



# National Transportation Safety Board

Washington, D.C. 20594

## Marine Accident Brief

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<b>Accident No.:</b>	DCA-05-MM-021
<b>Vessel:</b>	Uninspected small passenger vessel, <i>Sydney Mae II</i> , official No. 647664, length 38 feet, gross tons 24, fiberglass hull, built in 1980
<b>Accident Type:</b>	Sinking
<b>Location:</b>	Pacific Ocean, at entrance to Umpqua River, near Winchester Bay, Oregon, latitude 43°40.0' N, longitude 124°13.5' W
<b>Date:</b>	September 19, 2005
<b>Time:</b>	2030 Pacific daylight time
<b>Owner:</b>	Pacific Pioneer Charters, LLC, Winchester Bay, Oregon
<b>Property Damage:</b>	\$120,000 (total loss of vessel)
<b>Injuries:</b>	3 passenger fatalities (2 recovered; 1 missing, presumed fatal)
<b>Complement:</b>	1 crew (captain) 4 passengers

### Accident Description

About 0800<sup>1</sup> on the morning of September 19, 2005, the uninspected small passenger vessel *Sydney Mae II*, operated by Pacific Pioneer Charters, took on 200 gallons of diesel fuel at Salmon Harbor Marina and departed Winchester Bay, Oregon, with the captain and four passengers on a 12- to 15-hour trip offshore to troll for tuna. The captain held a U.S. Coast Guard master's license for vessels of not more than 50 tons and had 30 years of experience operating fishing vessels from Alaska to southern California.

About 0830, after transiting the 2.5 nautical miles (nm)<sup>2</sup> to the Umpqua (UHMP-kwah) River jetties (see figure), the *Sydney Mae II* crossed the Umpqua River bar westbound into the Pacific Ocean. The Coast Guard reported bar conditions at the time to

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<sup>1</sup> Times are Pacific daylight time, using a 24-hour clock.

<sup>2</sup> One nautical mile equals 6,076 feet.

be a 2- to 4-foot ebb<sup>3</sup> chop in all areas, with an occasional 6-foot chop in the midchannel and to the north.



**Figure.** Looking east from the Pacific Ocean toward Winchester Bay, Oregon. North jetty is to the left of the photo, training jetty is to the right, and south jetty is to the far right. Photo courtesy Oregon State Marine Board, *Boating in Oregon Coastal Waters* <<http://www.marinebd.osmb.state.or.us/CoastalWaters/Umpqua.htm>>.

The *Sydney Mae II* was constructed of fiberglass and was authorized to carry not more than six passengers. Required manning consisted of one licensed captain.<sup>4</sup> Twin diesel engines rated at 420 horsepower each provided the vessel's propulsion. At the time of the accident, the engines had operated for approximately 2,100 total hours, and according to the captain, they were in good working condition.

The vessel's navigation equipment consisted of two global positioning system (GPS) units, chart plotting units, a handheld GPS unit, 48-mile-range radar, a color depth finder, a very-high-frequency (VHF) marine radio, and a citizens band radio. The captain stated that all were in good working order at the time of the accident and that the most recent chart programs were loaded into the chart plotters. The vessel was also equipped with a six-person inflatable liferaft, an emergency position indicating radio beacon (EPIRB), a ring buoy, and the required number of lifejackets.

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<sup>3</sup> Tidal current moving seaward or away from land.

<sup>4</sup> The *Sydney Mae II* was required by Title 46 of the *Code of Federal Regulations* (CFR) part 15 section 605 (a) to be under the direction and control of an individual holding a Coast Guard license as operator. The captain of the *Sydney Mae II* held a license as "master of steam or motor vessels of not more than 50 gross tons upon near coastal waters." His license satisfied the required manning of an uninspected passenger vessel.

The captain was uncertain whether he had given a safety briefing before departing the marina or anytime thereafter. According to the one surviving passenger, no safety briefing of any kind was ever given.

About 1200, the *Sydney Mae II* arrived at the fishing grounds, approximately 50 nm offshore. The weather was clear and sunny, with good visibility. The day was uneventful and operations were normal for trolling for tuna.

**Bar Restrictions.** Between 1330 and 1400, a swell started to increase, and about 1600, the captain heard over the radio that the bar at Depoe Bay was restricted (closed to recreational and uninspected passenger vessels). He was unable to hear the bar report for the Umpqua River, his intended destination, at that time. A short time later, he contacted the Umpqua River Coast Guard station during intermittent cellular service and learned that the Umpqua River bar was also closed.<sup>5</sup> Bar restrictions were imposed by the Coast Guard at 1630.

About 1700, the captain told the passengers to reel up. He informed them that they might have to head to Coos Bay, Oregon, because the Coast Guard had closed the Umpqua River bar. He also told them they would return to Winchester Bay by car and would be given monetary compensation because the trip was cut short.

The *Sydney Mae II* headed east at approximately 18 knots<sup>6</sup> toward the Oregon coast. The surviving passenger and captain were on the flying bridge and the other three passengers, two men and a woman, were in the cabin on the main deck. The survivor asked the captain for permission to be on the flying bridge because the fumes emitted from the engine exhaust were bothersome. Because the captain granted permission, the passenger heard many of the telephone and radio calls between the captain and individuals ashore.

At 1830, when the vessel was 35 nm out and the sea was getting rough and the wind was coming up, the passenger on the flying bridge heard over the VHF radio that the Umpqua River bar was closed. He recalled that the captain then made various telephone calls to his office in Winchester Bay, to Coos Bay to make travel arrangements for the passengers, and to the Umpqua River Coast Guard station to ask if the bar would be opened. At 25 nm out, according to the passenger, the bar report had not changed, the wind was still up, the swells were big, and the sea was becoming rougher. The captain told the passenger that by the time they got to the bar, it might be open because the tide would change and they would be going in on the flood.<sup>7</sup> In the passenger's opinion, the captain expressed displeasure that the bar was closed and seemed determined to go in and at least have a closer look.

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<sup>5</sup> The terms *closed* and *restricted* describing the status of the bar are used interchangeably with regard to witness statements. At the time of the accident, the bar was closed to the *Sydney Mae II* because the vessel was an uninspected passenger vessel.

<sup>6</sup> One knot equals 1 nm per hour.

<sup>7</sup> Tidal current moving toward land.

At 8 nm out, the captain again called the Coast Guard to ask about the bar. The Coast Guardsman on duty restated that the bar was closed and told the captain to proceed to Coos Bay. During the transit toward the Umpqua River entrance, the captain had exchanged numerous telephone calls with the Umpqua River Coast Guard station and local vessel operators. According to statements that were corroborated by the written testimony of Coast Guard personnel at the Umpqua River station, two charter operators told the *Sydney Mae II* captain that the bar was “laying down” and that he could make it across. The operators went so far as to contact the Coast Guard station (call and visit) and ask for the bar restrictions to be lifted.

The last bar report from the Coast Guard’s 47-foot motor lifeboat (MLB), which was on scene at the Umpqua River bar, was made at 1945. The report stated that the restrictions were to remain in place and that the bar was showing sloughing<sup>8</sup> and breaking waves of 14 to 16 feet. Sometime after 2000, the captain of the *Sydney Mae II* called the Coast Guard on his cell phone for the last time. The Coast Guard remained adamant that the restrictions would remain in place until the following morning’s first-light bar report. The Coast Guardsman on duty reiterated that the *Sydney Mae II* was not allowed to enter and should proceed to Coos Bay. According to the Coast Guard communications watchstander, “I told him that the bar was still restricted to all recreational vessels and uninspected vessels, and the captain replied, ‘Fine I’ll take my passengers to Coos Bay but it would be even more dangerous.’ That was when the phone cut out, he was angry and I thought he had hung up on me.”

While the *Sydney Mae II* began motoring back to the coast, a group of local fishing vessel operators made their way to the lookout area at the Umpqua River lighthouse. The lookout area is a scenic overlook off the main road that passes in front of the lighthouse. The observation area is 100 feet above sea level and approximately 1 mile from the tips of the Umpqua River jetties.

The group arrived about 1700 to observe the conditions at the bar because they were concerned about the charters they had booked for the next day. Upon seeing the state of the bar and knowing that the forecast was for the swell to increase, they left and started calling their customers and canceling their charters for the following day. While at the lookout, they learned that the *Sydney Mae II* was still out. At about 2000, according to one of the operators, the group returned to the lookout area because “they were concerned the *Sydney Mae II* might try to cross the bar in low light conditions.” The sky was dark and visibility was deteriorating, but the lights on the *Sydney Mae II* and the jetty marker were still visible, according to the operators.

The group at the lookout hailed the *Sydney Mae II* over the VHF radio. One operator told the captain that he had fished the bar all day, the bar was building, he knew how bad it was out there, and he recommended that the captain not cross the bar. The captain of the *Sydney Mae II* responded, “Oh, I saw it. It’s okay for me,” as recalled by two of the operators. The passenger on the *Sydney Mae II* who heard the conversation

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<sup>8</sup> Sloughing or spilling waves are defined as when the crest (top) of the wave tumbles down the face (front) of the wave, i.e., only the top rolls.

understood that the charter boat operator at the lookout was advising the captain not to cross the bar.

**The Sinking.** Shortly after the captain made his final telephone call to the Coast Guard and heard the charter operator's advice, a 10- to 12-foot wave (as high as the flying bridge on the *Sydney Mae II*, by both survivors' accounts) broke over the vessel's stern and it began listing to port. A following wave of similar size broke over the stern and the vessel sank farther down by the stern and lay farther over to port. The passenger on the flying bridge estimated that the vessel was somewhere between the red No. 2 buoy and the tips of the south rock jetty and "only a hundred feet or so from the bar."<sup>9</sup>

At the moment the waves struck (at approximately 2030, according to the captain), two passengers and the captain were on the flying bridge. The other two passengers were in the cabin. None of the passengers was wearing a lifejacket, but the captain was wearing his personal type V inflatable lifejacket.<sup>10</sup> When the boat started to sink and the captain became immersed in water, his lifejacket did not automatically deploy, as it should have. He had to remove his coat and inflate the lifejacket by blowing into the mouth tube. As the vessel continued to sink, he tried to retrieve the ring buoy on the aft rail of the flying bridge but could not because it was tangled in the rigging.

As the vessel sank lower into the water, the two passengers who had been on the flying bridge and the female passenger who had been inside the cabin were able to cling together for a short time with the aid of a ring buoy that had now floated free. The captain swam to the liferaft on the bow of the vessel, but he could not manually deploy the raft because of the extreme motion of the vessel and the strength of the waves. By this time, the relentless wave action caused the three passengers to lose their hold on each other and the ring buoy. One of the passengers grabbed a lifejacket that floated by; the other two passengers drifted away.

The captain was a short distance away. As the vessel sank deeper, the liferaft floated free of its cradle. The surviving passenger, after several attempts at tugging on the lanyard, inflated the raft. However, no one was able to grasp it, and the raft was carried away by the waves. Only the captain and one passenger were now together, clinging to the floating lifejacket.

The water temperature, as recorded by the crew of the Coast Guard MLB, was 53° F in the area of the accident.

**Search and Rescue.** The witnesses at the lookout could not see the *Sydney Mae II*, but they heard a distinct crash and were unable to contact the vessel by radio or telephone. When they spotted a flashing strobe light (such as lifesaving apparatus emits), they immediately called the Coast Guard. The Coast Guard logs indicate that the call was

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<sup>9</sup> The red No. 2 buoy is approximately 500 yards west of the south jetty tip.

<sup>10</sup> A type V lifejacket is a special-use personal flotation device. It can be inflated manually by pulling on a lanyard that activates a carbon-dioxide-gas cylinder; automatically by immersion in water, which activates the gas cylinder; or manually by blowing through an inflation tube.

received at 2042 and that a 47-foot MLB got under way from the station at 2044. About 2105, after the MLB made its way over the bar and rounded the south jetty, the crew shot off flares and spotted the captain and the passenger. The two survivors were brought aboard the MLB at 2112, but after an extensive search in the vicinity of the accident site, the MLB crew did not find any other persons in the water. The MLB crew attended to the survivors until they were back at the station, where they were transferred to an ambulance and transported to the hospital.

Coast Guard assets, including two 47-foot MLBs from the Umpqua River station and an HH-65 Dolphin helicopter from sector air station North Bend, Oregon, were launched to assist. In addition, Coast Guard personnel searched the beaches south of the river by automobile and on foot. The helicopter had to suspend operations after 45 minutes because of zero visibility in fog. The bodies of two passengers were recovered on the beach. The first body was found that night, approximately 2 miles south of the south jetty. The second body was found the next morning, approximately 8 miles south of the south jetty. No third body was ever recovered, and that passenger is presumed dead.

The boat operators who had gathered at the Umpqua River lighthouse contacted the Coast Guard as soon as they saw the flashing strobe light. The Coast Guard MLB rushed to the scene, spotted the survivors, and quickly rescued them. The rapid action of both groups probably prevented further loss of life.

## Waterway Information

The Umpqua River is on the Pacific coast of Oregon, 180 miles south of the Columbia River. The river is approximately 120 miles long and is one of the principal rivers of the Oregon coast. It drains an expansive network of valleys in the mountains west of the Cascade Range and south of the Willamette Valley. The tidal change of the Umpqua River at Winchester Bay has a range of about 14 feet, and the current velocity can reach 4.5 knots. Low tide at the Umpqua River entrance occurred at 2001 on September 19, about 30 minutes before the accident.

The Umpqua River entrance is bordered by a jetty system (refer to the figure). Various warnings about navigating in and around these areas (due to large swells, breaking seas, and strong currents) are listed in the *United States Coast Pilot*,<sup>11</sup> in Coast Guard and Oregon State Marine Board publications, and on those agencies' websites.

The Coast Guard staffs a lookout tower during daylight hours 365 days a year. The tower is on the south side of the channel, 0.6 nm from the tip of the south jetty. A "rough bar" advisory sign is located 1.0 nm from the south jetty tip and is directed at boaters as they make their way toward the channel entrance. The rough bar advisory sign has two flashing yellow lights that are illuminated when the Coast Guard determines that the bar is rough and should be closed to recreational and uninspected passenger vessels.

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<sup>11</sup> Vol. 7 (Pacific Coast: California, Oregon, Washington, Hawaii, and Pacific Islands), Washington, DC: National Oceanic and Atmospheric Administration, National Ocean Service, 2005.

## **Weather Forecast**

The National Oceanic and Atmospheric Administration weather forecast for Monday, September 19, 2005, for coastal waters around the Umpqua River bar and out to 20 nm was for northerly winds at 15 to 20 knots through the evening and seas at 4 feet, with a mixed swell of 4 feet from the northwest and a 3-foot swell from the south. An 8-foot northwesterly swell was forecast to build after midnight.

## **Toxicological Tests**

Late in the evening of September 19, 2005, the captain of the *Sydney Mae II* was taken to the Lower Umpqua Hospital for first aid and a postaccident examination. No alcohol (Breathalyzer™) test was administered. Upon completion of the examination and at the request of the Coast Guard, the captain submitted to testing for alcohol and drugs. The results of urine and blood tests were negative for alcohol and drugs.

## **Safety Board Actions**

**Before the Accident.** In June 2005, as a result of an investigation into the capsizing of the Coast Guard-inspected small passenger vessel *Taki-Tooo* on June 14, 2003, while trying to cross the bar at Tillamook Bay, Oregon, during hazardous conditions, the Safety Board issued recommendations to the Coast Guard concerning operations at Coast Guard-designated surf stations and regulated boating areas on the West Coast. On July 11, 2005, the Coast Guard held a meeting with the owners and operators of small passenger vessels at the Umpqua River station, a designated Coast Guard surf station. The captain of the *Sydney Mae II* was one of about six charter fishing boat operators who attended the meeting.

The purpose of the meeting was to identify issues and address concerns about operations at the Umpqua River bar and on Winchester Bay. Items discussed included clarifying restrictions for vessels, jetty conditions, lifejacket regulations, dredging issues, and proposed warning or alert systems for rough bar notifications. According to the Coast Guard notes from the meeting, when the attendees discussed the Safety Board recommendation encouraging owners of small passenger vessels to develop and implement written go/no-go policies based on risk-management principles, the captain of the *Sydney Mae II* voiced opposition to the idea.

**After the Accident.** A Safety Board investigator arrived on the scene of the *Sydney Mae II* accident the evening of September 23, 2005. A meeting with Coast Guard personnel was held immediately and a ride to the accident site was provided in one of the 47-foot MLBs. Upon returning to the Coast Guard station, the investigator was contacted by Coast Guard Investigative Services, representing the U.S. Attorney. The Safety Board investigator was advised that the incident was going to be investigated by other Federal agencies. The investigator concluded his on-scene investigation a few days later and departed. The Coast Guard has provided the Safety Board with documentation and interviews collected before the Safety Board investigator arrived, and it has continued to cooperate in the production of this brief.

## **Discussion**

The *Sydney Mae II* accident is of particular interest to the Safety Board because of its similarity to the capsizing of the *Taki-Tooo*. The Safety Board issued its final report on the *Taki-Tooo* accident on June 28, 2005, just 2 1/2 months before the sinking of the *Sydney Mae II*. Tragically, both accidents resulted in the loss of life because the vessel operators failed to require passengers and crew to wear lifejackets during hazardous conditions.

Two of the three safety recommendations issued to the Coast Guard in the Safety Board's final report on the *Taki-Tooo* accident addressed requiring passengers and crew of small passenger vessels operating in Coast Guard-designated surf stations and regulated boating areas on the West Coast to wear lifejackets in hazardous conditions. The Coast Guard is beginning to take steps to address these recommendations. However, it is the responsibility of vessel operators to familiarize themselves with Coast Guard regulations and to ensure that passengers and crew wear lifejackets during hazardous conditions.

## **Probable Cause**

The National Transportation Safety Board determines that the probable cause of the sinking of the *Sydney Mae II* was the decision of the captain to closely approach the Umpqua River bar during hazardous conditions. Contributing to the loss of life was the failure of the captain to ensure that passengers were wearing lifejackets during hazardous conditions, as required by 46 CFR 26.03-2.

**Adopted: December 15, 2005**