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Commander
Ninth Coast Guard District

1240 E. 9th Street
Cleveland, OH 44199
Staff Symbol: m
Phone: (216) 902-6045
FAX: (216) 902-6059

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**DISAPPEARANCE OF THE COMMERCIAL FISHING VESSEL
LINDA E (O.N. 236906) NEAR PORT WASHINGTON, WI,
ON LAKE MICHIGAN, ON 11 DECEMBER 1998,
WITH THE PRESUMED LOSS OF THREE LIVES**

ACTION BY THE NINTH COAST GUARD DISTRICT COMMANDER

The report of the Investigating Officer and forwarding comments of the Commanding Officer, Marine Safety Office Milwaukee, Wisconsin, has been reviewed. The report is approved subject to the following comments.

CAUSE OF THE CASUALTY

I concur that the cause of the disappearance of the F/V LINDA E cannot be determined based upon the information currently available. The Investigating Officer and Commanding Officer, Marine Safety Office Milwaukee, Wisconsin have provided an exceptional analysis of commonly discussed scenarios that may have resulted in the loss of the LINDA E. As the Investigating Officer and Commanding Officer make clear, however, Section 9 of the report (Analysis) presents four plausible scenarios, none of which is more likely than another in view of the evidence available. The Coast Guard draws no conclusion as to the actual cause of the LINDA E's disappearance.

COMMENTS ON CONCLUSIONS

Conclusion 10.h: Not maintaining a continuous live watch at the main steering station, where the operator has an unobstructed view, increases the likelihood of collision.

Comment: I partially concur with this conclusion. As stated in conclusion 10.c., the cause of the LINDA E's disappearance cannot be determined based on the information currently available. While there is anecdotal evidence to suggest that failure to maintain a continuous live watch at the main steering station may have been a common practice on the LINDA E there is no direct evidence that such a practice played any part in the LINDA E's disappearance. This conclusion is more correctly a cautionary note to the maritime public that Rule 5 of the Inland Navigation Rules requires every vessel to maintain a proper lookout at all times. It is also to remind the mariner that the Coast Guard will cite the operator of any vessel not in compliance with Rule 5.

ACTION ON RECOMMENDATIONS

Recommendation 11.a: That the Commander, Ninth Coast Guard District examine the exemption policies for carriage of EPIRB's on all commercial fishing vessels operating on the Great Lakes.

Action: I concur with the intent of this recommendation and I am re-examining our practice of exempting the carriage of EPIRB's on commercial fishing vessels.

Recommendation 11.b: That MSO Milwaukee publish the contents of this investigation as a safety advisory to all commercial vessels operating in Lake Michigan. That a copy of this investigation report be provided to the State of Wisconsin and local agencies responsible for investigating boating accidents

Action: I concur with this recommendation. In addition this report will be provided to the Chair of the Commercial Fishing Industry Vessel Advisory Committee, the Great Lake States' Boating Law Administrators and to the Commanding Officers of all Ninth District Marine Safety Offices. MSO Milwaukee will also place the report on their web page.

Recommendation 11.c: That this investigation be closed with the understanding that it will be re-opened pending receipt of information sufficient to determine the apparent cause of the LINDA E's disappearance, and that MSO Milwaukee continue to support and coordinate with state and local law enforcement authorities investigating this incident.

Action: I concur with this recommendation.

JAMES D. HULL
Rear Admiral, U.S. Coast Guard
Commander, Ninth Coast Guard District