

U.S. Department  
of Transportation

United States  
Coast Guard



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## **MARINE CASUALTY REPORT**

**FISHING VESSEL MERRY JANE, O.N. 596815,**

**BROACHING ON 8 FEBRUARY 1986 APPROACHING  
BODEGA BAY, CALIFORNIA BETWEEN BODEGA HEAD  
AND BODEGA ROCK WITH MULTIPLE LOSS OF LIFE AND  
INJURIES TO PASSENGERS**

**U.S. COAST GUARD**

**Marine Board of Investigation Report  
and  
Commandant's Action**

**REPORT NO. USCG 16732/0001 HQS 87**

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16. Abstract <p>At approximately 1611 on 8 February 1986, the M/V MERRY JANE, O.N. 596815 broached while approaching Bodega Bay, California. The vessel was returning from a day of fishing at the Cordell Bank area with 48 passengers, two crew and one operator on board. As the vessel was approaching the passage between Bodega Head and Bodega Rock it was broached and heeled sharply to starboard. A total of 19 persons were thrown or fell from the vessel. A "Mayday" call was broadcast and responded to by two boats from Coast Guard Station Bodega Bay, two charter fishing boats from Bodega Harbor and several smaller craft. Ten survivors were rescued, five bodies were recovered and four persons were listed as missing. Three bodies were later recovered on 18 February 1986 and 23 February 1986. One person is still missing and presumed deceased.</p> <p>The Commandant has concurred with the Board that the cause of the casualty was the failure of the operator of the MERRY JANE to accurately assess his position during the approach to the opening between Bodega Head and Bodega Rock, resulting in the vessel being positioned outside the area of calmest water (the "slot").</p> <p>This report contains the U. S. Coast Guard Marine Board of Investigation report and the Action taken by the Commandant to determine the proximate cause of the casualty and provide a response to the recommendations to prevent recurrence.</p>					
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M/V MERRY JANE. O.N. 596815, BROACHING ON  
8 FEBRUARY 1986 APPROACHING BODEGA BAY, CALIFORNIA  
WITH LOSS OF LIFE AND INJURIES TO PASSENGERS

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16732/MERRY JANE

MAY 15 1987

### Commandant's Action

on

The Marine Board of Investigation convened to investigate the circumstances surrounding the broaching of the M/V MERRY JANE in Bodega Bay, California on 8 February 1986 with multiple loss of life

The report of the marine board of investigation convened to investigate the subject casualty has been reviewed and the record, including the findings of fact, conclusions and recommendations, is approved subject to the following comments.

### CAUSE OF THE CASUALTY

The cause of the casualty was the failure of the operator to accurately assess his position during the approach to the opening between Bodega Head and Bodega Rock. This failure resulted in the vessel being positioned outside the area of calmest water (commonly referred to as the "slot"). This in turn allowed a surf generated wave and a quartering sea to broach the vessel and heel it violently, ejecting 18 persons into the water.

### REMARKS

While the MERRY JANE's exact position in relation to the slot cannot be determined with certainty, it is clear from photographic and other evidence taken by the marine board that the vessel was toward the surf line and away from the center of the slot. The operator of the MERRY JANE, instead of navigating through the slot, an area of smoother water between Bodega Head and Bodega Rock where safe passage is possible, navigated the vessel into the surf line formed by shallow water in the vicinity of Bodega Rock. According to the U. S. Coast Pilot, Volume 7, the passage between Bodega Head and Bodega Rock is 325 yards wide and "In good weather small boats having local knowledge sometimes use (this) passage. . . , but the passage is dangerous during periods of heavy ground swells. . ." Approximately two hours before the casualty, the National Weather Service (NWS) issued a small craft advisory for hazardous seas with westerly swells of 8 to 13 feet. Wave data from the three NWS buoys in the area recorded significant wave heights of 10 to 11 feet. Expert witnesses estimated that the swell direction was 255 degrees TRUE, with 240 degrees TRUE presenting the most dangerous situation to transiting vessels. Under these sea conditions, and in light of the cautionary information presented in the Coast Pilot and the NWS small craft advisory, passage through the slot should have been considered dangerous and use of the alternate approach to Bodega Bay would have been prudent. Although he opted for the more hazardous route through the slot, the operator could have lessened the risk to his vessel by ensuring that it was navigated in the area of calmest water.

## COMMENTS ON CONCLUSIONS

Conclusion 8: Identification of persons in the water and especially the persons missing was hampered by lack of a complete person-by-person passenger list either on board the vessel or at the shoreside location.

Comment: This conclusion is concurred with. The Coast Guard will propose in its revision of 46 CFR, Subchapter T a requirement that a list of persons carried on small passenger vessels (excluding ferries and those vessels making trips of 30 minutes duration or less) be kept ashore for use in the event that a search and rescue case should develop.

Conclusion 18: By virtue of her stability characteristics, vessel outfit and lifesaving equipment the M/V MERRY JANE is capable of operating beyond 20 miles offshore. The route limitations on this vessel were based on operator preference so as to comply with a lesser 46 CFR, Subchapter T lifesaving equipment requirement rather than actual vessel performance capability.

Comment: The phrase "and lifesaving equipment" should be deleted from the first sentence of this conclusion. As explained in the following sentence of the conclusion, the operator chose to comply with a less stringent 46 CFR, Subchapter T lifesaving equipment requirement, thus limiting his route to 20 miles or less from shore.

## COMMENTS ON RECOMMENDATIONS

Recommendation 1: That the Coast Guard amend 46 CFR, Subchapter T to require that in addition to providing instructive placards, vessel operators insure a public announcement similar to that given commercial airline passengers is made at the beginning of each trip to afford all passengers knowledge of the stowage location of life preservers, the proper method of donning and adjusting life preservers, the type and location of all lifesaving devices carried on the vessel, and the location and contents of the "Emergency Checkoff List". This public announcement should be identified as a "Safety Briefing in compliance with Coast Guard regulations" so as to differentiate it from a general information announcement.

Comment: This recommendation is concurred with. An amendment proposing a safety orientation briefing on certain small passenger vessels (excluding ferries and those vessels making trips of 30 minutes duration or less) prior to their getting underway will be included in the Coast Guard's revision of 46 CFR, Subchapter T.

Recommendation 2: That 46 CFR, Subchapter T be amended such that vessel routes be determined by vessel performance characteristics rather than reference to geographic position. After making such determination the route can be stated in terms of geographic limitations.

Comment: This recommendation is not concurred with. Vessel performance characteristics are currently considered in determining a vessel's route. However, there are many other factors which must be taken into account such as the vessel's scantlings, equipment installed, lifesaving equipment and subdivision. The officer in charge, marine inspection (OCMI) presently has the flexibility to consider these factors in combination with his local knowledge to determine the routes of small passenger vessels in his zone. The Coast Guard Marine Safety Center can then evaluate a particular vessel's stability based on the requirements for the service that the OCMI deems appropriate. Based on these factors, no amendment to Subchapter T is required.

Recommendation 3: That 46 CFR, Subchapter T be amended so that operator license route limitations be made consistent with vessel route limitations to the greatest extent possible.

Comment: This recommendation is not concurred with. The criteria for determining license and vessel route limitations are not related. Licenses are issued for classes of waters based upon experience on those waters and requisite skills demonstrated through examination. Vessel routes are based upon the factors discussed in the comments on recommendation 2 above.

Recommendation 4: That the Coast Guard amend 46 USC 3502 and 46 CFR, Subchapter T to the effect that all small passenger vessel operators on trips over 30 minutes duration, other than ferry service, be required to record the names of all personnel on board at the time of departure, and keep the list on board and in a safe shoreside location until the vessel safely completes its trip.

Comments: This recommendation is concurred with in part. A change to 46 USC 3502 is not necessary to amend the regulations on this issue. A regulation change requiring that a list of persons on the vessel be deposited ashore for certain small passenger vessels (excluding ferries and those vessels making trips of 30 minutes duration or less) will be proposed as a part of the Coast Guard's revision of 46 CFR, Subchapter T.

Recommendation 5: That policy guidance on criteria for accepting "sister ship" stability tests be expanded to address simplified stability tests. Specifically, insuring that the sister vessels are in fact identical.

Comment: This recommendation is concurred with. Relatively small changes in weight and location of weight can significantly affect the stability of a small passenger vessel. Chapter 6 of the Marine Safety Manual, Volume IV, will be updated to include guidance to OCMI's for determining sister ship relationships.

Recommendation 6: That the Coast Guard amend 46 CFR, Subchapter T to require a minimum height float free arrangement for devices such as a buoyant apparatus which can be lifted and thrown to persons in the water.

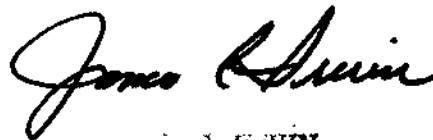
Comments: This recommendation is concurred with and will be accomplished during the Coast Guard's revision of 46 CFR, Subchapter T.

Recommendation 7: That the Coast Guard advise the fishing vessel industry of the interference created by mounting unattended fishing poles along the rail. Consideration should also be given toward requiring inspectors to evaluate this situation at the next regularly scheduled inspection for all sportfishing vessels.

Comments: This recommendation is concurred with. A copy of this investigation will be forwarded to the National Association of Passenger Vessel Owners, National Party Boat Owners' Alliance, Boat Owners' Association of the United States and the Virgin Islands Charter Yacht League to facilitate dissemination of this information to their members. Additionally, OCMI's will be provided a copy of this report to enable them to include information in their informal newsletters regarding the potential danger of leaving mounted fishing poles unattended along the rail.

Recommendation 8: That no further action be taken and that this case be closed.

Comment: This recommendation is concurred with.



JAMES S. IRWIN  
U.S. Coast Guard  
COMMANDANT



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16732/MERRYJANE  
24 June 1986

From: Marine Board of Investigation  
To: Commandant (G-MMI)

Subj: M/V MERRY JANE O.N. 596 815; BROACHING ON 8 FEBRUARY 1986  
APPROACHING BODEGA BAY BETWEEN BODEGA HEAD AND BODEGA  
ROCK,  
38 17' 45" N 123 03' 10.8" W, WITH LOSS OF LIFE AND  
INJURIES TO PASSENGERS.

FINDINGS OF FACT

1. SUMMARY

At approximately 1611 (all times are local Pacific Coast Times) on 8 February 1986, the M/V MERRY JANE, O.N. 596 815 broached while approaching Bodega Bay. The vessel was returning from a day of fishing at the Cordell Bank area with 48 passengers, two crew and one operator onboard. As the vessel was approaching the passage between Bodega Head and Bodega Rock the vessel was broached and heeled sharply to starboard. A total of 19 persons were thrown or fell from the vessel. A "Mayday" call was broadcast and responded to by two boats from Coast Guard Station Bodega Bay, two charter fishing boats from Bodega Harbor and several smaller craft. Ten survivors were rescued, five bodies were recovered and four persons were listed as missing. Three bodies were later recovered on 18 February 1986 and 23 February 1986. One person is still missing.

2. VESSEL DATA

Name:	MERRY JANE
Official Number:	596815
Service:	Coastwise and Fishery
Gross Tons:	68
Net Tons:	53
Length:	62.1 feet
Breadth:	19.1 feet
Depth:	8.0 feet
Year Built:	1977
Place Built:	Westport, WA, and Tacoma, WA.
Propulsion:	Diesel, Twin Screw
Horsepower:	600
Home Port:	San Francisco, CA.



Owners: Richard C. and Catherine M. Tiesso  
2500 Rollingwood Drive  
Napa, CA 94559  
Operator: Richard C. Tiesso  
2500 Rollingwood Drive  
Napa, CA 94559  
License: Ocean Operator - #21647  
- 75 gross tons Pacific  
- Ocean not more than  
25 miles offshore  
between Pigeon Point  
and Point Arena. Date  
of issue: 30 SEP 85  
Place: San Francisco  
CA

Certificate of Inspection: Issued 11 May 1983 San Francisco, CA  
(SFC)

Last Inspection: - 14 May 1985, Second Reinspection,  
(SFC)

Last Drydock - 10 April 1985 (SFC)

Route: - Coastwise: Pacific Ocean  
between Pt. St. George and Pt. San  
Luis, California including the  
FARRALLO ISLANDS. Not more than 20  
miles from a mainland safe harbor.

Required Crew: - One licensed Ocean Operator  
- One deckhand  
- When vessel is operated in excess of  
12 hours in any 24-hour period,  
an alternate crew shall be provided.

3. The following passengers are deceased:

Manuel Everette Anderson 2909 Wiswael Drive  
Richmond, CA 94806

George William Bell 178 Price Way  
Folsom, CA 95630

John Haley 6824 Greenleaf Drive  
Citrus Heights, CA 95610

Walter Heydon P. O. Box 499  
Lockeford, CA 95237

Charles Holzberger

2526 Oxford  
Troy, MI 48084

Scott Huddleston

354 Lake Street  
Sonoma, CA 95476

Edward L. Luiz

8842 Oaktrail Drive  
Santa Rosa, CA 95402

Xavier Fernando Tirado

35499 Tampico Road  
Fremont, CA 94536

Death Certificates and/or Autopsy Reports indicate drowning as the cause of death for all deceased.

4. The following passenger is missing:

Randall Bell

178 Price Way  
Folsom, CA 95630

5. The following passengers were injured and required medical attention at local hospitals. An asterisk (\*) indicates a person was incapacitated for 72 hours or more:

\* Keith Borglum

6610 Barbara Drive  
Sebastopol, CA 95472

Diane Maxies Cate

6610 Barbara Drive  
Sebastopol, CA 95472

Dano M. Cooke

1584 Yellowstone  
Napa, CA 94558

John Engle

18262 Geyserville Road  
Geyserville, CA 95411

Paul Franklin

354 Lake Street  
Sonoma, CA 95476

James E. Hannan, Sr.

831 Cedarwood Ln.  
Petaluma, CA 94952

James E. Hannan, Jr.

831 Cedarwood Ln.  
Petaluma, CA 94952

Patrick J. Hannan

831 Cedarwood Ln.  
Petaluma, CA 94952

Charles W. Harding

1629 Elmendorf  
Santa Rosa, CA 95401

Frederick Hess

4631 Sullivan Way  
Santa Rosa, CA 95405

Hamilton Hess

255 Ursuline Road  
Santa Rosa, CA 95401

John Hess	1740 Marshton Road #5 Sacramento, CA 95825
Julie Huddleston	354 Lake Street Sonoma, CA 95476
Lee Ray Lindsay	1330 Betty Avenue Woodland, CA
George Luiz	1190 Buckly Station Rd. Napa, CA 95559
Ian McKain	254 Cayuga Place Fremont, CA 95439
* Tom Puckett	2631 West F. Street Oakdale, CA 95361
Vicki Puckett	2631 West F. Street Oakdale, CA 95361
Faith Redio	3440 Fulton Avenue #89 Sacramento, CA 95821
Marvin Schollweiler	2048 Rolling Hill Drive Santa Rosa, CA 95404
Raymond Dean Schouweiler	2048 Rolling Hill Drive Santa Rosa, CA 95404
Margaret Shipley	1023 Cuttings Wharf Rd Napa, CA
Ray D. Stevens	8328 Pallsday Road Elvesta, CA 95626
Sean D. Stevens	8328 Pallsday Road Elvesta, CA 95626
* James Martin Ward	132 Bilboa Ct. Rohnert Park, CA 95828
Margaret Zarriello	2 Arena Ct. Sacramento, CA 95017

#### 4. WEATHER CONDITIONS

Weather conditions forecast for the time of the casualty obtained from the National Weather Service's Coastal Forecast for Point Arena to Point Pinos out 60 miles issued at 1400, Saturday, 8 February 1986 were as follows:

" Small craft advisory for hazardous seas.

Swell west 8 to 13 feet decreasing to 5 to 9 feet Sunday night.

Wind east to northeast 10 to 20 knots Waves 2 to 4 feet shifting to east to southeast Sunday night. Fair through Sunday night."

Previous weather forecasts for 0800 Saturday indicated light and variable winds. On scene weather estimates from the coxswains of Coast Guard boats responding within six to ten minutes of the casualty were wave heights of 14-16 feet and 15-18 feet. On scene wind and wave estimates by the operator and two sportfishing vessel operators entering the area prior to the M/V MERRY JANE were west to northwest winds of 4 to 6 miles per hour and westerly swells of 8 to 10 feet with a .20 second period. Air temperature was approximately 70 degrees Fahrenheit. Water temperature was 52-55 degrees Fahrenheit. At the time of the casualty the tide was ebbing. The preceding high tide occurred at 0950 with a height of 6.6 feet. The low tide occurred at 1657 with a height of -1.0 feet. Peak ebb tide occurred at 1422 and slack water occurred at 1818. At 1611, the time of the casualty, the tide was -.75 feet and .875 knots, ebbing.

Wave action from westerly swells passing through the passage between Bodega Head and Bodega Rock has a venturi-like effect. Waves are refracted or bent toward shallow water. Waves tend to wrap around Bodega Head and Bodega rock leaving a section of smoother water or "slot" in the center of the passage. Expert witness testimony states this is the most probable wave action. The wave data from the three National Weather Service buoys in the area recorded significant wave heights of 10 to 11 feet with a wave period of 17 seconds for the 4 PM observations on 8 February 1986. Wave speed for 17 second period waves in water over 740 feet deep is 51.5 knots. (Wave speed = wave period x 3.03; wave length = wave period  $^2$  x 5.12; Deep water = depth greater than one-half the wave length). As the waves enter shallower water the waves decrease then increase in height as well as decreasing in speed.

An analysis of photos taken just before and during the accident estimated direction of wave travel to be 240 degrees TRUE, a wave height of 15 feet as referenced to the MERRY JANE's starboard corner, and a distance between crests of 630 feet. Expert witness testimony hindcasted a swell direction of 255 degrees TRUE. Expert Witness testimony also indicated swell direction of 240 degrees TRUE would be the most dangerous situation.

## 5. THE CASUALTY

The M/V MERRY JANE departed the dock at Bodega Harbor at approximately 0710, 8 February 1986 with forty eight passengers, two crew and one operator onboard. The operator gave a brief safety orientation in conjunction with a general information greeting. The only other safety information available to passengers were placards on stowage and use of safety equipment. The vessel cleared Bodega Harbor jetty about 0730 and proceeded to Cordell Bank. The operator maintained a fishing line along the 80 fathom curve. Cordell Bank bears 227 degrees TRUE and approximately 25 nautical miles from Bodega Head. Cordell Bank is 22.5 miles offshore from Point Reyes, the closest point of land. The vessel began its return trip to Bodega Harbor from Cordell Bank at approximately 1415, estimated time of arrival was 1630.

As the vessel approached, it passed BUOY "R12" approximately 100 yards to port. The operator of M/V MERRY JANE, Mr. Richard Tiesso, was steering his normal course of 020 degrees MAGNETIC PSTG enroute to Bodega. According to the vessel's deviation table, the amount of deviation in the vessel's steering compass ranges randomly from 22 degrees east to 18 degrees west. A course line from the northeast corner of Cordell Bank in 80 fathoms of water to Bodega Head is approximately 053.8 degrees TRUE and 037.5 degrees MAGNETIC. Mr. Tiesso was operating the vessel from the wheelhouse and upon passing BUOY "R12", went up to the flying bridge control station. The operator stated he steered toward the "slot" in the channel, which he described as the area of calm water between the breaking waves on Bodega Head and Bodega Rocks. The M/V MERRY JANE was preceded into Bodega Harbor by the M/V SEA DOG III, a 60 foot vessel, operated by Mr. William J. Epple, Jr.; and the M/V CRYSTAL "C", a 42 foot vessel, operated by Mr. Charles J. DiGiulio. The M/V SEA DOG III passed through the entrance between Bodega Head and Bodega Rock at approximately 1603. The CRYSTAL "C" passed through the entrance at approximately 1607.

The M/V MERRY JANE passed BUOY "R12" about 100 yards to port and continued to head toward the "slot" in the channel. The operator's point of reference for selecting his approach course was the "slot" in the channel. The M/V MERRY JANE continued until the vessel was in a position south of the center of the "slot" and approximately 600 yards south (approximately 173°T) of Bodega Head with the vessel pointing toward the center of the "slot". The swells were generally westerly.

At approximately 1611 a wave broached the M/V MERRY JANE, heeled the vessel sharply to starboard and slewed the bow of the vessel to port. The vessel was carried along by the wave. The wave then broke over the M/V MERRY JANE on her port side approximately amidships and aft to the afterdeck area. Eighteen of the nineteen persons thrown from the vessel were thrown into the water at this time by the rapid heeling of the boat and waterbreaking over the vessel.

When the vessel heeled, the operator, Mr. Tiesso, was knocked off his feet but managed to stay on board the vessel by maintaining a firm hold on the vessel's wheel. Mr. Tiesso had pulled the throttles back to neutral when he felt the boat being lifted up by the wave and the vessel felt unstable. Upon regaining his footing, Mr. Tiesso saw a wave coming toward the vessel's port side and he put the engines ahead and turned the wheel hard left. The M/V MERRY JANE went through the next wave bow first.

As the wave broached and carried the M/V MERRY JANE, the vessel heeled sharply to starboard and several passengers were thrown or catapulted into the water. Mr. Hamilton Hess was standing on the foredeck of the vessel with seven members of his party. When the vessel heeled, Mr. Hess was catapulted from his port side position on the vessel's foredeck over the starboard rail in a long trajectory into the water. Mr. Hess cleared a row of fishing poles extending approximately four and one half feet above the rail and spaced about four feet apart. Mr. Hess's weight is about 160 pounds.

Mr. Dano Cooke was standing on the starboard side of the flying bridge next to the operator, Mr. Tiesso. Mr. Cooke was thrown into the water over the starboard side and landed in the water approximately fifteen feet from the vessel.

Mr. Anthony DiCarlo, deckhand on the M/V MERRY JANE, was filleting fish on the afterdeck of the vessel when the wave struck. Mr. DiCarlo was standing facing forward at the table. The filleting table was located just aft of the engine compartment and on the centerline of the vessel. As the vessel heeled, Mr. DiCarlo was ejected from the vessel into the water.

Ms. Faith Recio was also on the afterdeck of the vessel, standing at the forward end of the engine compartment opposite Mr. DiCarlo. When the wave struck the M/V MERRY JANE, Ms. Recio slid to the starboard side of the vessel and went over the starboard rail into the water.

Mr. Ian McKain was on the afterdeck area with three companions when the wave struck the M/V MERRY JANE. Mr. McKain and his three companions, Mr. Jim Tirado, Mr. Evevett Anderson and Mr. Charles Holzberger slid to the starboard side and were dumped or thrown over the side. All three of Mr. McKain's companions were unhurt and assembled together in the water. Wave action separated the group. Mr. McKain's three companions were among the deceased.

Mr. John Engle was a passenger standing on the starboard side of the foredeck when the wave struck the vessel. Mr. Engle was knocked down to the deck. During the period between the wave striking the vessel and the vessel being turned into the next wave, Mr. Engle heard someone remark that no one was steering the

vessel. Mr. Engle entered the wheelhouse of the vessel and turned the ship's wheel hard right. The operator of the M/V MERRY JANE was on the flying bridge at this time turning the flying bridge wheel hard left. The operator, Mr. Tiesso, noticed the wheel response felt different than usual. Mr. Tiesso started down through the hatchway in the deck on the starboard side of the flying bridge and observed Mr. Engle at the wheel. Mr. Tiesso told Mr. Engle to get away from the wheel. The steering stations on the M/V MERRY JANE have independent pumps, one in the wheelhouse and one on the flying bridge which feed to a common steering ram. The M/V MERRY JANE turned to port to pass through the next wave. This is the direction Mr. Tiesso was turning the flying bridge wheel. Mr. Engle went out of the wheelhouse, was handed and donned a life preserver, and went to the bow of the boat. The vessel's movement caused Mr. Engle to be thrown in the air, strike his back on the bow area of the boat and fall into the water. Mr. Engle was the only passenger who ended up in the water who was not thrown into the water on the initial wave that heeled the M/V MERRY JANE sharply to starboard.

A total of nineteen passengers were thrown or fell into the water. Ten survivors were rescued and five bodies were discovered within ten minutes of the casualty. Four persons were missing when the search was terminated on 9 February 1986.

Mr. David Morgan, deckhand on M/V MERRY JANE, was standing amidships by the aft cabin door getting ready to weigh fish for the days fishing pool. He was knocked down by the wave's effect on the boat. After getting to his feet, he began passing out life jackets and went forward to the wheel house to make a MAYDAY call on the vessel, VHF-FM radio using channel 16. Radio tapes from Coast Guard Group San Francisco indicate the radio call was placed at approximately 16:11:34. There was no one else in the wheelhouse when Mr. Morgan made his radio call.

Persons in the water were subjected to several waves which forced them under the surface of the water. Mr. Hamilton Hess stated he struck the bottom with his feet as he was forced down. Wave action separated the people in the water from each other and moved the people and debris through the passage between Bodega Head and Bodega Rock.

The M/V SEA DOG III was in Bodega Harbor just past the Coast Guard Station when the operator, Mr. William J. Epple, Jr. heard the Mayday call from M/V MERRY JANE. Mr. Epple came about with a full load of 42 passengers and proceeded to the scene to render assistance. The M/V SEA DOG III rescued one survivor, Mr. Ray Stevens, and recovered one body. The SEA DOG III's deckhand, Mr. Paul Domenigoni, donned a lifejacket and went over the side to retrieve an apparently unconscious victim. The person was deceased. The M/V SEA DOG III was on scene approximately eight minutes from receipt of the Mayday call by M/V MERRY JANE. Time on scene would be about 1620.

The M/V CRYSTAL "C" was in Bodega Harbor when the operator, Mr. Charles DiGiulio, heard the Mayday call from M/V MERRY JANE. Mr. DiGiulio discharged his passengers and proceeded back out of the harbor to the accident scene to render assistance.

The M/V STARDUST, a 56.6 foot vessel operated by Mr. Art Hagstrom, was inbound toward Bodega Head at the time of the casualty. The M/V STARDUST proceeded around BUOY "BA", nicknamed "JINGLE BELLS", enroute Bodega Harbor rather than transit the approach between Bodega Head and Bodega Rock where the M/V MERRY JANE was.

Coast Guard Station Bodega Bay received the Mayday call by M/V MERRY JANE at about 1617. The station's 44 foot motor lifeboat, CG-44324, coxswained by SN John Walsh, and a 16-foot skiff, CG-165012, coxswained by BM3 Dominio L. Rice, were on scene within eight minutes. The station's 30 foot utility boat, CG-30614, coxswained by BM2 William Davies, was on scene within twenty-four minutes. CG-44324 recovered five survivors and four bodies. CG-165012 recovered two survivors. BM3 Rice utilized a personal surfboard to reach two victims, Mr. Ian McKain and a boy, and bring them to CG-165012. Survivors were recovered shoreward of a line drawn between Bodega Head and Bodega Rock. People, debris and life jackets were carried through the passage to the shoreward side of Bodega Rock. The Sonoma County Sherriff's Department had a helicopter on scene at approximately 1630 to assist in the rescue effort. CG-44324 returned to Coast Guard Station Bodega Bay to disembark survivors and deceased. A Coast Guard helicopter, CG-1388, was onscene at approximately 1700 to conduct a search of the area in conjunction with the CG-30614. CG-44324 and CG-30614, were back on scene at 1718 and 1821 respectively to conduct extended search patterns. A beach patrol of Doran Beach was also conducted. The search efforts were secured at approximately 0030, 9 February 1986 and reinstated at 0700, 9 February 1986. Search was suspended at 1745, 9 February 1986. The bodies of Walter Heydon, Scott Huddleston and George Bell were recovered on 18 February 1986, 23 February 1986 and 6 March 1986. The body of Randall Bell was not recovered as of the date of this report.

The M/V Merry Jane returned to the area to attempt rescue of persons in the water and recovered two survivors. During the rescue attempt, the operator had great difficulty deploying the buoyant apparatus from its approved float free arrangement due to the weight of the buoyant apparatus and the height of the pipe rack. In addition, fishing poles stowed along the rail further hampered the deploying of the buoyant apparatus and the throwing of lifejackets to persons in the water. The fishing poles were stowed in holders spaced about four feet apart along the rail and the poles extended approximately four and one-half feet above the rail.



Identification of persons on board the M/V MERRY JANE was made by using a list held at the Tides Landing, Bodega Bay, California, and by questioning survivors. The list indicated persons by groups of passengers rather than by individual name.

Damage to the vessel included breakage of two of three windows on the port side of the vessel, loss of a bench located on the starboard side of the afterdeck, breaking and bending of the transom railing on the starboard side and shifting of the engines on their engine mounts.

Onshore witnesses to the accident included Mr. Morris Anderson who took several photos of the accident scene and Ms. Kay Sullivan who also rendered aid to survivors at Coast Guard Station Bodega Bay. Mr Anderson and Ms. Sullivan were at different locations on Bodega Head when the accident occurred.

#### 6. VESSEL HISTORY

The M/V MERRY JANE was built at Westport, Washington, and Tacoma, Washington, by Kelly Enterprises, Inc., Jones-Goodell Corp. and Martinson Launch Co. in 1977. The vessel was documented with the U.S. Coast Guard on 22 August 1978 at San Francisco. The vessel was originally owned by Robert W. and Mary Jane Hanlon until sold to Art C. and Marlene G. Hagstrom on 2 September 1981. Mr. Hagstrom sold the M/V MERRY JANE to Richard C. and Catherine M. Tiesso on 3 December 1984.

The M/V MERRY JANE was first certificated by the Coast Guard on 22 August 1978 at Portland, Oregon. The M/V MERRY JANE was certificated for

"Oceans: between Point St. George California and Angels Point, Washington not to exceed 100 miles from land. When operating on a Coastwise route, not to exceed 20 miles from a harbor of safe refuge: Maximum Passengers allowed: 40. Total persons allowed: 43. When operating more than 12 hours in any 24 hours, an alternate crew shall be provided. When less than 30 passengers are aboard, only one deckhand is required."

On 18 September 1978 OCMI San Francisco amended the route to "Pacific Ocean between Point St. George and Point San Luis, California, not more than 100 miles from a mainland shore".

On 15 October 1980 the Certificate of Inspection was amended to a route of

"Coastwise: Pacific Ocean between Point St. George and Point San Luis, California, including the Farallon Islands not more than twenty (20) miles from a mainland safe harbor."

On 8 October 1982 the Certificate of Inspection was amended to show

"required crew: one licensed ocean operator, one deckhand, one additional deckhand may be carried. Passengers allowed may not exceed 49. Total persons allowed: 52".

M/V MERRY JANE's current Certificate of Inspection was issued on 11 May 1983 by OCMI San Francisco. Periodic reinspections were conducted on 8 May 1984 and 14 May 1985. The vessel was last drydocked for credit on 10 April 1985.

#### 7. STABILITY

According to the Coast Guard vessel inspection file for the M/V MERRY JANE, the vessel could have been certificated to carry 60 passengers based on the successful completion of a simplified stability test for a sister vessel, the M/V NEDDIE ROSE, O.N. 574 139. When the MERRY JANE was actually certificated, however, the owner opted to carry only 40 passengers and so the simplified test was not required.

In order to verify the intact stability of the M/V MERRY JANE an inclining test and a simplified stability test were conducted jointly by the Twelfth Coast Guard District's Merchant Marine Technical Office and the Marine Board of Investigation on 25 April 1986. The results of those tests demonstrated that the M/V MERRY JANE has intact stability exceeding the requirements of the simplified stability criterion of 46 CFR 171.020 and the weather criterion of 46 CFR 170.160. In addition, by raising the vent located on the step between the focsle deck and the main deck 2.5 inches or eliminating the vent, the vessel also meets the more restrictive criterion for vessels of Unusual Proportion and Form of 46 CFR 170.173. Compliance with this criterion would not normally be required on small passenger vessels with a displacement type mono hull similar to that of the M/V MERRY JANE.

The M/V MERRY JANE has less righting energy than her sister vessel the M/V NEDDIE ROSE. The M/V NEDDIE ROSE carries an additional 1200 gallons of fuel which lowers her center of gravity considerably. The difference in stability was not enough to cause the M/V MERRY JANE to fail the simplified stability test but did result in the M/V MERRY JANE having 3.67 inches less freeboard in the test condition.

#### 10. WATERWAY INFORMATION

The casualty occurred as the vessel was attempting to transit the passage between Bodega Head and Bodega Rock. This area is depicted in the Bodega Harbor insert on NOAA Chart No. 18643 (Bodega and Tomales Bays). The United States Coast Pilot, Volume 7 states "In good weather small boats having local knowledge sometimes use the passage between Bodega Head and Bodega Rock, but the passage is dangerous during periods of heavy ground swells because of the combers." Bodega Rock bears 130 degrees TRUE and 575 yards from Bodega Head light, a flashing six second light, 110 ft above mean high water with a nominal range of seven nautical miles. The navigable passage between Bodega Head and Bodega Rock is approximately 325 yards wide. Charted depths through the center of the passage from the approximate location of the casualty to the approximate area where survivors were

recovered, range from 33 to 29 feet at mean lower low water. Data for this chart was taken from a hydrographic survey done in 1931 for the offshore area and from a survey done in 1957 for the inshore area including some of the area between Bodega Head and Bodega Rock. A topographic survey in 1955 was used to update offshore data concerning breakers.

Cordell Bank is depicted on NOAA chart No. 18640. All areas in excess of 80 fathoms deep surrounding Cordell Banks are more than twenty miles from a mainland safe harbor.

Testimony from several sportfishing vessel operators out of Bodega Bay and from Coast Guard coxswains at Coast Guard Station Bodega Bay states that they routinely use the passage "between the Head and the Rock". The operator of the M/V STARDUST, which was behind the M/V MERRY JANE on the date of the accident, stated he goes through this passage only on calm days. He goes around the "BA" BUOY through the southern approach to Bodega Bay whenever there is a swell system in effect at the passage "between the Head and the Rock".

Traveling around the "BA" buoy and using the southern approach when coming into Bodega Bay from the north or west adds approximately 10 minutes travel time into Bodega Harbor.

#### 11. PHOTOGRAPHIC EVIDENCE

Mr. Morris Anderson was on Bodega Head at the time of the accident and photographed the accident. He had taken one photo of the SEA DOG III and two photos of the M/V MERRY JANE. One photo of the M/V MERRY JANE was taken prior to the vessel being struck by the wave and the second photo just as the vessel was being struck by the wave. A photogrammetry study of the photos was done by the National Transportation Safety Board, Bureau of Technology, Washington, D. C. A report of this study stated the heading of the M/V MERRY JANE approaching the channel between Bodega Head and Bodega Rock was about 013 to 018 degrees TRUE. The heading of the M/V MERRY JANE as the vessel was being struck by the wave was 354 degrees TRUE. The course line of the M/V MERRY JANE based on the apparent wake was about 011 to 014 degrees TRUE.

## CONCLUSIONS

1. The proximate cause of the accident was the failure of the operator to accurately assess his position during the approach to the opening between Bodega Head and Bodega Rock. Contributing to this was his failure to use fixed reference points while making the approach, thereby being unaware of the set and drift affecting his vessel which was moving the vessel to the south.

2. Contributing to the severity of the accident was the operator being unaware that his vessel was gradually presenting a beam to quarter aspect to the swell system as the vessel was being set to the south.

3. It is also concluded that the M/V MERRY JANE was broached by a wave, carried in the direction of wave travel and violently heeled to starboard causing persons on board to be ejected. The vessel was then overcome by the boarding sea from that same breaking wave.

4. Based upon the available evidence and witness testimony, the M/V MERRY JANE was not the victim of a "rogue wave".

5. Eighteen of the nineteen persons ending up in the water were thrown into the water as a result of the wave. The remaining person was thrown or fell from the vessel as a result of the vessel's coming about and passing through the next wave. No person entered the water solely by being washed over the side.

6. Wave action broke two port side cabin windows. The starboard side bench located on the afterdeck by the engine compartment was broken off during the violent roll and went over the side carrying the fish table and breaking the transom railing.

7. Eight persons in the water died as a result of drowning. Mr. Randall Bell is missing and presumed dead.

8. Identification of persons in the water and especially the persons missing was hampered by lack of a complete person-by-person passenger list either on board the vessel or at a shoreside location.

9. Wave conditions were as forecast, the wind velocity was less than forecast and wind direction was westerly rather than easterly as forecast.

10. The vessel was properly inspected and certificated under 46 CFR Subchapter T.

11. The vessel meets all three of the small passenger vessel intact stability criteria found in 46 CFR Subchapter S even though the vessel is not required to do so by virtue of her route and service.

12. The M/V MERRY JANE was not an identical sister vessel to the M/V NEDDIE ROSE.

13. The operator of the M/V MERRY JANE rendered immediate and proper rescue action to victims.

14. The Coast Guard search and rescue response was prompt and proper.

15. The operator of the M/V SEA DOG III, the operator of the M/V CRYSTAL C and the deckhand of the SEA DOG III rendered extraordinary assistance and are worthy of recognition. Their efforts have been made the subject of separate correspondence.

16. Performance of Coast Guard Station Bodega Bay and personnel at Station Bodega Bay were noteworthy and deserving of recognition and have been made the subject of separate correspondence.

17. During the rescue effort the stowage arrangement and presence of fishing poles along the rail hampered efforts to deploy the buoyant apparatus and throw lifejackets to persons in the water.

18. By virtue of her stability characteristics, vessel outfit and lifesaving equipment the M/V MERRY JANE is capable of operating beyond 20 miles offshore. The route limitations on this vessel were based on operator preference so as to comply with a lesser 46 CFR, Subchapter T lifesaving equipment requirement rather than actual vessel performance capability.

19. The passage "between the Bodega Head and the Rock" is dangerous during certain sea conditions. These hazards are known and the warning given in the Coast Pilot. Local area operators using this passage are aware of the hazards and routinely use the passage. Consideration was given to controlling the waterway through regulations but since the proximate cause of this accident was attributable to the operator of the vessel, such control of the waterway was not considered appropriate.

20. There is no evidence that failure of inspected equipment or any personnel of the Coast Guard or any other government agency caused or contributed to the casualty.

21. There is evidence of negligence on the part of the operator of the M/V MERRY JANE concerning his part in the casualty as stated in conclusions 1 and 2.

22. There is evidence that the operator of the M/V MERRY JANE exceeded the route permitted by the Certificate of Inspection. The evidence in this matter and conclusion #21 have been forwarded to Commander, Twelfth Coast Guard District.

23. Other than the above, there is no evidence of any act of misconduct, inattention to duty, negligence, incompetence or willful violation of law or regulation on the part of licensed or certificated personnel that contributed to the casualty.

## RECOMMENDATIONS

1. That the Coast Guard amend 46 CFR Subchapter T to require that in addition to providing instructive placards, vessel operators insure a public announcement similar to that given commercial airline passengers is made at the beginning of each trip to afford all passengers knowledge of the stowage location of life preservers, the proper method of donning and adjusting life preservers, the type and location of all lifesaving devices carried on the vessel, and the location and contents of the "Emergency Checkoff List". This public announcement should be identified as a "Safety Briefing in compliance with Coast Guard regulations" so as to differentiate it from a general information announcement.
2. That 46 CFR Subchapter T be amended such that vessel routes be determined by vessel performance characteristics rather than reference to geographic position. After making such determination the route can be stated in terms of geographic limitations.
3. That 46 CFR Subchapter T be amended so that operator license route limitations be made consistent with vessel route limitations to the greatest extent possible.
4. That the Coast Guard amend 46 USC 3502 and 46 CFR, Subchapter T to the effect that all small passenger vessel operators on trips over 30 minutes duration, other than ferry service, be required to record the names of all personnel on board at the time of departure, and keep the list onboard and in a safe shoreside location until the vessel safely completes its trip.
5. That policy guidance on criteria for accepting "sister ship" stability tests be expanded to address simplified stability tests. Specifically, insuring that the sister vessels are in fact identical.

6. That the Coast Guard amend 49 CFR Subchapter T to require a minimum height float free arrangement for devices such as buoyant apparatus which can be lifted and thrown to persons in the water.

7. That the Coast Guard advise the fishing vessel industry of the interference created by mounting unattended fishing poles along the rail. Consideration should also be given toward requiring inspectors to evaluate this situation at the next regularly scheduled inspection for all sportfishing vessels.

8. That no further action be taken and that this case be closed.



EDWARD V. GRACE  
Captain, U.S. Coast Guard  
Chairman



WILLIAM J. CHANG  
Lieutenant Commander, U.S. Coast Guard  
Member



ROBERT W. BRACH  
Lieutenant Commander, U.S. Coast Guard  
Member/Recorder

Enclosures: (1) Appointing Order  
(2) CG-2692 for M/V MERRY JANE  
(3) Exhibit List



16732/MERRY JANE

FEB 11 1986

From: Commandant  
To : CAPT Edward V. GRACE, USCG

Subj: Marine Board of Investigation concerning persons falling overboard from the F/V MERRY JANE, O.N. 596815 on 8 February 1986 with multiple loss of life

1. Pursuant to the authority vested in me by 46 USC 6301 and the regulations thereunder, a Marine Board of Investigation consisting of yourself as Chairman, LCDR William J. CHANG, USCG, Member and LCDR Robert W. BRACH, USCG, Member and Recorder, is hereby ordered to convene as soon as practicable to inquire into all aspects of subject casualty at such times and places as directed by you.
2. The Board will investigate thoroughly the matter hereby submitted to it in accordance with the provisions of 46 USC 6301, et. seq., and the regulations thereunder. Upon completion of its investigation, the Board will report to the Commandant the evidence adduced, the facts established thereby, and its conclusions and recommendations with respect thereto, except that any conclusions or recommendations concerning commendatory actions or misconduct which would warrant further inquiry for possible civil or criminal proceedings, shall be referred by separate correspondence to the cognizant district commander. The Board's report will be submitted to Commandant (G-MMI) with a copy to the Commander, Pacific Area and Commander, Twelfth Coast Guard District. A daily summary of what has occurred before the Board shall be transmitted to the Commandant (G-MMI).
3. Every effort shall be made to complete this investigation and submit your report within five months of the convening date. If the report cannot be completed within that time, a written explanation for the delay and the date you expect to have it completed will be provided to me. I encourage you to submit interim recommendations intended to prevent future casualties of this type early in your investigation.
4. The National Transportation Safety Board (NTSB) is also charged with the responsibility of determining the cause or probable cause of this casualty by the Independent Safety Board Act of 1974 (49 USC 1901, et. seq.). NTSB has designated representatives for this investigation. The designated NTSB representatives will participate fully in this investigation and may make recommendations about the scope of this investigation, may call and examine witnesses, and submit or request additional evidence.
5. The Commander, Twelfth Coast Guard District will furnish such legal, technical, and clerical assistance as may be required by the Board when deemed appropriate and within the prerequisite requirements for the scope and orderly

**ENCLOSURE( / )**



FEB 11 1986

Subj: Marine Board of Investigation concerning persons falling overboard  
from the F/V MERRY JANE, O.N. 596815 on 8 February 1986 with multiple  
loss of life

functioning of this Board. If Coast Guard personnel are called to testify,  
they shall be provided legal representation by the Commander, Twelfth Coast  
Guard District. The District Commander is authorized to negotiate for  
commercial court reporting services pursuant to 10 USC 2304(a)(4) and 41 CFR  
12-50.3. If District funds are not available, comply with the Manual of  
Budgetary Administration (COMDTINST. M07100.3), paragraph 5203. Refer to  
72-3-35D of the Marine Safety Manual (COMDTINST. M16000.3) for guidance.



J. S. GRACEY

Copy: COMPACAREA  
CCGD12(d)  
CCGD11(d)  
CO, MSO SAN FRANCISCO BAY, CA

DEPARTMENT OF  
TRANSPORTATION  
U. S. COAST GUARD  
CG-2692 (Rev. 6-82)REPORT OF MARINE ACCIDENT,  
INJURY OR DEATH

RCS No. G-MMI 2115-0003

UNIT CASE NUMBER

## SECTION I. GENERAL INFORMATION

1. Name of Vessel or Facility <b>MERRY JANE</b>		2. Official No. <b>815 596</b>		3. Nationality <b>U.S.</b>		4. Call Sign <b>WSX6145</b>		5. USCG Certificate of Inspection issued at: <b>San Francisco</b>	
6. Type (Towing, Freight, Fish, Drill, etc.) <b>Fishing</b>		7. Length <b>62.1 ft.</b>		8. Gross Tons <b>68</b>		9. Year Built <b>1977</b>		10. Propulsion (Steam, Diesel, gas, turbine...) <b>Diesel</b>	
11. Hull Material (Steel, Wood...) <b>Fiberglass</b>		12. Draft (ft. - in.) FWD. AFT. <b>Mean draft</b> <b>approx. 4-1/2 ft</b>		13. If Vessel Classed, By Whom: (ABS, LLOYDS, DNV, BV, etc.) <b>N/A</b>		14. DATE (of occurrence) <b>Feb. 8, 1986</b>		15. TIME (Local) <b>Approx. 1610</b>	
16. Location (See Instruction No. 10A) <b>Passage between Bodega Head and Bodega Rock</b>						17. Estimated Loss or Damage TO:			
18. Name, Address & Telephone No. of Operating CO.  <b>Merry Jane Sport Fishing P.O. Box 838 Bodega Bay, CA 94923</b>						VESSEL \$ <u>No estimate yet available</u>			
						CARGO \$ <u>N/A</u>			
						OTHER \$ <u>5,000</u>			
19. Name of Master or Person in Charge <b>Richard C. Tiesso</b>		USCG License <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		20. Name of Pilot <b>N/A</b>		USCG License <input type="checkbox"/> YES <input type="checkbox"/> NO		State License <input type="checkbox"/> YES <input type="checkbox"/> NO	
19a. Street Address (City, State, Zip Code) <b>2735 Beecham Napa CA 94558</b>		19b. Telephone Number <b>(707) 224-4306</b>		20a. Street Address (City, State, Zip Code)		20b. Telephone Number			
21. Casualty Elements Check as many as needed and explain in Block 44.)									
NO. OF PERSONS ON BOARD <u>51</u>			<input type="checkbox"/> FLOODING: SWAMPING WITHOUT SINKING			<input type="checkbox"/> WAKE DAMAGE			
<input checked="" type="checkbox"/> DEATH - HOW MANY? <u>8</u>			<input checked="" type="checkbox"/> CAPSIZING (with or without sinking)			<input type="checkbox"/> FIREFIGHTING OR EMERGENCY EQUIPMENT FAILED OR INADEQUATE (Describe in Block 44.)			
<input checked="" type="checkbox"/> MISSING - HOW MANY? <u>1</u>			<input type="checkbox"/> FOUNDERING OR SINKING			<input type="checkbox"/> LIFESAVING EQUIPMENT FAILED OR INADEQUATE (Describe in Block 44.)			
<input checked="" type="checkbox"/> INJURED - HOW MANY? <u>unknown</u>			<input type="checkbox"/> HEAVY WEATHER DAMAGE			<input type="checkbox"/> BLOW OUT (Petroleum exploration/production)			
<input type="checkbox"/> HAZARDOUS MATERIAL RELEASED OR INVOLVED (Identify Substance and amount in Block 44.)			<input type="checkbox"/> FIRE			<input type="checkbox"/> OTHER (Specify)			
<input type="checkbox"/> OIL SPILL - ESTIMATE AMOUNT:			<input type="checkbox"/> EXPLOSION						
<input type="checkbox"/> CARGO CONTAINER LOST/DAMAGED			<input type="checkbox"/> COMMERCIAL DIVING CASUALTY						
<input type="checkbox"/> COLLISION (Identify other vessel or object in Block 44.)			<input type="checkbox"/> ICE DAMAGE						
<input type="checkbox"/> GROUNDING			<input type="checkbox"/> DAMAGE TO AIDS TO NAVIGATION						
			<input type="checkbox"/> STEERING FAILURE						
			<input type="checkbox"/> MACHINERY OR EQUIPMENT FAILURE						
			<input type="checkbox"/> ELECTRICAL FAILURE						
			<input type="checkbox"/> STRUCTURAL FAILURE						
22. Conditions									
A. Sea or River Conditions (wave height, river stage, etc.)		B. WEATHER		C. TIME		D. VISIBILITY		E. DISTANCE (miles) (of visibility) <u>Approx. 20</u>	
General condition 6-10 feet approx. 17-25 seconds		<input checked="" type="checkbox"/> CLEAR		<input checked="" type="checkbox"/> DAYLIGHT		<input checked="" type="checkbox"/> GOOD		F. AIR TEMPERATURE <u>65-75°</u>	
		<input type="checkbox"/> RAIN		<input type="checkbox"/> TWILIGHT		<input type="checkbox"/> FAIR		G. WIND SPEED & DIRECTION <u>3-5 knots NW</u>	
		<input type="checkbox"/> SNOW		<input type="checkbox"/> NIGHT		<input type="checkbox"/> POOR		H. CURRENT SPEED & DIRECTION <u>Unknown W</u>	
		<input type="checkbox"/> FOG		OTHER (Specify)					
23. Navigation Information									
<input type="checkbox"/> MOORED, DOCKED OR FIXED		<input type="checkbox"/> ANCHORED		<input checked="" type="checkbox"/> UNDERWAY OR DRIFTING		24. Last Port of Departure <u>Bodega Bay Tide Wharf</u>		24a. Time and Date of Departure <u>Approx. 2/8/86 0710</u>	
SPEED, APPROX. <u>Approx. 0.20</u>		AND COURSE <u>per ship compass</u>		24b. Port of Arrival <u>Tides Wharf</u>		24c. Time and Date of Arrival			
25.									
FOR TOWING ONLY <b>N/A</b>		25a. NUMBER OF VESSELS TOWED		25b. TOTAL H.P. OF TOWING UNITS		25c. MAXIMUM SIZE OF TOW WITH TOW-BOAT(S)		25d. (Describe in Block 44.)	
		Empty Loaded Total				Length Width		<input type="checkbox"/> PUSHING AHEAD	
								<input type="checkbox"/> TOWING ASTERN	
								<input type="checkbox"/> TOWING ALONGSIDE	
								<input type="checkbox"/> MORE THAN ONE TOW-BOAT ON TOW	
SECTION II. BARGE INFORMATION									
26. Name <b>N/A</b>		26a. Official Number		26b. Type		26c. Length		26d. Gross Tons	
26f. Year Built		26g. <input type="checkbox"/> SINGLE SKIN <input type="checkbox"/> DOUBLE SKIN		26h. Draft FWD AFT		26i. Operating Company			
26j. Damage Amount				26k. Describe Damage to Barge					
BARGE \$ _____									
CARGO \$ _____									
OTHER \$ _____									

ENCLOSURE(1)

**SECTION III. PERSONNEL ACCIDENT INFORMATION**

27. Person Injured <input type="checkbox"/> MALE or <input type="checkbox"/> FEMALE  <input type="checkbox"/> DEAD <input type="checkbox"/> INJURED <input type="checkbox"/> MISSING		27a. Name (Last, First, Middle Name) <del>Particulars NOT KNOWN</del> but see attached description from <del>one</del> of 27b. Address (City, State, Zip Code) <del>Sheriff/Coroner of</del> Sonoma County <i>PalB</i>		27c. Status <input type="checkbox"/> CREW <input type="checkbox"/> PASSENGER <input type="checkbox"/> OTHER (Specify)
28. Birth Date	29. Telephone No.	30. Job Position	31. (Check here if off duty) <input type="checkbox"/>	

32. Employer (If different from Block 18., fill in Name, Address, Telephone No.)  
 Unknown

33. Person's Time A. IN THIS INDUSTRY - N/A B. WITH THIS COMPANY - C. IN PRESENT JOB OR POSITION - D. ON PRESENT VESSEL/FACILITY - E. HOURS ON DUTY WHEN ACCIDENT OCCURRED -		YEAR(S) _____ MONTH(S) _____	34. Industry of Employer (Towing, Fishing, Shipping, Crew Supply, Drilling, etc.) N/A	35. Was the injured Person incapacitated 72 Hours or More? <input type="checkbox"/> YES <input type="checkbox"/> NO N/A	36. Date of Death Unknown
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37. Activity of Person at Time of Accident  
 Aboard enroute to Tides Wharf

38. Specific Location of Accident on Vessel/Facility  
 Main Deck Level

39. Type of Accident (Fall, Caught between, etc.) See Sec. 21 above	40. Resulting Injury (Cut, Bruise, Fracture, Burn, etc.) unknown
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41. Part of Body Injured unknown	42. Equipment Involved in Accident Vessel MERRY JANE
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43. Specific Object, Part of the Equipment in Block 42., or Substance (Chemical, Solvent, etc.) that directly produced the Injury.  
 FREAK SEA CONDITION

**SECTION IV. DESCRIPTION OF CASUALTY**

44. Describe How Accident Occurred, Damage and Recommendations for Corrective Safety Measures. (Attach Additional Sheets if necessary).

Freak wave struck MERRY JANE entering passage between Bodega Head and Bodega Rock at approximate 4:10 p.m. on 2/8/86. Further particulars are described in my testimony at the U.S. Coast Guard hearing at Two Rock, California the following week.

Damage will roughly approximate \$50,000.

45. Witness (Name, Address, Telephone No.)  
~~See testimony of persons who testified at hearing~~ *PalB*

46. Witness (Name, Address, Telephone No.)

**SECTION V. PERSON MAKING THIS REPORT**

47. Name (PRINT) (Last, First, Middle) Richard C. Tieso	47b. Address (City, State, Zip Code) 2735 Beecham Napa CA 94558	47c. Title Owner and Captain
47a. Signature <i>Richard C. Tieso</i>		47d. Telephone No. (707) 224-4306
		47e. 395/86

**FOR COAST GUARD USE ONLY**

**REPORTING OFFICE:**

APPARENT CAUSE  
 See report of Marine Board of Investigation.

CASUALTY CODE ABC	APPROVED BY (Name) <i>R. W. Brach</i> R. W. BRACH, LCDR, USCG Member/Recorder Marine Board	DATE 2/24/86	APPROVED BY (Name)	DATE
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Section III - Personnel Accident Information - Block 27-31

1. The following passengers are deceased:

GEORGE WILLIAM BELL	2909 Wiswael Drive Richmond, CA 94806
JOHN HALEY	178 Price Way Folsom, CA 95630
WALTER HEYDON	P. O. Box 499 Lockeford, CA 95237
CHARLES HOLZBERGER	2526 Oxford Troy, MI 48084
SCOTT HUDDLESTON	354 Lake Street Sonoma, CA 95476
EDWARD L. LUIZ	8842 Oaktrail Drive Santa Rosa, CA 95402
XAVIER FERNANDO TIRADO	35499 Tampico Road Fremont, CA 94536

2. The following passenger is missing:

RANDALL BELL	178 Price Way Folsom, CA 95630
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3. The following passengers were injured and required medical attention at local hospitals. An asterisk (\*) indicates a person was incapacitated for 72 hours or more:

* KEITH BORGLUM	6610 Barbara Drive Sebastopol, CA 95472
DIANE MAXIES CATE	6610 Barbara Drive Sebastopol, CA 95472
* DANO M. COOKE	1584 Yellowstone Napa, CA 94558
JOHN ENGLE	18262 Geyserville Road Geyserville, CA 95411
PAUL FRANKLIN	354 Lake Street Sonoma, CA 95476

JAMES E. HANNAN, SR.	831 Cedarwood Lane Petaluma, CA 94952
JAMES E. HANNAN, JR.	831 Cedarwood Lane Petaluma, CA 94952
PATRICK J. HANNAN	831 Cedarwood Lane Petaluma, CA 94952
CHARLES W. HARDING	1629 Elmendorf Santa Rosa, CA 95401
FREDERICK HESS	4631 Sullivan Way Santa Rosa, CA 95405
* HAMILTON HESS	255 Ursuline Road Santa Rosa, CA 95401
JOHN HESS	1740 Marshton Road, #5 Sacramento, CA 95825
JULIE HUDDLESTON	354 Lake Street Sonoma, CA 95476
LEE RAY LINDSAY	1330 Betty Avenue Woodland, CA 95695
GEORGE LUIZ	1190 Buckley Station Road Napa, CA 95559
IAN McKAIN	254 Cayuga Place Fremont, CA 95439
TOM PUCKETT	2631 West 'F' Street Oakdale, CA 95361
VICKI PUCKETT	2631 West 'F' Street Oakdale, CA 95361
FAITH RECIO	3440 Fulton Avenue, #89 Sacramento, CA 95821
MARVIN SCHOLLWEILER	2048 Rolling Hill Drive Santa Rosa, CA 95404
RAYMOND DEAN SCHOLWEILER	2048 Rolling Hill Drive Santa Rosa, CA 95404
MARGARET SHIPLEY	1023 Cuttings Wharf Road Napa, CA 94558
RAY D. STEVENS	8328 Pallsday Road Elvesta, CA 95626
SEAN D. STEVENS	8328 Pallsday Road Elvesta, CA 95626

\* JAMES MARTIN WARD

132 Bilboa Court  
Rohnert Park, CA 95828

MARGARET ZARRIELLO

2 Arena Court  
Sacramento, CA 95017

Section IV - Witnesses - Block 45

TONY DeCARLO	Crewman	2639 Summerset Avenue Castro Valley, CA 94546
DAVID MORGAN	Crewman	665 Hwy 1, Box 474 Bodega Bay, CA 94933
FAITH RECIO	Passenger	3440 Fulton Avenue, #89 Sacramento, CA 95821
MARGARET ZARRIELLO	Passenger	2 Arena Court Sacramento, CA 95017
RON STAUDENRAUS	Passenger	109 Prince Albert Street Petaluma, CA 94952
GARY MEIR	Passenger	438 Healdsburg Avenue Healdsburg, CA 95448
CHARLES HARDING	Passenger	1629 Elmendorf Santa Rosa, CA 95401
IAN McKAIN	Passenger	254 Cayuga Place Fremont, CA 95439
JOHN ENGLE	Passenger	18262 Geyserville Road Geyserville, CA 95441
JOHN HESS	Passenger	1740 Markston Road, #5 Sacramento, CA 95825
LEONARD MENDOZA	Passenger	800 Douglas Broderick, CA 95605
MIKE McCREA	Passenger	1182 Lance Drive Santa Rosa, CA 95401
CHARLES DiGIULIO	Witness	505 Chinella Drive Petaluma, CA 94950
WILLIAM EPPLE	Witness	1313 Ferguson Road Sebastopol, CA 95472
PAUL DOMENIGONI	Witness	P. O. Box 640 Monte Rio, CA 95460

MORRIS ANDERSON	Witness	13061 Ridge View Drive Sutter Creek, CA 95685
ART HAGSTROM	Witness	2327 Hidden Valley Drive Santa Rosa, CA 95404
MARK McCULLOCH	Witness	3038 Halcyon Court, #1 Berkeley, CA 94705
KAY SULLIVAN	Witness	688 Irwin Lane Santa Rosa, CA 95401

## EXHIBIT LIST

Exhibit #	Date	DESCRIPTION	Witness
1	13FEB86	11x14 notepaper with sketch of Bodega Head and Rock	Kay Sullivan
2	13FEB86	Photocopy of Chart with sketch of Yellow boat course, Merry Jane location, breakers	Kay Sullivan
3	13FEB86	Chart with sketch by the operator, Mr. Tiesso	Richard Tiesso
4	13FEB86	Photocopy of chart section-Bodega Bay - sketch of 30' actions	BM2 Davies
5A-G	13FEB86	Sitrep one to seven	
6A-F	13FEB86	National Weather Service messages	
7	13FEB86	Photocopy of chart section-Bodega Bay - sketch of 16' actions	BM3 Rice
8	13FEB86	Photocopy of chart section-Bodega Bay - sketch of 44' actions	SN Walsh
9	13FEB86	Photocopy of chart section-Bodega Bay sketch - Merry Jane location	Ron Staudenraus
10	14FEB86	Photocopy of chart section-Bodega Bay sketch - Merry Jane location	John Hess
11	14FEB86	Photocopy of chart	Gary Mier
12	14FEB86	Ships wheel diagram	John Engel
13	14FEB86	Three position diagram of Merry Jane	John Engel
14	14FEB86	Diagram of M/V Merry Jane by NTSB	Various
15	20FEB86	8X10 photo - M/V Merry Jane approaching Bodega Bay	Anderson
16	20FEB86	5X7 photo - M/V Merry Jane - Blow up of vessel in exhibit 15	Anderson



17	20FEB86	8X10 photo - M/V Merry Jane heeling to STBD	Anderson
18	20FEB86	5X7 Blow up of vessel in Exhibit 17	Anderson
19	20FEB86	Photocopy of Chart showing Mr. Anderson's location	Anderson
20	20FEB86	Slide of Exhibit 15	Anderson
21	20FEB86	Slide of Exhibit 17	Anderson
22A-B	20FEB86	8X10 photo of Sea Dog III Exhibit 22B is slide of same	Anderson
23	20FEB86	Photo of wheel in cabin	Tiesso/Counsel
24	20FEB86	Resume' Dr. Arthur N. Hull	Counsel/(Hull)
25	20FEB86	Hand printed buoy data	Counsel/(Hull)
26	20FEB86	Chart No. 18640 with overlay	Counsel/(Hull)
27	20FEB86	Chart No. 18643 with overlay	Counsel/(Hull)
28	20FEB86	H.O. 603 (pages 9-11)	Counsel/(Hull)
29	20FEB86	"Oceanographical Engineering", R. L. Wiegel (pages 114-115)	Counsel/(Hull)
30	20FEB86	Surface weather chart 6AM FEB 07 1986	Henderson
31	20FEB86	Marine Weather Services Chart	Henderson
32A-B	20FEB86	Buoy data for 4PM and 5PM FEB 8 1986	Henderson
33A-B	20FEB86	Weather forecasts for 8PM Fri/2AM Sat/2PM Sat (4 pages)	Henderson
34	21FEB86	SAR Report-Bodega Station Case # 0056, (2 pages)	Board
35	28FEB86	Sonoma County Sheriff Case # 860208-43 "Passenger List-Merry Jane"	Board
36	9MAY86	8X11 paper with sketch of Merry Jane	Cooke

37	3JUN86	Stability test results report with four encl. by U. S. Coast Guard	Board
38	3JUN86	Photograph Reconstruction Factual Report by NTSB	Board
39	4JUN86	Merry Jane Deviation Chart (copy)	Tiesso