Okay. Thank you all. Mr. Sheppard, just
4 some quick feedback. I want you to relax. Just tell us -- all
5 we're looking for are the facts. We're not going to ask you any
6 opinionated questions. We're not going to say what ifs, those
7 kind of things.

8 The team here, what we want to do is we're a small
9 component of a larger investigative group, and our purpose is to
10 get information from various players that had a role one way or
11 the other in this incident and to take this back and look at it
12 and somewhere down the road, hopefully, to find things in here
13 that we can learn from to prevent a reoccurrence of the situation.
14 That's the main objective.

15 So I want you to know that I have been on the other side
16 of this table before. Just relax. All we're going to do is ask
17 you facts. You have a good, strong teammate there to your right,
18 and I will also do my best to make sure baited questions that, you
19 know, are out of line, that we stop those. So just, again, be
20 comfortable.

21 UNIDENTIFIED SPEAKER: I'm sorry, sir. Were you
22 thinking you would like (indiscernible) --

23 UNIDENTIFIED SPEAKER: Yup. I got to step out here
24 shortly. I just want to explain to everybody what they have.
25 They have each of the three stages. The gentleman that you'll be

1 interviewing was also (indiscernible) chart with Water Waste
2 Management.

3 UNIDENTIFIED SPEAKER: (indiscernible)

4 UNIDENTIFIED SPEAKER: Thank you.

5 UNIDENTIFIED SPEAKER: And Water Waste Management, I
6 couldn't find a complete sector slide, and I know we're under some
7 type of time constraint here, so just keep in mind that Water
8 Waste Management is one of four divisions within Prevention
9 Department and Prevention Department is one of three departments
10 in the sector. So what you're looking at is just a slice of the
11 sector, if you will.

12 MR. BOWLING: Say that again, real quick?

13 UNIDENTIFIED SPEAKER: Sure. Water Waste Management
14 Division is one of four divisions within Prevention Department.

15 MR. BOWLING: Okay.

16 UNIDENTIFIED SPEAKER: And Prevention Department is one
17 of three departments in the sector. The three departments are
18 Prevention Response Logistics --

19 MR. BOWLING: You're still on the old configuration,
20 because I understand Sector New York was in the new configuration
21 and they're going back to OS (ph.)?

22 UNIDENTIFIED SPEAKER: That's correct.

23 MR. BOWLING: Okay.

24 UNIDENTIFIED SPEAKER: Sector New York is the only one
25 to make that change

1 MR. BOWLING: All right.

2 UNIDENTIFIED SPEAKER: Trial for them --

3 MR. BOWLING: I got you.

4 UNIDENTIFIED SPEAKER: The divisions in Prevention
5 include Investigations, Inspections, which include both domestic
6 and Port State, or Foreign, the Water Waste Management Division,
7 and Port State and Security. Those are the four divisions.

8 MR. BOWLING: Okay. Thank you very much.

9 UNIDENTIFIED SPEAKER: Yes, sir.

10 MR. BOWLING: All right. Mr. Sheppard --

11 UNIDENTIFIED SPEAKER: Jeff, could you make reservations
12 for us for at the galley? The team plans to go down there, and I
13 don't want to have them surprised if a whole lot of people show
14 up.

15 LT KING: Will do. One, two, three, four, five, six,
16 seven, eight --

17 MR. BOWLING: I mean, you're free to choose otherwise.
18 You can do whatever you want but just give them a heads-up to make
19 sure they know --

20 UNIDENTIFIED SPEAKER: It's usually pretty good food.

21 UNIDENTIFIED SPEAKER: All right. We're good.

22 MR. BOWLING: We are recording, gentlemen. This will be
23 a transcript, so we need to --

24 UNIDENTIFIED SPEAKER: Ten people.

25 MR. BOWLING: Yeah.

1 INTERVIEW OF FRANKLIN H. SHEPPARD

2 BY MR. BOWLING:

3 Q. All right. Again (indiscernible) just tell us what you
4 know. All right. For the record, give me -- can you state your
5 name, full name, and give me some contact information, either
6 business -- so we can get a hold of you if we needed to down the
7 road, you know, telephone number, mailing address.

8 A. My name is Franklin H. Sheppard. Cell phone number,
9 ----- . And a mailing address, -----,
10 -----, Alameda, California, 94501.

11 Q. Okay. Mr. Sheppard, can you give me just a little bit
12 of background from a standpoint of education and training that got
13 you to the present position you hold here with Vessel Traffic
14 Service?

15 A. Certainly. I was a operation specialist in the Navy, a
16 radarman in the Coast Guard, a fire EMT and police 911 operator
17 with the department in Alaska, and I've worked at three different
18 Vessel Traffic Services, including this one.

19 Q. What other Vessel Traffic Services have you been
20 employed with?

21 A. VTS Sault Ste. Marie, Michigan, and VTS Valdese, Alaska.

22 Q. Okay. How long have you been a civilian employee of the
23 Coast Guard?

24 A. I was hired here, I believe, on January of 2005.

25 Q. Okay. I want to just look at some of your training

1 credentials and performance check-offs that you have completed
2 prior to assuming your role here.

3 A. Certainly.

4 Q. When you signed into -- when you signed on with VTS San
5 Francisco, did you go through any OJT here at this facility or was
6 it done at one of the other VTS --

7 A. Actually, at this VTS, prior to any hands-on OJT,
8 there's a rigorous extensive course of training in regulations,
9 vessel traffic management, principles, and things of that nature,
10 regulations (indiscernible) regulate, navigation areas,
11 anchorages, et cetera, and then one goes on to learning the
12 mechanics of the equipment and the radio/telephone procedures.
13 And then, in addition to that, I was sent to a number of schools
14 such as Bridge Resource Managements, Basic Ship Handling, Radar
15 Observer School, and things of that nature.

16 Q. Okay. Overall, how much experience time-wise do you
17 have performing the functions of your job with VTS, whether it
18 was -- summarize your experience in the Coast Guard VTS program.

19 A. Oh, you mean, en toto, for all three?

20 Q. Yes.

21 A. Somewhere between 9 to 10 years, I would imagine.

22 Q. Okay. I'm going to hand you just a transcript that was
23 provided, and it's got an NTSB number on it, NTSB Number 35. I'd
24 like you to just take a quick look at it, and if you'll hand that
25 back to me, I'll actually use that. Do you recognize that content

1 of that written transcript?

2 A. Yes.

3 Q. And, actually, if you hang onto that, I think I have --
4 I've got another copy of it. I do. I'm going to be asking you
5 some questions from that. On the 7th of November, there was an
6 incident involving the Cosco Busan. Are you familiar with that
7 incident?

8 A. Yes, I am.

9 Q. Okay. When you came on watch that day, walk me through
10 the 12-hour period before you came on watch on the 7th of
11 November.

12 A. The 12-hour period?

13 Q. Yeah. What were you doing prior to coming on watch?

14 A. Well, the previous day, I had the day watch, and then I
15 got off from watch, was relieved at 1400 hours, or thereabouts,
16 and then I proceeded home, had dinner, sat around, read a book,
17 and went to bed about 7:30 or 8 p.m., I think.

18 Q. Okay. And so what time did you wake up the following
19 day, on the 7th?

20 A. On the 7th?

21 Q. Do you recall what time you got out of bed?

22 A. You'll have to pardon me. I'm forgetting. The 7th was
23 what day of the week.

24 UNIDENTIFIED SPEAKER: It was a Wednesday.

25 MR. SHEPPARD: Wednesday? I would have got up at 0330

1 hours because of traffic.

2 BY MR. BOWLING:

3 Q. Okay. So I misunderstood you. You got up at 3:00?

4 A. 3:30 a.m.

5 Q. Okay. 3:30 is when you awoke? What time did you assume
6 the watch here at VTS?

7 A. The watch is relieved for the day watch at 0545. I
8 normally show up at least 30 minutes to an hour early just to
9 ensure I'm not late.

10 Q. Okay. All right. What time did you arrive that day, do
11 you recall?

12 A. I would have probably -- I really can't remember. I
13 would imagine around 0500 hours.

14 Q. Okay. All right. So you began the watch relief process
15 at approximately 0545, is that correct?

16 A. Yes.

17 Q. Okay. What time did you actually assume responsibility
18 for the VTS watch?

19 A. Well, it would have been -- actually, I would imagine I
20 would have relieved the watch a few minutes early since I was
21 there --

22 Q. Okay.

23 A. But approximately 0545 I started in the offshore, or
24 ocean and delta position.

25 Q. All right. In referring to that particular position,

1 can you walk me through what area, geographically, that covers,
2 please?

3 A. Certainly. That covers the entire offshore sector,
4 marine vessels approaching San Francisco Bay -- what we check in.
5 And inshore, it also encompasses the area from New York Point up
6 to Sacramento and Stockton.

7 Q. Okay. Can you show me on the chart where it picks up?
8 The offshore I'm comfortable with. Oh, we don't have -- it's not
9 going to show us here?

10 UNIDENTIFIED SPEAKER: It doesn't go far enough up. Too
11 far up on the chart.

12 UNIDENTIFIED SPEAKER: Yeah, you need new charts.

13 MR. SHEPPARD: New York Point is I don't know how far,
14 but it's west of the Antioch Bridge.

15 BY MR. BOWLING:

16 Q. Okay. All right. When you reported to VTS for work
17 that day, and you say you checked in about 5:45, what was your
18 physical and mental condition? In other words, were you fully
19 functional? Did you have enough rest? Were you sleepy? Were you
20 happy, sad?

21 A. Fully functional.

22 Q. Okay. So in your own description, what kind of day was
23 it? Was it ops normal?

24 A. Ops normal --

25 Q. Until the incident?

1 A. Ops normal from my own personal standpoint --

2 Q. Yes, that's what I'm asking you.

3 A. I was fully ready to assume the watch and did so.

4 Q. Okay. Once you assumed the watch, can you fill in the
5 timeline for me from 045 [sic] up until your first -- to around
6 the 7:00 hour?

7 A. Okay. 0545, I assumed the watch, received a pass-down
8 from the person I'm relieving concerning anything I need to know.
9 Then I assume the watch. One of the key functions of offshore is
10 to provide an offshore vessel traffic summary at 15 minutes after
11 and 15 minutes until the top of each hour on Channel 12,
12 particularly useful that day, since there was reduced visibility
13 virtually everywhere, or I should say everywhere (indiscernible).
14 So it's critical to get that report out. Fishing vessels and
15 sailing vessels and anyone else out there need to hear that so
16 they can plan for their route, their approach into San Francisco,
17 or their exit.

18 Q. All right. Is that report, is it made via --

19 A. Channel 12.

20 Q. Channel 12?

21 A. VHF channel.

22 Q. All right. Is that also captured in a Word document or
23 other --

24 A. No.

25 Q. Do you read it or do you basically just broadcast it?

1 A. You broadcast it.

2 Q. Okay.

3 A. The way you do it is you're looking at your scope with
4 your offshore sector chartlets, if you will.

5 Q. Um-hum.

6 A. And you use your strobe and cursor. A integral part of
7 that report is to provide the bearing and range to the vessel from
8 the San Francisco sea buoys, so, obviously, you're measuring the
9 distance and reading it off as you're doing it, and then you're
10 going to the next one, and then you additionally provide their
11 course and speed and depending upon what direction they're coming
12 from a couple ETAs so the vessels out there can get a sense of
13 where they are in relation to those vessels.

14 Q. Okay. What time did you assume the watch for the
15 Central bay position?

16 A. Normally, we stand an hour and 20 minutes on each of the
17 positions, so, technically speaking, it would have been 0720
18 hours. However, it's not uncommon for a person, once they're
19 relieved from one position, to take that opportunity to go to a
20 restroom, get a cup of coffee, so it may well have been two or
21 three minutes later, but, certainly, not much more than that,
22 because I like to make that transition as quickly as possible so
23 there is no loss of awareness of what's occurring.

24 Q. Okay. Who else was in the watch rotation with you that
25 day?

1 A. Mark Perez was the watch supervisor, so, obviously, he
2 does not rotate through the positions.

3 Q. Right. Now, what's his function in the watch for
4 (indiscernible).

5 A. He has a very important function. He oversees or
6 supervises the radio communications activities all day and, most
7 importantly, the activities of vessel traffic managers. And he
8 can assist them when needed, provide expertise. He also answers
9 the phones and contacts any outside entities that might be
10 required.

11 Q. Okay.

12 A. So he's in there for the duration.

13 Q. All right. That was his function? Who else was on
14 watch with you that day?

15 A. OS2 Cooper, the only active-duty member of the watch
16 team.

17 Q. Okay. And OS2 is a acronym for a Coast Guard ranking?

18 A. Operation Specialist, Second-Class.

19 Q. Operation Specialist? Thank you. And his title in
20 Vessel Traffic Services --

21 A. Would be the same thing as mine. He undergoes the same
22 training as any civilian would.

23 Q. Right. So he would also be considered a VTS specialist?

24 A. Vessel traffic management specialist, yes.

25 Q. Right. Okay. All right. So those are the -- was there

1 anybody else on the watch with you at that time?

2 A. Yes. Abdul Rakmahn (ph.) Zedon. I can spell the Zedon
3 portion --

4 Q. Please?

5 A. He's Z-E-D-A-N.

6 Q. Z-E-D-A-N.

7 A. He is also a GS-11, vessel traffic management
8 specialist.

9 Q. Okay. What role was he functioning -- what role was he
10 providing to the team that day?

11 A. Well, pardon me for saying so, but to establish what
12 role anyone outside the supervisor is playing, you have to know
13 the time, because the other members of the team rotate through the
14 positions.

15 MR. BOWLING: Okay. We'll have another interviewee.
16 We'll follow up on that if somebody will make a note. I want to
17 make sure. That actually will be Mr. Perez.

18 BY MR. BOWLING:

19 Q. Was there anybody else on the watch with you at that
20 point?

21 A. No, it was the four of us.

22 Q. Okay. So you assume the watch as 0720 is what you
23 indicated to us --

24 A. Central bay, yes --

25 Q. Central bay portion of that. And what's the rotation,

1 again, between the --

2 A. Traditionally speaking, if you're on the offshore or
3 ocean/delta, as it's called, sector, you next rotate to central
4 bay, and then after that, you will rotate to the watch assist
5 administrative position.

6 Q. What is the watch assist administrative position?

7 A. The watch assist administrative position is a position
8 where you assist the watch supervisor with whatever needs to be
9 done. There are numerous administrative tasks, particularly at
10 night. It's also our (indiscernible) for the watch-stander to
11 check their e-mail, do administrative things with training, or
12 what have you, and also perhaps run down and nuke their dinner, or
13 what have you, now.

14 Q. Okay. Now, is there another position that you will go
15 to from the watch administrative position in a normal watch
16 rotation?

17 A. You go back to -- if you had begun at ocean, you'd
18 continue the rotation back to the offshore. So those --

19 Q. Right -- I'm sorry?

20 A. Those are the three positions that a watch-stander will
21 rotate through.

22 Q. Okay. Now, the watch that you -- you basically assumed
23 the watch at 0545 that morning, on the 7th. How many cycles would
24 you run through during the course of the -- how many cycles did
25 you run through on the day of the 7th?

1 A. Well, it would be two on each of ocean/delta, and the
2 central bay. That's why we run it a hour and 20 minutes
3 (indiscernible) --

4 Q. And hour and 20 minutes each location --

5 A. Accurately distributes things.

6 Q. I'm not good at math, but, basically, you will cycle
7 through each position twice?

8 A. Yes.

9 Q. For a normal course of your workday?

10 A. The way it will work is you rotate from ocean/offshore,
11 to central, to assist. And the way it works out is wherever you
12 started at, you end up one position back the other way from that.

13 Q. Okay. And just for my benefit, when you come back in on
14 your next workday, if they were sequential, would you pick up --

15 A. Oh, I see what you're saying.

16 Q. All right.

17 A. Not necessarily.

18 Q. Okay.

19 A. Because you may not be standing watch with the same
20 people.

21 Q. Okay. And, again, we're just trying to get a background
22 on the whole environment here --

23 A. Absolutely. When I speak of a rotation, it's within a
24 specific watch.

25 Q. Okay. All right. I got a little off track there. Let

1 me get you back to the central bay watch. On your statement here,
2 we just confirmed, or you basically indicated that you did assume
3 the central bay position at 0720 hours. Was there anything on the
4 watch that caught you off-guard or that you thought was unusual?
5 Was there anything on the screens that were not displaying
6 properly? Was the radio functioning incorrect? Was everything
7 okay? What did you see when you assumed the watch?

8 A. Everything from our end was fine. The only thing that
9 was not fine was the visibility.

10 Q. And visibility, you're referring to --

11 A. The visibility central bay or offshore, where have you,
12 was uniformly abysmal.

13 Q. With regard to an environmental condition?

14 A. Yes.

15 Q. Not equipment condition, correct --

16 A. No. Equipment as regards our material readiness or
17 personnel rating, there's no question we're fully fit and doing
18 our job.

19 Q. All right. So on that central bay position, walk me
20 through -- we had an opportunity, the members did, to see inside
21 the watch center, both from the window, and we did a quick tour in
22 there. If you're sitting in the console, just describe the layout
23 to us of the monitoring equipment and the configuration of your
24 work environment, or your workstation?

25 A. Okay. You're going to have several -- central bay will

1 have several chartlets, lookouts, and central bay is not only
2 responsible for the San Francisco central bay area but all the way
3 down to Redwood Sea and all the way up to the aforementioned New
4 York Point, at which point the offshore sector takes over. So one
5 is continually cycling through chartlets, checking different
6 areas, looking at tracks. The central bay chartlet would equate
7 to a six nautical mile scale on a ship's radar, or something of
8 that nature. So you're looking at your chartlets. You have
9 surveillance cameras, which due to prevailing -- visibility --
10 we're at (indiscernible) utility. And, of course, you have your
11 radios that you're listening to.

12 Q. Okay. For my benefit, the Berth Number 56, Oakland
13 Berth Number 56, does that fall within the VTS waters for the
14 central bay zone --

15 A. Yes, it does.

16 Q. And then the waters from the Golden Gate Bridge inland
17 toward the bay area, is that also in the central bay zone?

18 A. Yes, it is.

19 Q. Okay. All right. So there were no -- from a standpoint
20 of readiness with regard to your team here at Vessel Traffic
21 Service, you said that the equipment was all functioning as you
22 needed to perform your watch?

23 A. Yes.

24 Q. Okay. All right. I'm going to make a note, because I
25 want to talk to you. You made a comment about the visibility

1 related to the environmental fog. I assume that's what you're
2 referring to?

3 A. Yes.

4 Q. We're going to explore that a little bit in just a
5 minute, but I want to pick back up with the watch. You assume the
6 watch, central bay, the central bay watch, around 7:20. Do you
7 recall what your first interaction was with a vessel or a pilot by
8 the name of Captain John Cota? I think he's known to the VTS
9 system as Romeo?

10 A. Yes, Unit Romeo. It should be known that Unit Romeo had
11 already given his pre-call, as he's required to, and checked in
12 prior to my assuming central bay.

13 Q. All right --

14 A. And that would have been handled by my predecessor, the
15 initial check-in.

16 Q. Can you explain what you meant by pre-call?

17 A. Yes. A vessel's pilots are required to provide at least
18 a 15-minute pre-call before getting underway, in which he provides
19 certain information, the pilot unit designator, vessel's identity,
20 vessel's location. He'll also provide his intended route to the
21 extent that he's determined it, and also the tug channel he will
22 be working with his tugs on.

23 Q. Okay. What time did he make that pre-call? I know it
24 wasn't on your watch, but do you have ability to tell me exactly,
25 or the time that you (indiscernible) --

1 A. I do not know specifically.

2 MR. BOWLING: For the membership, we'll need to get that
3 from Mr. Perez.

4 BY MR. BOWLING:

5 Q. All right. Now, you made a term -- you said that the
6 pre-call was a requirement. What do you mean by that?

7 A. The container ship under the terms (indiscernible)
8 operate here is vessel movement reporting system. It's codified
9 in the CFR as the sort of information that they need to give, and
10 the pilots are all highly experienced and provide that information
11 when they call in. It doesn't require any prompting on our part
12 as per -- it's standard.

13 Q. Okay. All right. So the pre-call had been made by the
14 pilot, Mr. Cota, who is also known as Romeo. What was your first
15 interaction with the pilot?

16 A. My first interaction per my statement I made at
17 approximately 0743 hours, he informed me that he intended to
18 proceed with the transit.

19 Q. Okay. What time was that?

20 A. 0743, approximately.

21 Q. Okay. All right. And you're referring your statement
22 (indiscernible) --

23 A. Yes, I am.

24 Q. I'm trying to look over at the traffic log that I
25 provided to you on that VHF printout. Do you see it there? What

1 about 0745? Is that the traffic you're referring to? It says,
2 "Traffic to Romeo."

3 CDR SCHAEFER: This is Commander Schaefer. Larry, can
4 you go over the time, as far as what clock he's using for his
5 radios --

6 MR. BOWLING: Right.

7 MR. SHEPPARD: Okay. The timeline, I provided my
8 personal statement took place upon my review of the digital audio
9 files and the time check indices for that.

10 BY MR. BOWLING:

11 Q. Okay.

12 A. That's why I stated that they are approximate.

13 Q. Right, and that's fine.

14 A. And I see where you're -- you're speaking in terms of
15 074548, and that is the conversation I'm referring to in which
16 Unit Romeo says he can see the (indiscernible) he'll be getting
17 underway.

18 Q. Okay. And, again, from our team, we've been using this
19 as the more accurate time just because it is a time-stamped
20 document, correct?

21 CDR SCHAEFER: This is Commander Schaefer -- no.

22 MR. BOWLING: Okay.

23 CDR SCHAEFER: We've been using that as a time because
24 that's what was off the recorder.

25 MR. BOWLING: Okay.

1 CDR SCHAEFER: But there could be an adjustment to that.

2 So the time Mr. Sheppard is talking about, as far as listening to
3 the audio (indiscernible) what he's looking at on the console.

4 MR. BOWLING: Okay. Okay. If you don't mind, your
5 interpretation of the time is understood, and it's your
6 interpretation --

7 CDR SCHAEFER: No problem.

8 MR. BOWLING: But just so we can have a reference point
9 that we can use --

10 CDR SCHAEFER: You're going to the other, okay.

11 MR. BOWLING: -- what was provided.

12 MR. SHEPPARD: And I would just like to add that the
13 times I gave in my statement, which I clearly delineate as being
14 approximate or because I don't want give any impression of any
15 level of accuracy that doesn't exist, okay?

16 BY MR. BOWLING:

17 Q. Duly noted.

18 A. Okay.

19 Q. Duly noted. So we, again, we can refer to the radio
20 log.

21 A. Certainly.

22 Q. All right. So on this timeline that was provided of the
23 -- I don't want to use the word timeline -- on this transcription
24 of the radio traffic, your first interaction with the pilot aboard
25 the Cosco Busan --

1 A. Um-hum.

2 Q. Where is that identified on that radio log?

3 A. That would be initiated when Romeo calls at 0745:11
4 stating, "Traffic, Romeo."

5 Q. Okay. And then your response back is, "Yes, Romeo,
6 Traffic," is that correct?

7 A. Um-hum.

8 Q. Okay. All right. Referring, again, to this interaction
9 between the pilot on the, the Romeo, known as Romeo, and the Cosco
10 Busan, and through the, again, at the transcript from the VHF,
11 what was your understanding of his intentions? Can you walk me
12 through that series of radio communications between you and him?

13 A. Yes. Once he inquired regarding some traffic, he then
14 says that he can see the RSI (ph.) of the estuary and he'll be
15 getting underway. And so I acknowledged that, that --

16 Q. Okay.

17 A. -- he's going to proceed with his transit.

18 Q. All right. And then I'm looking down at, basically,
19 interaction. It looks like he comes back. Did you brief him on
20 any other situational things going on there? I see some traffic
21 around 7:45 it looks like?

22 A. Yes. I told him about the Ferry Solano, and then I took
23 that, his statement that he would be getting underway, as his call
24 that he was getting underway.

25 Q. Okay. And, basically, on that timeline at 0745:20, your

1 output from him, you briefed him on what looks like the Solano,
2 and that is what?

3 A. Ferry, high-speed ferry.

4 Q. Okay. High-speed ferry? Okay. And the --

5 A. And Unit 12, who was inbound -- Unit 12, I believe, was
6 bound for Redwood City but eventually went to anchor instead.

7 Q. Okay. And that's the one where you say Unit 12 on --

8 A. The S.H. Bright.

9 Q. Okay. Do you recall what Unit 12 was?

10 A. Recall -- pardon me?

11 Q. Do you recall what exactly Unit 12 was? Is that another
12 pilot designation?

13 A. That is a pilot designation.

14 Q. And the other pilot was aboard the?

15 A. S.H. Wright, which I don't recall what class --

16 Q. Okay.

17 A. -- of ship that is.

18 Q. All right. And all this conversation was going on,
19 on --

20 A. Channel 14, VHF-FM.

21 Q. All right. And that is the common working frequency for
22 the central bay position?

23 A. That is the designated VTS frequency in this area for
24 central bay, yes.

25 Q. All right. And ocean/delta?

1 A. Twelve.

2 Q. Twelve? Okay. Thank you. Okay. Working again off
3 this document that we share, this transcription of VHF traffic,
4 can you walk me through your interaction with the pilot? I don't
5 want to -- I need to hear from you the interaction over the VHF
6 with the pilot known as Romeo.

7 A. Okay. Well, actually, around the time that Unit Romeo
8 stated that he intended to proceed with his transit, I believe, if
9 I'm not mistaken, our next interaction was when I questioned the
10 vessel's heading, 08:08:40.

11 Q. Well, before we go (indiscernible) --

12 A. Or did I miss something?

13 Q. At 7:46, there's a VTS broadcast. It says, "Roger, 7
14 Alpha for tugs. Thank you. Break. Solano, did you copy? Yeah.
15 Romeo, over," and all of that stuff --

16 A. Oh, I see. Romeo was providing me with his tug channel.

17 Q. Okay. So he was stepping down from the designated
18 channel?

19 A. No, he will continue to monitor that.

20 Q. Fourteen.

21 A. But because he has to be so closely coordinated with his
22 tugs for his transit, they will use a designated frequency.

23 Q. Okay.

24 A. And he was telling me what that is.

25 Q. Okay. So that's what you were acknowledging?

1 A. Okay. Yes.

2 Q. Okay. Perfect. All right. Can we get over to the time
3 around 0835? Is that more inbound VHF traffic to VTS?

4 A. 0835.

5 Q. 08:08:35.

6 A. Oh, I'm sorry. Oh, okay. That is from Romeo saying
7 he's underway.

8 Q. Okay. So at that point, he was basically telling the
9 VTS he was --

10 A. He's proceeding outbound.

11 Q. Okay. And your response at that point back to Romeo
12 was?

13 A. I said, "Roger. Unit Romeo, Cosco Busan, departing
14 Oakland 56. Proceed. Delta Echo, deep water." And then I gave
15 him the inbound unit, 12, and also the fact that Unit 12 had
16 changed his rig span tensions to Alpha Bravo span and was
17 proceeding to anchor and the yacht, Alon (ph.), which is a rather
18 large yacht. Once again, it's low visibility. So in low
19 visibility procedures, you report everyone to everyone, including
20 uncorrelated radar tracks.

21 Q. And those low visibility procedures you're referring to,
22 where are those found?

23 A. Truthfully, I can't remember at the moment.

24 Q. Okay. Do you know if that's a standing order of the
25 division or --

1 A. I would only be speculating, to tell you the truth.

2 Q. Okay. We'll get with Mr. Perez on that. Okay. So at
3 that point, what was your understanding of what was going on, on
4 board the Cosco Busan?

5 A. Unit Romeo had indicated he was underway. They intended
6 to transit the Oakland Bar Channel, transit the Delta Echo span of
7 the Oakland Bay Bridge, and proceed outbound in the deep-water
8 traffic lane.

9 Q. Okay. All right. And we'll still refer to this radio
10 transcript. And that particular acknowledgment back to the pilot
11 we just talked about was around 08:08:40, is that correct?

12 A. Yes.

13 Q. Okay. All right. And at that point, did you have
14 responsibility for, let's say, the ensuring -- not ensuring but
15 for basically monitoring the movement of the vessel within the
16 central bay VTS --

17 A. Absolutely, as with all the other vessels out there,
18 yeah.

19 Q. Thanks. And, again, we have an understanding of what
20 happens at Vessel Traffic Services, but just from your standpoint,
21 what's your roles and responsibilities and your obligations on
22 that watch, given the vessel movement in the area?

23 A. My responsibility is to monitor his transit, as well as
24 the transit (indiscernible) vessels particularly in low
25 visibility, advise them of other traffic or uncorrelated radar

1 tracks. And beyond that, a vessel traffic management specialist
2 should be continuously scanning the chartlets looking for anything
3 that looks anomalous.

4 Q. When you say that, what do you mean by that?

5 A. Give an example of something anomalous or --

6 Q. Well, what do you mean by the term?

7 A. Anything that does not -- anything that looks out of
8 place or looks contrary to the information given you by a vessel
9 regarding their intentions.

10 Q. So with that said, what was your next series of -- well,
11 first of all, as you're monitoring the movement of the Cosco
12 Busan, what tools that were provided to you at your watch station
13 were you using to monitor the movement of the vessel?

14 A. Well, of the sensors available to me -- obviously, the
15 cameras were no utility, due to the fog and poor visibility. And
16 so I was watching Romeo's transit, as well as watching the
17 (indiscernible) vessels moving throughout the system via radar and
18 AIS, for those vessels that have AIS.

19 Q. Okay. Was there any point in time that you noticed
20 maneuvering or headings or speeds that came to your attention that
21 was potentially something that you needed to monitor more closely
22 regarding, specifically, the Cosco Busan?

23 A. I did note any anomalous behavior in the transit of the
24 vessel until the time, as I stated, when I called him questioning
25 their heading.

1 Q. What time is that?

2 A. I know on my statement. I'm looking for it in your
3 transcript --

4 Q. Well, could it be 08:29:50?

5 A. 08:29:50. That's correct.

6 Q. Or thereabout? Actually, make that 08:29:26.

7 A. Oh, I see, yes.

8 Q. Can you walk me through that particular exchange on VHF?

9 A. What the motivations for --

10 Q. What actually brought you to make that radio call?

11 A. As I say, I was monitoring Unit Romeo's transit, as well
12 as watching out for all the (indiscernible) traffic in poor
13 visibility when both I and Petty Officer Cooper, who was on the
14 offshore sector, virtually at the same time noted that the
15 vessel's heading seemed too far to port for that final approach to
16 the Delta Echo span. I then -- when you enter the data and bring
17 up a vessel, you have -- we have what's called a track card. It
18 has its information, and included in that information is the
19 information provided by the AIS transponder aboard the vessel.

20 Q. Okay.

21 A. And so Petty Officer Cooper and I both just visually, by
22 the way it looked like the radar track was oriented, questioned
23 his intentions. At that point I looked at the AIS, which
24 indicated a course of 235, which 235 is too far to port if --
25 given where his position was at for Delta Echo span, it appeared

1 to me. And so at that point I immediately called him because I
2 thought perhaps he had decided to proceed to anchor as well.

3 Q. Okay.

4 A. And I wanted to verify his intentions because I had
5 down-bound ferry traffic, and if someone is going to change
6 (indiscernible) rig span, or something, those down-bound ferries,
7 then the zero -- or poor visibility need to know that.

8 Q. And I want to get just something cleared up for the
9 record. Do you hold any type of merchant mariners --

10 A. Document?

11 Q. No, not an MMD. A merchant mariner's license. Are you
12 a licensed captain (indiscernible)?

13 A. No.

14 Q. Well, you made a statement that said you thought he was
15 too far to port. What was that based on? Can you tell me why you
16 thought he was too far to port? How did you base that assessment
17 that that course was too far to port?

18 A. I merely based that assessment on my spatial perception
19 of where the vessel was at in relation to the Delta Echo span.

20 Q. Okay. Have you seen other vessels make that transit
21 regardless of the weather conditions? How many vessels have you
22 seen make that transit of the Delta Echo span in your tenure here
23 at VTS?

24 A. I couldn't guess. It would have to be at least
25 hundreds --

1 Q. Okay.

2 A. Or more.

3 Q. Well --

4 A. I'm not sure.

5 Q. Well, is that possibly what prompted you to think that
6 that particular course he was on at the time was not in sync with
7 the other courses you've seen successful transits?

8 A. I would say, simply put, when one indicates one is bound
9 for one destination and then it appears they're pointed in the
10 opposite direction, no.

11 Q. And I'm just trying to --

12 A. No, I'm sorry --

13 Q. So this will have to be explain to persons that are not
14 present --

15 A. No, I understand. I understand.

16 Q. And to persons that may have no nautical background at
17 all, so I wanted to make sure we had that on the record.

18 A. And I would just like to add that, as you correctly
19 point out, I hold no merchant documents, so everything my
20 communication with Romeo was just based on what I perceived to be
21 the orientation of the vessel.

22 Q. Right.

23 A. He has a lot more things he has to look at
24 (indiscernible) the ship's handling characteristics that I'm not
25 privy to. So --

1 Q. Back to those radio exchanges.

2 A. Um-hum.

3 Q. What was your intention when you brought up -- and I'm
4 going to quote you at least what was transcribed. It says at
5 08:29:59 -- oh, no, excuse me -- 08:29:26, over the VHF, you go,
6 "Unit Romeo, Traffic (indiscernible) Traffic, Romeo." You asked a
7 question, "Roger, Captain, are you still proceeding out"?

8 A. Yes.

9 Q. Then he responds, "Traffic." And then you come back in
10 at 08:29:50, "Unit Romeo, Traffic, AIS shows you on a 235 heading.
11 What are your intentions? Over." In that line of questioning,
12 what were you trying to get from the pilot?

13 A. The reason I gave him the AIS heading is this -- I could
14 have said, "It looks to me like you're too far to port," but
15 that's vague, ambiguous, and doesn't give him any information to
16 work with, whereas telling him the ship's transponder recorded 235
17 heading, gives him clear and distinct information he can base
18 decisions upon.

19 Q. Is it VTS's mandated responsibilities to provide
20 recommended courses?

21 A. No.

22 Q. Okay. All right. So, basically, you were just asking
23 him if he was aware --

24 A. I was providing him with a definite piece of information
25 so he would be cognizant of the reason I'm inquiring about his

1 intentions.

2 Q. Okay. 08:29:59, his response back to you after you ask
3 him about a heading, can you read that to me?

4 A. Romeo: "I'm coming around. I'm steering 280 right
5 now."

6 Q. All right. And then your response back?

7 A. "Roger. I understand you will still intend the Delta
8 Echo span. Over." Romeo responds, "Yeah, we're still Delta
9 Echo," at which point I rogered (indiscernible) intentions.

10 Q. All right. At that point, what was going through your
11 mind as a VTM specialist?

12 A. Well, I could see on the radar the ship was in the
13 process of turning. It should be noted that when I told him his
14 AIS indicates 235, the AIS transponder updates at varying
15 intervals depending upon the speed and the rate of turn of the
16 vessel. So when he came back and responded, he was at 280. I
17 could see that the vessel was turning, and he came back very
18 calmly and gave me his heading and re-verified his intentions.
19 And since the master pilot on the vessel would normally will have
20 their radar turned down to very large-scale, so they have a much
21 expanded picture of what's ahead of them, since I had called and
22 questioned him and he calmly replied, verified his intentions and
23 his heading, I didn't feel it was prudent to pursue matters
24 further.

25 And I'd like to just make note of the fact that even

1 when visibility is perfect and crystal clear, it's a normal
2 practice for us not to bother the pilots when they are navigating
3 through the Oakland Bar Channel because it is a area that requires
4 close attention. So if it were a perfectly clear day and I didn't
5 absolutely need to, I would never call a pilot in the Oakland Bar
6 Channel. So in extremely poor visibility when he's in the middle
7 of navigating and I call him and question his intentions and he
8 calmly, rationally comes back confirming them as heading, I simply
9 didn't feel -- I felt it would be counterproductive, if not,
10 dangerous to distract him further at that point.

11 Q. I understand. And I think that's good feedback. On
12 that transcript, can you walk me through that transcript. So,
13 basically -- well, let me ask you this. Petty Officer Cooper --

14 A. Yes?

15 Q. And we just got to see, for the membership, if we're
16 standing in the viewing window, looking into the watch center --
17 we're looking into the center -- the station to the left of my
18 standpoint as a viewer is what?

19 A. Offshore.

20 Q. Is offshore? So if I'm standing in the watch window
21 looking inward, you were to my right?

22 A. I would be the next one clockwise in the room.

23 Q. Okay. I got you. Okay.

24 A. All the way to your right would be the watch supervisor.

25 Q. Okay. And then --

1 A. And that --

2 Q. -- coming back to the window is?

3 A. Pardon me?

4 Q. Coming back into the window.

5 MR. BOWLING: Weren't there two stations set up,
6 gentlemen, when we were standing at the viewing window --

7 UNIDENTIFIED SPEAKER: Yes.

8 MR. SHEPPARD: Oh, the other station you see there is
9 the station that's utilized when you have a trainee and you're
10 training so you can monitor their activities --

11 BY R. BOWLING:

12 Q. Okay. Okay. Good.

13 A. Yes.

14 Q. Okay. So I'm just trying to get a picture of the layout
15 there. What was Petty Officer Cooper -- was there interaction
16 between you and Petty Officer Cooper? I know he had watch for the
17 other area.

18 A. Yes. Well, first, let me say there should always be
19 interactions between watch-standers, since at any moment, one
20 watch-stander may need to take over for the other if their headset
21 fails, or something.

22 Q. Okay.

23 A. Petty Officer Cooper is an excellent watch-stander, and
24 even though he's in the offshore sector, he was also looking
25 inshore, as well he should have been. And it seems to me,

1 virtually, simultaneously, we both noted that the Busan's head
2 seemed to be somewhat apart of where it should be.

3 Q. Okay. Back to the transcript. Your next radio
4 interaction with the vessel was what time? And when I say the
5 vessel, I'm referring to the Cosco Busan, or Pilot Romeo.

6 A. Okay. We left off at when I rogered after he
7 reconfirmed his intentions on your timeline at 08:30:23. Let's
8 see. Okay. At 08:32:16, per this timeline, Unit Romeo calls to
9 inform me that he's made contact with the Delta span of the bay
10 bridge.

11 Q. Okay. You and I are the only two in the room that have
12 this transcript --

13 A. Okay. Want me to read it?

14 Q. Yeah, if you don't mind.

15 A. Okay. 08:32:16, Unit Romeo, "Traffic, we just touched
16 the Delta span. I'm going to try to get our anchor -- I'm going
17 to try to get us at Anchorage 9 -- at Anchorage 7."

18 Q. All right. And you're still on watch at this point?

19 A. Yes.

20 Q. And you go back, and what did you refer back to the
21 pilot?

22 A. I said, "Roger. Unit Romeo at the Delta Echo span
23 diverted to Anchorage 7. Break. Ferry San Francisco, Ferry
24 Entenali (ph.), did you copy? Over." Those are down-bound
25 vessels for the Ferry (indiscernible), high-speed ferries, and

1 restricted visibility.

2 Q. Okay. How far were those two fairies at that point?

3 Well, based on your recollection from the position of the Cosco
4 Busan during the time of these radio transmissions?

5 A. I would -- let me say --

6 Q. Just --

7 A. I would be guessing. I think they were both down at
8 least as far south as Point 1. So they were in the central bay
9 region.

10 Q. All right.

11 A. They have a very -- they're high speed, so it doesn't
12 take them long to cover that area.

13 Q. And is that why you brought them up on the radio to
14 ensure they heard the transmission?

15 A. Absolutely, because I didn't know at that point with the
16 vessel having contacted the bridge, I have no idea of its
17 maneuverability, or anything.

18 Q. Okay.

19 A. And so I need to warn -- they need to know so they can
20 stand clear.

21 Q. Okay. What was your next radio transmission with the
22 pilot Romeo, or Unit Romeo?

23 A. Let me see. 08:52:50, Romeo calls me, "Traffic, Romeo."
24 And I responded, answered him. And 08:52:59, Unit Romeo says,
25 "Yeah, we're going to drop the anchor here at Anchorage 7. We're

1 going to put five in the water. I'll give you a call here when
2 we're all stretched out." And I roger him.

3 Q. Okay. When he says, "We're going to put five in the
4 water," what was your understanding of what he meant at that --

5 A. Five shots of chain.

6 Q. Okay.

7 A. For us to put a correct swing circle around a vessel,
8 make sure it does not drift out of that, we need to know how much
9 chain they're putting out.

10 Q. And that's common?

11 A. That's standard and required.

12 Q. Okay. There's a series of interactions from that point
13 forward between Vessel Traffic, it looks like, and other vessels,
14 so at that point you -- and the one you were referring to, this
15 quote, was at 08:52:59, correct?

16 A. Yes.

17 Q. All right. What's the next interaction you had with the
18 vessel?

19 A. Actually, at this point, I don't see one because once he
20 called me confirming he had got the vessel to anchor, it's my
21 understanding that he called the VTS and then things went -- as
22 far as what was proceeding with the vessel, they went through
23 another avenue. He spoke --

24 Q. Yeah, on that --

25 A. Yeah.

1 Q. Go ahead, I'm sorry. Yeah, I'm sorry.

2 A. No. I'm saying as far as my role in that, yes, he had
3 struck the -- said he had struck a tower and he confirmed that he
4 went to anchor, but for my own purposes as the central bay
5 operator, I still have a lot of ships in the fog, so I need to
6 continue with my duties --

7 Q. I understand.

8 A. -- while the watch supervisor takes over at that point.

9 Q. Did the watch supervisor take over at that point?

10 A. Well, the watch supervisor, as to the best of my
11 knowledge, as soon as we all -- Romeo told us he had struck the
12 Delta tower, while I'm talking to him, I believe he was on the
13 phone advising the sector, which would be his first step.
14 Absolutely --

15 Q. Okay. What supervisor are you referring to? Mr. Perez?

16 A. Mark Perez, yes.

17 Q. Okay. All right. Did you see that or are you -- you
18 said you assumed he was doing that. Did you actually see him
19 performing that function or catch it in a peripheral?

20 A. I didn't see that, but I know Mark Perez. I have no
21 doubt he did it.

22 Q. So you were continuing to manage traffic on the --

23 A. Channel 14.

24 Q. Fourteen? Do you recall any other interactions with the
25 motor vessel Cosco Busan or any of the pilots at that point?

1 A. Not regarding the Cosco Busan.

2 Q. Okay.

3 A. As I say, at that point, that all went via another
4 avenue, if you will, on cell phones, and things --

5 Q. Right.

6 A. -- while I continued on 14 with the rest of the traffic.
7 Yeah.

8 Q. Okay. When did you get relieved from the central bay
9 watch, central bay position?

10 A. I can't truthfully tell you --

11 Q. Okay.

12 A. Because due to what was going on, I can't recall if I
13 got relieved at the appropriate time or not. It may have been
14 later.

15 Q. Okay. I had some radio traffic, and why it's not there,
16 it's on this one, I don't know --

17 A. Okay.

18 Q. But there was some radio traffic at 09:01:38 I'd like
19 you to take a look at and tell me if that's your outbound or
20 another watch-stander at VTS.

21 A. No, that was not me.

22 Q. Okay.

23 LT KING: How can you tell that wasn't you?

24 MR. SHEPPARD: I don't --

25 MR. BOWLING: That's fine. That's Lieutenant King

1 asking the question.

2 MR. SHEPPARD: It's not me because I don't remember
3 having this conversation.

4 BY MR. BOWLING:

5 Q. Okay. That's fine.

6 A. If it is me, I forgot it, but I don't think I did.

7 Q. Let me get that back and the membership will look at it.

8 Basically, it's the interaction with Captain Hoburg going back
9 and forth to VTS. Do you recall any telephone calls coming into
10 your desk at that point?

11 A. There were telephone calls. In fact, at some point, I
12 may have taken a telephone call from Unit Romeo and handed it off
13 to the watch supervisor.

14 Q. Okay. Do you --

15 A. I don't remember the time (indiscernible) because I'm
16 still unclear on what time, whether I relieved on time from that
17 position.

18 Q. Okay.

19 A. It may well have been, due to what was occurring, we
20 just left everyone where they are. I don't remember.

21 Q. We will ask the watch -- we'll ask Mr. Perez to see if
22 he can help clear that up. Do you recall taking any telephone
23 calls from Pilot Unit 37, which would be Captain Hoburg?

24 A. Truthfully, things were happening so fast, I can't
25 remember.

1 Q. I understand. A couple of questions and we'll get with
2 the membership and see if they have anything here. Earlier in our
3 interview, you referred to the visibility, the camera position.
4 Where are the cameras located, the cameras that provide that
5 visual input for just the central bay portion of VTS. Do you know
6 where the cameras are positioned at?

7 A. Well, the camera I would have utilized is up on the
8 tower here.

9 Q. What tower are you referring to?

10 A. It's the same tower that has the radar signal --

11 Q. Okay.

12 A. However --

13 Q. Here on (indiscernible)?

14 A. Yes.

15 Q. Okay.

16 A. Let me clarify, however, my cognizance of the fog and
17 poor visibility was not due to a camera but do to radio reports
18 from multiple sources --

19 Q. Okay.

20 A. -- transmitting the area.

21 Q. Multiple sources? Other vessels?

22 A. Other vessels, absolutely. (indiscernible) poor
23 visibility, we'll routinely, throughout the watch, call vessels,
24 try and get updates because the visibility here, fog moving in,
25 this is not a static thing. It's dynamic. It's a one area that

1 at one point is poor visibility and at some other point has opened
2 up and the fog line has moved on, so we continue to get updates.

3 Q. Okay.

4 A. We'll actively do that.

5 Q. From a standpoint of terminology, you mentioned an item
6 called the track card?

7 A. Yes.

8 Q. What is that?

9 A. The track card is simply the electronic presentation on
10 the screen. It's in the form of a rectangle, and it simply has
11 the information on the vessel, the vessel's name, call sign,
12 length, beam. And when you activate a track that has AIS
13 functioning on it, then the AIS on that card itself, you'll see
14 other pieces of data that the AIS transponder provided --

15 Q. Right.

16 A. -- such as course and speed.

17 Q. You did mention the AIS output from the vessel --

18 A. Um-hum.

19 Q. -- to whoever is monitoring the AIS, picking up the
20 signals, and I don't want to put words in your mouth, but you
21 mentioned something about the AIS updates differently, based on
22 speeds and rate of turns. What did you mean by that?

23 A. You have static and dynamic information. Example of
24 static information in AIS would be the name of the vessel or its
25 call sign or something which --

1 Q. Sure.

2 A. -- generally does not change. Dynamic information such
3 as the course over ground, speed over ground, things of that
4 nature, that's what I'm referring to as dynamic information.

5 Q. All right. What do you see related to the dynamic
6 information flow with vessels transiting at various speeds and
7 during, you know, maneuvering that involves turning, say, at
8 rudder angles which it would be 5 degree to 15 degree or sharper
9 rates of turn? Are there variations with the frequency that AIS
10 puts out at that you're seeing from the watch station here?

11 A. Well, first, let me say I'm hardly an expert on AIS.
12 But my understanding --

13 Q. Understood.

14 A. -- from my training is that the rate at which the
15 transponder updates the information is determined by the vessel's
16 speed and rate of turn, which is logical, you know? The greater
17 the change in that, the more important and significant that
18 information is.

19 Q. And I understand, you know, we know your position, what
20 I'm getting is, from your experience on the watch, watching these
21 multiple sources of input, what do you see? Is it more frequent
22 (indiscernible) these maneuvers? Is it less frequent with the AIS
23 updates? What are you seeing as you're monitoring all your
24 resources, all your equipment?

25 A. As far as how quickly it updates?

1 Q. Correct.

2 A. I have to generalize then. A vessel that's in a turn or
3 operating at high speeds, the AIS will certainly update faster.

4 Q. Okay. A final question from me, then we'll go to the
5 other membership, and what we'll do is we'll have them identify
6 theirselves [sic] and who they represent for you. (indiscernible)
7 opinion -- this is just a question. During the event from the
8 time you assumed the watch on the 7th of November here at central
9 bay until the time you got relieved regardless of what time it was
10 during this whole situation, at any time, were you so engaged in
11 operations that you couldn't perform your function, you couldn't
12 perform your position description effectively?

13 A. No, not at all.

14 Q. Okay.

15 A. Not at all. As you see, the extent of communications
16 from the time the incident occurred, once the Busan was at anchor
17 and the watch supe (ph.) is handling it, I'm continuing on with my
18 normal duties.

19 MR. BOWLING: Okay. Gentlemen, let's -- now,
20 lieutenant, sometimes we'll go to the Coast Guard first. I've got
21 a feeling these two may have much to contribute at this point.
22 (indiscernible) you're here all the time. I don't know. But if
23 you don't mind, we'll go last with you guys today. We'll start
24 over here. Captain Agah, any questions? But before you do, name,
25 and background.

1 CAPTAIN AGAH: Okay. Agah Angarah in Fleet Management.

2 MR. BOWLING: And speak up, please, because the
3 microphone is right here.

4 BY CAPTAIN AGAH:

5 Q. I have one question, Mr. Sheppard. Thank you for your
6 information so far. Do you remember having seen the RACON on that
7 particular day on the bridge functioning properly?

8 A. No, I don't. That's not to say it wasn't. I simply
9 don't recall how it was.

10 CAPTAIN AGAH: No other questions.

11 MR. BOWLING: Okay. Actually, you (indiscernible) Rick.
12 Go ahead.

13 BY CAPTAIN HOLLY:

14 Q. My name Rick Holly with the Department of Fish and Game,
15 OSPR, and I had a couple of questions just for clarification. For
16 those of us not at a nautical sense, how many feet in a shot of
17 chain?

18 A. Ninety feet.

19 Q. Okay. And --

20 MR. BOWLING: Just for the record, let it be clear that
21 that's your interpretation from just experience, correct?

22 MR. SHEPPARD: That's my interpretation from verifying
23 that in a nautical dictionary.

24 MR. BOWLING: There you go.

25 BY CAPTAIN HOLLY:

1 Q. There you go. All right. The second question I had,
2 you mentioned that when you were talking with Romeo and you
3 indicated he was on course 235 as by AIS that you were watching,
4 he came back and he was pretty calm about and you said, well, you
5 know, he's aware of it, he's on the bridge with the captain, and
6 you didn't pursue it any further because you knew it was in low
7 visibility and --

8 A. I knew it was in low visibility, and I also knew --

9 Q. Right.

10 A. -- that normally they would have a much better radar
11 picture.

12 Q. Sure.

13 A. They've got their range turned all the way down, whereas
14 I was still monitoring all the (indiscernible) vessels.

15 Q. Yeah. Now, subsequent to that, when he, Romeo, called
16 you and said, "I've touched the Delta span," if I recall
17 correctly?

18 A. Yes.

19 Q. What was his tone then? Still calm --

20 A. It was professional and calm.

21 Q. Calm? So there's no difference between the time when
22 you, that you perceived, anyway, between the time you advised him
23 of the course 235 and when he just touched the span?

24 A. No difference in his tone.

25 Q. And his --

1 A. In my opinion, yes. Of course, that's subjective,
2 but --

3 Q. Okay. All right. Let me see if I had anything else.
4 Oh, one thing to follow up on. You had mentioned that you did not
5 take the pre-call, 15 minutes? Do you know who would that have
6 been?

7 A. That would have been Zedon, since I relieved him.

8 Q. Okay. And one last question. Regarding AIS, and I'm no
9 expert either, but have you ever had occasion in your experience
10 here with the VTS or in your training to question and compare,
11 say, a reading that you would get on VTS, on your AIS readout, and
12 compare it with the actual course of a ship that was in a tight
13 turn that was going steady, or something like that?

14 A. Well, for an AIS active contact, the course that I would
15 read on my card is the course provided from the AIS. However --

16 Q. Right.

17 A. In instances where the AIS has not activated yet, one
18 can occasionally see the vector of the AIS, whereas when you look
19 at the radar -- as in the case with the Busan, I could see he was
20 starting in turn because the vector still indicated 235, but the
21 actual video was slightly starboard of that. So I knew he was at
22 a turn, but I still wanted to verify his intentions.

23 Q. Okay. But you can't say from -- well, I don't know if
24 you can or not -- but could you say from your past experience
25 judging from vessels in a turn, for example, with an AIS track and

1 a vector, from your experience, what that course differential
2 might be from the vessel, the actual course on the vessel to the
3 AIS or is that something --

4 A. Comparing it by the radar you're saying?

5 Q. Yeah.

6 A. I can, certainly, in this instance see that the vessel's
7 orientation was to the starboard of where it had previously been
8 when the AIS recorded it, thus indicating a turn. But as far as
9 utilizing the radar for a quantitative answer to that, no.

10 Q. Okay. That's all I have. Thank you very much.

11 MR. BOWLING: Captain?

12 BY CAPTAIN HURT:

13 Q. Good morning, Rick Hurt, San Francisco Bar Pilots.
14 Thanks for being here. On the morning in question, it appears
15 there was quite a delay between his initial check-in and his
16 actual sailing due to fog. Do you recall whether other vessels
17 delayed due to fog that morning in the Port of Oakland.

18 A. I don't recall anyone delaying departing. Well, pardon
19 me. Subsequent to the allision, a pilot did call in, stating he
20 would not depart until he had a nautical mile visibility. I don't
21 recall who that was. And Unit 12 on the S.H. Bright was inbound,
22 I believe, for Redwood City. However, he went to anchor and then
23 continued his transit later.

24 Q. And is it common to have delays from Oakland Harbor due
25 to fog?

1 A. I wouldn't want to generalize on that. That's the
2 decision of a pilot and a master.

3 MR. BOWLING: On that one, yeah --

4 CAPTAIN HURT: Well, I mean as an observation, from a
5 weather observation, is it common to have fog in Oakland Inner
6 Harbor?

7 MR. BOWLING: Let me -- you keep using the -- again, we
8 need to stick, to focus on facts here. The question regarded to
9 did anybody else that day check-in, but with regard to is it
10 common, is it not, let's just focus on the 7th and try to rephrase
11 it in such a matter -- Lieutenant King, help me out here. I'm not
12 an attorney. But, basically, did any other vessel on that day
13 check in with you, specifically, on your watch and indicate that
14 there were concerns about the weather, too much fog -- I might
15 need help, but, I mean (indiscernible) --

16 UNIDENTIFIED SPEAKER: (indiscernible) --

17 CAPTAIN HURT: I was trying to get a feeling for that
18 day, frankly, and what, you know --

19 MR. BOWLING: Did it directly on your watch --

20 MR. SHEPPARD: That day was as poor visibility as I've
21 ever seen here, and subsequent to the allision, the unit did
22 check-in, in Oakland Inner Harbor, and stated that he would not
23 proceed until he had one nautical mile visibility.

24 MR. HURT: I appreciate that clarification.

25 MR. BOWLING: Do you recall what unit that was? This is

1 Larry Bowling --

2 MR. SHEPPARD: I'm sorry. I don't.

3 MR. BOWLING: Okay. I'm sorry.

4 CAPTAIN HURT: That's all right.

5 BY CAPTAIN HURT:

6 Q. Were you able to see the tug that was escorting Unit
7 Romeo that morning --

8 A. I would have been --

9 Q. (indiscernible)

10 A. To tell you the truth, well, I would have been able to
11 see the video unless it was close enough in that, due to the
12 beam-width there was a merge of the video. Generally, once the
13 vessel is underway, our interactions with the vessel's tug are
14 minimal to none because they are on that dedicated channel for the
15 tug. They've got to be ready to take instant responses from what
16 the pilot needs them to do for safe transit of the vessel. So
17 it's not routine for us to interfere with those communications
18 with the tug. The tug is very busy with the pilot.

19 Q. I understand. As you best you recall, between Unit
20 Romeo's departure from Oakland 56 and his arrival at the bay
21 bridge, was there any visibility updates by any transiting
22 vessels, any other? Do you recall anything?

23 A. As best I recall, no. And using a rather crude sensor,
24 my eyes, I looked out the window and saw that things didn't appear
25 to have changed any.

1 Q. Thank you. That's all I have.

2 MR. BOWLING: Okay. Again, with a name, can you state,
3 and with the rest of the questions, again, just the facts that the
4 witness can contribute to, please.

5 BY CAPTAIN BROWN:

6 Q. Steve Brown with the American Pilots Association. I'm
7 trying to stay within Larry's parameters here, is it common for
8 you to call one of the pilots on a deep draft vessel and point out
9 something that looks odd to you?

10 A. It's not common for me to call any pilot when they're
11 navigating the Oakland Bar Channel. I'd only do that in
12 extraordinary circumstances.

13 Q. Is that (indiscernible)?

14 A. I would say no.

15 Q. That's it. Thank you again.

16 CAPTAIN MALONEY: This is Captain Maloney, no further
17 questions from me.

18 CDR SCHAEFER: Commander Scott Schaefer, yes, I have
19 some questions --

20 MR. BOWLING: (indiscernible) make you go last today.

21 UNIDENTIFIED SPEAKER: Yes.

22 BY CDR SCHAEFER:

23 Q. Okay. First off, what channels are recorded at the
24 Vessel Traffic Service?

25 A. Well, certainly, 13, 14, 12, 10, 16. The communications

1 suite in there has other channels available. I don't remember
2 what all of them are, but if you have a channel selected as an
3 operator at one of those positions, it will be recorded.

4 Q. Is Channel 7 Alpha one that (indiscernible) know --

5 A. I don't know for sure. I doubt it.

6 Q. You talked about answering phone calls. Could you
7 clarify whether you were still on the central bay sector or had
8 you moved onto your --

9 A. No, answering phone calls was after I'd been properly
10 relieved of central bay and was assisting the supervisor.

11 Q. Did you take any phone calls while you were on the
12 central bay sector?

13 A. No, there's no time, and it's physically impossible.
14 There's no phone in the vicinity of that position.

15 Q. Okay. Going to the -- let's see. When you had the
16 central bay sector that day, how many vessels were in your sector,
17 including ferry boat traffic, during your hour and 20 minutes or
18 so approximately --

19 A. This will be a pure guess on my part. I really don't
20 know.

21 MR. BOWLING: I guess what he's saying is, was Unit
22 Romeo the only one or did you have ferry traffic at the same time?

23 MR. SHEPPARD: I had ferry. I had tugs. Unit Romeo was
24 certainly not the only vessel I was working with.

25 BY CDR SCHAEFER:

1 Q. Okay. You talked about there was a pre-call before you
2 got on the sector. Did you hear that or was that -- I'm trying to
3 get whether that's a fact or we just assume there was a pre-call?

4 A. Oh, I see what you're saying. Well, first of all, the
5 vessel would have never been activated, put on plot, without a
6 pre-call. That's what generates the whole process when you take
7 the information from a pilot.

8 Q. And then the first call -- thank you. Referring to NTSB
9 No. 25, which I'll hand back to you in a second here -- oh, NTSB
10 No. 3. At 7:45 --

11 A. Um-hum.

12 Q. You were talking to the vessel. Could that have been
13 also considered a preparing to depart or was that his, "I'm
14 underway"?

15 A. That would be his underway because he would have already
16 provided all the other -- if I didn't already have that
17 information, I would certainly have to inquire and gotten that
18 information. He was already on plot. This was interpreted as his
19 call underway.

20 Q. And then his next call at 08:08, I believe, what was he
21 trying to tell you then?

22 A. 08:08? 08:08:35, he's simply saying he's underway.

23 Q. Okay. A couple more questions. You used the phrase,
24 "What are your intentions?" Is that a standard VTS phrase or is
25 that (indiscernible) you came up with?

1 A. No, I would say that's pretty standard. Since a crucial
2 portion of the information a pilot provides is their route
3 intentions, any seeming deviation from that is going to bring a
4 question from us -- has the pilot changed their mind or are they
5 going to use a different bridge span, a different traffic lane,
6 what are their intentions, are they the same as previously stated,
7 because that information has to be provided to the other vessels
8 maneuvering out there particularly in low visibility.

9 Q. Okay. Is Oakland one of the busier harbors?

10 A. This is the busiest Vessel Traffic Service by far I've
11 ever worked at.

12 Q. Let me be more specific. Within Vessel Traffic Service
13 San Francisco, is the Port of Oakland one the of the busier ones?

14 A. Certainly.

15 Q. And so in your two and a half years here, you've seen
16 lots of vessels coming to and from?

17 A. Yes.

18 Q. That leads me to my next area. You mentioned that you
19 were concerned about the heading of --

20 A. 235 --

21 Q. 235? Was that also associated with the vessel's
22 position or was it just the course you were interested in?

23 A. The query regarding -- oh, I see what you're saying --

24 Q. I'm trying to be clear. Is it the course or is it the
25 course and the position, or what all was triggering you there?

1 A. What was triggering me was the position of the vessel
2 and its course combined seemed to indicate that it was no longer
3 bound for the Delta Echo span, and, in fact, might have been bound
4 for Anchorage 9, possibly, to go to anchor, and that's why I
5 wanted to clarify that. I had down-bound traffic that needed to
6 know where a 920-foot vessel was going to transit through.

7 Q. Okay. And a lot of what we're doing is trying to just
8 sort the times out. How long do you estimate between the actual
9 allision and Unit Romeo's call to you to report it?

10 A. Well, since my awareness of the allision occurred at the
11 moment Romeo notified me, I would say no time transpired.

12 Q. I guess what I'm looking for is when you looked at your
13 visual display and Unit Romeo is calling you, is he still right
14 there at the bridge or is he a mile north or --

15 A. I believe he called immediately. Once again, I was on a
16 six nautical mile range scale to ensure the safety of navigation
17 of the other vessels out there.

18 Q. Did anyone call you on the radio to report oil in the
19 water?

20 A. I believe people did report debris and oil. I can't
21 tell you who that was or at what time, but information was
22 certainly relayed to the watch supervisor.

23 Q. And you believe that was on Channel 14?

24 A. I believe so, yes.

25 Q. Thank you.

1 MR. BOWLING: Ross?

2 BY MR. WHEATLEY:

3 Q. I only have a couple questions. This is Ross Wheatley,
4 Sector San Francisco. You indicated that when you assumed the
5 watch for the central bay that you basically receive a handoff
6 brief from the previous operator. To the best of your
7 recollection, do you recall what you were told about vessels that
8 were in the area, vessel intentions, and/or any other type of
9 information?

10 A. It was standard procedure in general, and in this case,
11 we were discussing specifically, I would have been informed -- the
12 operator would tell me what vessels were in the area, where they
13 were bound for, their route. Also, anything else I needed to
14 know, minimum (indiscernible) obstructions, navigation, or poor
15 visibility, which I was already well aware with before I got
16 there. So pretty much information one needs to intelligently
17 monitor the activities will be provided.

18 Q. Okay. Other than the poor visibility that you
19 mentioned, do you recall anything in particular that seemed out of
20 the ordinary that you were advised of?

21 A. At the time that I took over, no, I don't remember
22 anything.

23 Q. Okay. And I know we've sort of beat this one to death,
24 but I do have just one or maybe two questions. We talked about
25 what drew your attention from your monitor to contact Unit Romeo.

1 If you could, can you quantify for us whatever it was that you saw
2 on your radar, how long did you see it before you contacted Unit
3 Romeo?

4 A. Certainly. As I say, I have multiple chartlets I look
5 through, and I continuously go through them, and at some point in
6 cycling through those, at the same time that I observed it and OS2
7 Cooper observed it, and we both made an exclamation, which OS2
8 Cooper has put in his brief work there. I immediately called him.
9 There's no time to waste. Particularly in low visibility, there's
10 not time. If something seems awry, you find out what the
11 situation is right now.

12 Q. So it would be fair to say that once you perceived that,
13 you called immediately?

14 A. Instantly.

15 Q. I just have one other area. Later on, when you
16 contacted Unit Romeo, he came back to you, and you asked him for
17 his intentions, and then he said that he was coming to, and I
18 believe it was 280, what did you interpret that to mean?

19 A. Well, first, let me say that I don't recall hearing him
20 say coming to. I thought he said, "I'm at 280." Since I can see
21 on radar his vessel is in a turn, I had told him I showed his AIS
22 heading at 235. My interpretation of his response that he's at
23 280 was telling me, "Yes, I'm in turn, I'm coming about, and I'm
24 at 280 now. I'm no longer at 235." And the fact that, you know,
25 there's no anxiety, or anything, it's very matter of fact, and he

1 clearly stated his intentions remained for the Delta Echo span.
2 At that point, the vessel is close up to bridge. It would have
3 been stupid of me to distract him further.

4 Q. Great. I have no further questions.

5 MR. BOWLING: Okay. A few questions from myself, and
6 then is anybody anticipating any further questions?

7 UNIDENTIFIED SPEAKER: Just (indiscernible).

8 MR. BOWLING: Okay. One last round and we'll wrap it
9 up, and we'll break, probably break for lunch. Captain, go ahead.

10 CAPTAIN AGAH: I don't have any questions.

11 MR. BOWLING: Oh, I'm sorry.

12 BY CAPTAIN HOLLY:

13 Q. Rick Holly here, Department of Fish and Game. Could you
14 explain, what is your understanding between low visibility
15 procedures at VTS and normal procedures? Are there any
16 differences?

17 A. There are substantial differences in regards to
18 reporting requirements. For instance, in good visibility,
19 something like a ferry, like the aforementioned Solano
20 (indiscernible) got underway, we would take their report, but we
21 would not go out to the other vessels and tell them about the
22 Solano in good visibility. However, in poor visibility, we report
23 everything to everyone and their intentions.

24 Q. And to follow up, now, when you say, "We report
25 everything to everyone," you're meaning to say that you're

1 giving -- what does that mean?

2 A. I'm sorry. Let me clarify. Let's say it's a beautiful
3 day, it's crystal clear, perfect visibility, and a ferry gets
4 underway. I will tell the ferry what it needs to know about
5 traffic moving in that area, tugs and tows, container ships, tank
6 ships, what have you, but I will not go back to them and report to
7 them about the ferry. In poor -- low visibility, however, when I
8 receive the call from the ferry, after I tell them everything they
9 need to know, I'm now going out to all the other vessels and tell
10 them about the ferry. I'm also going to tell everyone about every
11 uncorrelated radar track I see that I have no idea who it is that
12 I would not do in good visibility. So when it's reduced or poor
13 visibility, reporting requirements are far more stringent, and, in
14 consequence of that, it's even more important to maintain
15 awareness, constantly be looking at the chartlets.

16 Q. Okay.

17 A. You're going to report anything and everything to
18 everyone.

19 Q. Okay. So my understanding of what I heard, in low
20 visibility, you're really focusing on the position of the vessel
21 (indiscernible) vessel --

22 A. Um-hum.

23 Q. And the course and speed of that vessel, where it's
24 bound to, and you're reporting that information to other vessels?

25 A. I'm not reporting course and speed. I'm merely making

1 sure that everyone, even people who are making sure that every
2 vessel that I have any kind of contact with out there knows about
3 every other vessel that I have checked in with. And, also,
4 anything else I see via radar -- I'll see uncorrelated radar
5 tracks, small vessels not required, not checked in. I'm going to
6 tell everyone about everything. But in regards to course or
7 speed, no, that's not information that I would normally give.

8 Q. Okay. Thank you.

9 A. Okay.

10 BY MR. BOWLING:

11 Q. With regard to you made a comment earlier -- Larry
12 Bowling here with the NTSB -- you made a comment about the RACON
13 was not observed. Can you expand on that?

14 A. As to what RACON is or --

15 Q. No, on that particular --

16 A. (indiscernible)

17 Q. Basically, during (indiscernible) time of the incident
18 and leading up to it --

19 A. I see.

20 Q. -- you said that you hadn't observed the RACON. What
21 did you mean by that?

22 A. Well, if I recall correctly, Unit Romeo would have been
23 the first vessel coming out with me sitting on central bay. A
24 RACON does not transmit continuously. A RACON transmits in
25 response to receiving energy on a particular wavelength, normally

1 calibrated to a ship's radar.

2 Q. Okay.

3 A. So when it detects a ship's radar sweeping, it then
4 generates a signal. It doesn't generate a signal continuously.

5 Q. All right. What do you see within your work area,
6 your --

7 A. What --

8 Q. What do you see --

9 A. For RACON? What would one see if one saw RACON? You
10 will see a Morse code signal, which on the chart is clearly
11 delineated for each RACON.

12 Q. And how do you see the Morse Code signal? Walk me
13 through that.

14 A. Well, you'll actually see it on the scope.

15 Q. Okay.

16 A. And the Morse Code signal -- well, I don't really know
17 how say it. If it's --

18 Q. When you say see it on the scope --

19 A. Dot, dash, dot, dot. On your display, you would see it.

20 Q. Okay. So you didn't see that displaying on your scope?

21 A. I did not. I did not.

22 Q. Okay.

23 A. That doesn't mean -- I mean, the RACON is up on the
24 bride at some particular altitude.

25 Q. Um-hum.

1 A. And so I don't know the geometrics of what position that
2 ship's radar would be at so that the angle would activate it.

3 Q. Right.

4 A. It may well be he got to the point where he was below
5 it. That's speculation. I don't know. But I can tell you I did
6 not see the RACON.

7 Q. At any time during the watch?

8 A. No.

9 Q. And that's just referring to the RACON on the Delta Echo
10 span?

11 A. That's correct.

12 Q. Did you see the RACON on the Alpha Bravo and then the
13 Charlie Delta spans?

14 A. I don't recall seeing any RACONS, to be truthful. That
15 does not mean they were not there, but I did not see them.

16 Q. I just wanted to clear that up.

17 A. Yeah.

18 Q. The environmental group gave me some questions, so bear
19 with me.

20 A. Certainly.

21 Q. Once the pilot aboard the Cosco Busan came to VTS on the
22 radio and said he touched the structure, and, again, I'm just
23 going by recollection, so that's not an exact quote, but once the
24 pilot came in and identified that he had allided with the bridge,
25 did you have any role in any of the notifications related to

1 spiller spots? Did you trip any of the mechanisms that basically
2 kicked off the dispatch of investigators, inspection personnel,
3 or --

4 A. I recall taking radio calls from vessels, subsequently,
5 saying there's debris and fuel in the water, and I conveyed that
6 to the watch supervisor. But that is the (indiscernible) watch
7 supervisor's role. If I had any role in that, it would have only
8 been informing him that this vessel or that vessel said there is
9 debris and oil on the water.

10 Q. And perfect. And we'll follow up with Mr. Perez on
11 that. Bear with me one second, here. Do you recall on your watch
12 on the radio guard ever hearing on either your first watch in the
13 central --

14 A. Offshore.

15 Q. Well --

16 A. Oh, I'm sorry.

17 Q. Ocean/delta and the central bay as you're rotating
18 through the -- those portions of the watch rotation, do you recall
19 ever getting any kind of VHF traffic or telephone traffic strictly
20 to your desk from any of the response vessels at any time that are
21 (indiscernible) ramped up and staged and came into the area?

22 A. I recall receiving calls from a vessel or more, but as
23 to the name of the vessel or when, I don't recall.

24 Q. Okay. Where would something like that be documented at?

25 A. Well --

1 Q. Be captured --

2 A. Any channel we're speaking on, VHF, FM is recorded in
3 the audio log, and the phone logs as well. So it's all in there.

4 Q. Okay. Phone logs are the audio logs or are they actual
5 written logs?

6 A. No, I'm referring to the system that records audio from
7 the radio and our phones digitally.

8 Q. Okay.

9 A. The same information -- their source that was used to
10 derive your --

11 Q. Okay.

12 A. -- transcript up.

13 MR. BOWLING: Okay. Anyone on the team?

14 UNIDENTIFIED SPEAKER: I've just got a follow-up from
15 one of your questions you asked, did Mr. Sheppard respond and get,
16 you know, talk about notifying the response system. When pilot
17 reported that he touched the bridge, he did that, reported that to
18 you, did you forward that information of this marine casualty to
19 anyone?

20 MR. SHEPPARD: I instantly notified the watch supervisor
21 who started his notifications.

22 UNIDENTIFIED SPEAKER: Thank you.

23 MR. SHEPPARD: But I couldn't afford to distract myself
24 from my assigned position further.

25 UNIDENTIFIED SPEAKER: I understand.

1 CAPTAIN AGAH: (indiscernible) that there was low
2 visibility -- (indiscernible) Fleet Management. If the skimmers
3 had moved in low visibility, would it not be required to report to
4 the VTS?

5 MR. SHEPPARD: They would not necessarily have been
6 required to report, no.

7 MR. BOWLING: On that question, let's ask Mr. Perez, the
8 watch supervisor that, because, really, from a timeline
9 standpoint, when you start talking about skimmer movement, we are
10 well down into something that falls into the response group, and I
11 don't want to cross any boundaries and get myself in trouble. Any
12 questions related to specifically his role and in that watch
13 period here at the Vessel Traffic Service? (indiscernible)

14 MR. SHEPPARD: Thank you.

15 MR. BOWLING: And if someone could hand me that
16 recorder, we'll --

17 BY CAPTAIN BROWN:

18 Q. I'm sorry. Steve Brown, American Pilots Association.
19 Over the course of a month or two or six months, or whatever, do
20 you on occasion see the RACON between and Delta and Echo's shoal
21 on your screen?

22 A. I would say I have seen it before. I could not state
23 any particular date on which I did see it.

24 Q. But you have seen it?

25 A. Yes.

1 Q. Okay. Thank you.

2 MR. BOWLING: Okay. All right. We'll conclude the
3 interview at this time. Thank you.

4 (Whereupon, the interview in the above-entitled matter was
5 concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: The Investigation of the Cosco
 Busan/Bridge Allision
 San Francisco, California
 Interview of Franklin H. Sheppard

DOCKET NUMBER: DCA-08-MM-004

PLACE: San Francisco, California

DATE: Friday, November 30, 2007

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.

Danielle VanRiper
Transcriber