



Marine Transportation Safety Investigation Report M18A0002

VESSEL GROUNDING AND SUBSEQUENT FATALITY

Fishing vessel *Fisherman's Provider II*
Canso, Nova Scotia
06 February 2018

About the investigation

The Transportation Safety Board of Canada (TSB) conducted a limited-scope, fact-gathering investigation into this occurrence to advance transportation safety through greater awareness of potential safety issues. It is not the function of the Board to assign fault or determine civil or criminal liability.

Description of the vessel

The *Fisherman's Provider II* was a Canadian-registered (registration No. 805139), 13.2 m longliner-style fishing vessel owned by Fisherman's Market International Inc. The vessel was constructed of moulded reinforced plastic and was powered by a diesel engine turning a single propeller shaft. The wheelhouse was equipped with an electronic chart plotter system, an automatic identification system (AIS), a radar,¹ and a very high frequency (VHF) radiotelephone. An inflatable life raft and 4 immersion suits were also carried on board.

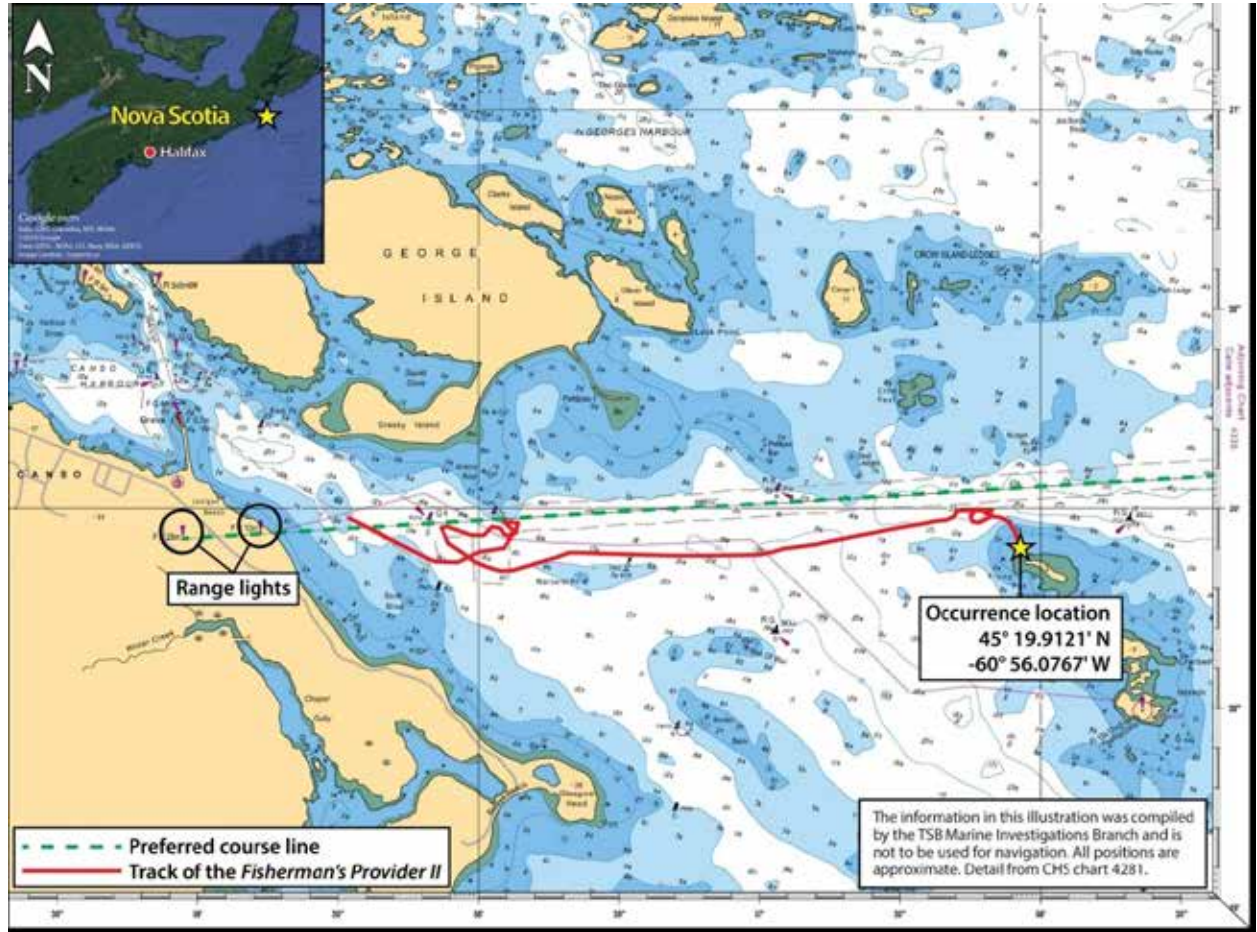
History of the voyage

At approximately 0945² on 06 February 2018, the master and 3 crew members arrived at the company dock in Canso, Nova Scotia. The crew prepared for the fishing voyage that was to begin at approximately 1800 that evening (Figure 1).

¹ Radar creates a visual image of objects above the surface of the water using ultra-high frequency radio waves.

² All times are Atlantic Standard Time (Coordinated Universal Time minus 4 hours).

Figure 1. Area of occurrence and vessel track



At about 1045, the crew was on board and baiting gear. About 2 hours later, the master left the dock to get supplies.

At 1715, the crew finished baiting the gear and prepared a meal. At 1730, the master returned to the vessel.

At 1810, the vessel departed the dock. The master remained in the wheelhouse to navigate the vessel; meanwhile, the crew ate their meal, then went to bed.

At 1823, the vessel began to broadcast an AIS signal. The AIS track indicates that, at 1824, the vessel began to move erratically through the water (in circles, in shoal water, and back and forth across the harbour) and did not follow the preferred course line to exit the harbour.

At 1828, the vessel's speed decreased from 7 knots to 2 knots, and the vessel continued making irregular movements until it went aground at 1945 on Frying Pan Shoal, Nova Scotia.

Search-and-rescue operations

The impact of the grounding woke the crew. When the crew members saw that the vessel was listed and water was on deck, they donned their immersion suits and launched the life raft. The master did not don his immersion suit; he remained in the wheelhouse and issued a distress call via VHF radio. Marine Communications and Traffic Services (MCTS) in Sydney, Nova Scotia, received the broadcast and attempted to contact the vessel, but did not receive a response.

Because the crew did not hear a response from MCTS, a crew member called 911 using his personal cellphone and informed the Royal Canadian Mounted Police (RCMP) operational communications centre in Truro, Nova Scotia, of the situation. The communications centre shared the call with the Joint Rescue Coordination Centre (JRCC), which tasked search-and-rescue (SAR) resources to assist the crew, including a Canadian Armed Forces / Royal Canadian Air Force (CAF/RCAF) CH149 SAR helicopter that was initially tasked and then stood down;³ the fishing vessel *Miss Lexi*; the Canadian Coast Guard (CCG) auxiliary vessel *Melissa and Papa II*; and the CCG cutter *Bickerton*.

The crew encouraged the master to board the life raft with them. The master did not board the life raft, even though the *Fisherman's Provider II* was listing severely and he was standing in water on the partially submerged deck. The master also did not respond to any communication attempts by rescue personnel. The 3 crew members boarded the life raft, which remained alongside the *Fisherman's Provider II*, and continued trying to convince the master to abandon the vessel with them. The master remained on board.

The *Miss Lexi* arrived on scene about 40 minutes later. The 3 crew members paddled the life raft to the fishing vessel and boarded it; they were then transported to Canso. There, provincial emergency health services assessed the health of the crew and released them. The crew later departed the dock and the *Miss Lexi* was released from the incident.

Although concerned citizens on board a locally owned motorboat attached a line to the *Fisherman's Provider II's* stern and passed that line to the *Melissa and Papa II*, JRCC stated that no one was permitted to tow the vessel without the master's consent.

SAR operations continued over the next 2 days. During this time, various SAR resources repeatedly attempted to approach the *Fisherman's Provider II* and contact the master, but were unsuccessful due to safety concerns such as environmental and sea conditions, and the structural integrity of the vessel.

During this period, the master was not visible to crews on nearby vessels and did not respond to calls. In addition to the *Miss Lexi*, the *Melissa and Papa II*, and the *Bickerton*, SAR resources included 3 CCG vessels; a Fisheries and Oceans Canada fast rescue craft; a CAF/RCAF CH149 SAR helicopter; a CAF/RCAF CC130 SAR aircraft; a Provincial Airlines Ltd. surveillance aircraft; and a Transport Canada / Fisheries and Oceans Canada surveillance aircraft. An RCMP dive team also responded; however, because the vessel was deemed to be unsteady and unsafe to board and search at that time, the dive team was stood down before reaching the vessel.

SAR personnel do not have the legal authority to remove any crew member from a vessel without the crew member's permission. Although the RCMP district commander had the legal authority to remove the master from the vessel,⁴ he did not have a dive team or personnel with the training and experience to board the vessel in these conditions.

On 08 February, SAR operations were reduced, and local RCMP handled the incident as a missing persons case.

On 09 February, crew members from the local fishing vessel *Old Sock* approached the *Fisherman's Provider II* using a skiff, and 2 crew members boarded the grounded vessel. The crew members

³ At this point, the 3 rescued crew members were on board the *Miss Lexi* and the master had elected to remain on board the *Fisherman's Provider II*.

⁴ Government of Nova Scotia, SNS 2005, c. 42, *Involuntary Psychiatric Treatment Act*, Section 14 (last amended 01 April 2014).

reported seeing the master's body in the vessel's forward cuddy, but were unable to retrieve it due to sea conditions. A second attempt was made shortly thereafter, and the master's body was brought to Canso.

Environmental conditions

On 06 February at 1900, the wind was 3.8 knots from the southwest.

On 07 February at 0100, it started to snow. By 0700, the wind was 12 knots from the north-northwest. By 2100, the wind was 19 knots from the east-southeast. The seas were forecasted to build to 2–3 m near midnight. By 1130 it had stopped snowing.

On 08 February at 0500, it was overcast and raining. By 0800, the winds were from the southwest at 30–40 knots. The waves were 2–3 m. By 1200 it had stopped raining.

On 09 February at 0400, the winds were from the northwest at 10 knots and the waves were 1 m.⁵

Cause of death and toxicology report

The post-mortem examination did not find any indication of physical illness and determined that the master's cause of death was drowning and hypothermia. The post-mortem blood analysis showed an elevated blood alcohol content (0.193%)⁶ but it was not possible to determine the master's exact blood alcohol content⁷ before or following the grounding.

Vessel navigation

The navigation of a vessel requires the person in charge to make informed decisions by analyzing the available data and acting upon it. Harbour charts indicate the preferred channels for the safe passage of vessels based on their draft, and identify areas of danger (e.g., insufficient water depth). Preferred channels are indicated by buoys and range markers with affixed lights and are displayed on the vessel's navigation equipment. Safely navigating a vessel within a channel involves the use of visual references as well as instruments and charts to identify and avoid navigational hazards. The vessel's position must be known at all times in relation to areas of danger.

At the time of the occurrence, the channels in the harbour at Canso were marked on the chart used by the master of the *Fisherman's Provider II* with navigational aids consisting of buoys and range markers with affixed lights.⁸ The vessel's navigation equipment (electronic chart plotter system and radar) was operating at the time of the occurrence.

In this occurrence, the vessel deviated from the preferred course for exiting the harbour. While transiting the harbour, the vessel travelled in an erratic manner and eventually ran aground.

⁵ Information on environmental conditions obtained from Environment and Climate Change Canada historical data at <http://climate.weather.gc.ca> (last accessed 11 December 2018).

⁶ Blood alcohol content is determined from grams of alcohol per decilitre of blood.

⁷ Blood alcohol content can be affected by decomposition and degradation of biological samples.

⁸ Range lights in nautical navigation provide a visual determination of a vertical alignment of 2 beacons of light, in order to indicate the centre of the channel.

Impairment

Alcohol impairment may affect a person's actions and behaviours. The level of impairment corresponds with the level of alcohol present in the blood system.⁹ A high blood alcohol content can impair mood and judgment, affecting behavioural responses to emotional situations.¹⁰

Safety messages

- Manoeuvring outside preferred channels may result in accidents or injuries.
- Alcohol impairment may affect a person's actions and behaviours.

This concludes the TSB's limited-scope investigation into this occurrence. The Board authorized the release of this investigation report on 16 January 2019. It was officially released on 25 January 2019.

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This report is available on the website of the Transportation Safety Board of Canada at www.tsb.gc.ca

Le présent rapport est également disponible en français.

⁹ Government of Alberta Ministry of Transportation, *Levels of Impairment*, at <http://www.transportation.alberta.ca/content/doctype4789/production/impairmentlevels.pdf> (last accessed 11 December 2018).

¹⁰ J. J. Curtin, C. J. Patrick, A. R. Lang, J. T. Cacioppo, and N. Birbaumer, "Alcohol Affects Emotion Through Cognition," *Psychological Science*, Vol. 12, No. 6 (November 2001), pp. 529–530.