



# UNITED STATES COAST GUARD

**REPORT OF THE INVESTIGATION  
INTO THE  
SINKING OF THE FISHING VESSEL  
MERRICK (CT1979BK) WITH THE  
SUBSEQUENT LOSS OF ONE LIFE, IN  
THE VICINITY OF MILFORD, CT, IN  
LONG ISLAND SOUND ON NOVEMBER  
4TH, 2024**



U.S. Department of  
Homeland Security

United States  
Coast Guard



Commandant  
United States Coast Guard

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16732/IIA # 8031230  
March 13, 2026

**SINKING OF THE COMMERCIAL FISHING VESSEL MERRICK (CT1979BK) AND  
SUBSEQUENT LOSS OF ONE LIFE IN LONG ISLAND SOUND NEAR MILFORD,  
CONNECTICUT ON NOVEMBER 4, 2024**

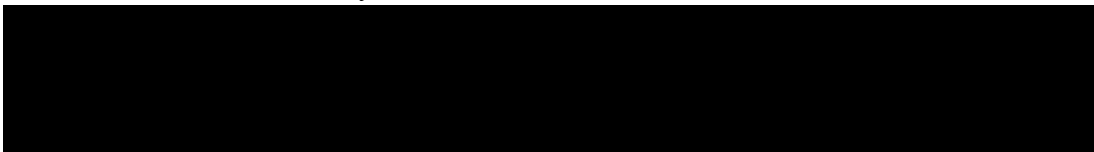
**ACTION BY THE COMMANDANT**

The record and the report of the investigation completed for the subject casualty have been reviewed. The record and the report, including the findings of fact, analysis, conclusions, and recommendation, are approved subject to the following comments. This marine casualty investigation is closed.

**ACTION ON RECOMMENDATION**

**Recommendation 1:** Recommended that Coast Guard Sector Long Island Sound and the Connecticut Department of Energy and Environmental Protection develop a process to address authority and jurisdiction, as well as appropriate funding streams, to mitigate abandoned and/or vessels needing to be salvaged in Connecticut state waters.

**Action:** I note that the Sector Long Island Sound Office in Charge, Marine Inspection concurred with this recommendation and that action is being taken by the appropriate state agency. Specifically, the Connecticut Port Authority is reviewing procedures and actions to be taken for any future incidents that occur in Connecticut state waters.



E. B. SAMMS  
Captain, U.S. Coast Guard  
Chief, Office of Investigations & Casualty Analysis (CG-INV)



16732  
25 February 2026

**SINKING OF THE FISHING VESSEL MERRICK (CT1979BK) WITH THE  
SUBSEQUENT LOSS OF ONE LIFE, IN THE VICINITY OF MILFORD, CT,  
IN LONG ISLAND SOUND ON NOVEMBER 4, 2024**

**ENDORSEMENT BY THE COMMANDER,  
COAST GUARD NORTHEAST DISTRICT**

The record and the Report of the Investigation (ROI) convened for the subject casualty have been reviewed. The record and the report, including the findings of fact, analysis, conclusions, and recommendations are approved subject to the following comments.

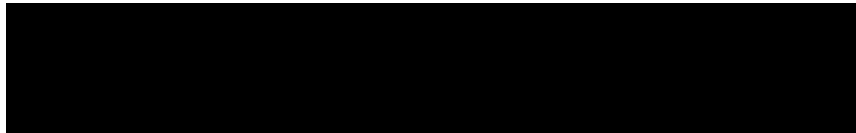
**ENDORSEMENT/ACTION ON SAFETY RECOMMENDATIONS**

**Administrative Recommendation 1.** Recommended that Coast Guard Sector Long Island Sound and the Connecticut Department of Energy and Environmental Protection develop a process to address authority and jurisdiction, as well as appropriate funding streams, to mitigate abandoned and/or vessels needing to be salvaged in Connecticut state waters.

**Endorsement:** Concur; CGD-NE concurs with the recommendation and will remain available to support SLIS as necessary.

**Administrative Recommendation 2.** Recommend this investigation be closed.

**Endorsement:** Concur; CGD-NE agrees with the analysis and conclusions of the Investigating Officer.



D. E. O'CONNELL  
Captain, U.S. Coast Guard  
Chief of Prevention, Coast Guard Northeast District  
By direction



16732  
February 5, 2026

**SINKING OF THE FISHING VESSEL MERRICK (CT1979BK) WITH THE  
SUBSEQUENT LOSS OF ONE LIFE, IN THE VICINITY OF MILFORD,  
CT, IN LONG ISLAND SOUND ON NOVEMBER 4, 2024**

**ENDORSEMENT BY THE OFFICER IN CHARGE, MARINE INSPECTION**

The record and the report of the investigation convened for the subject casualty have been reviewed. The record and the report, including the findings of fact, analysis, conclusions, and recommendations are approved subject to the following comments. It is recommended that this marine casualty investigation be closed.

**ENDORSEMENT ON RECOMMENDATIONS**

**Administrative Recommendation 1.** Recommended that Coast Guard Sector Long Island Sound and the Connecticut Department of Energy and Environmental Protection develop a process to address authority and jurisdiction, as well as appropriate funding streams, to mitigate abandoned and/or unsalvaged vessels in Connecticut state waters.

**Endorsement:** Concur – I agree with the recommendation. The Connecticut Port Authority is currently addressing this issue to determine appropriate actions to be taken in future incidents.

**Administrative Recommendation 2.** Recommend this investigation be closed.

**Endorsement:** Concur – I agree with the analysis and conclusions of the Investigating Officer. No further action is required by the Coast Guard.



11 Y  
Captain, U.S. Coast Guard  
Commander, Sector Long Island Sound

Enclosures: (1) Executive Summary  
(2) Investigating Officer's Report



16732  
February 4, 2026

**SINKING OF THE FISHING VESSEL MERRICK (CT1979BK) WITH THE  
SUBSEQUENT LOSS OF ONE LIFE, IN THE VICINITY OF MILFORD, CT,  
IN LONG ISLAND SOUND ON NOVEMBER 4, 2024**

**EXECUTIVE SUMMARY**

On November 4, 2024, the uninspected commercial fishing vessel MERRICK departed Safe Harbor Marina on the Housatonic River in Stratford, CT with three crewmembers on board: the vessel operator and two deckhands. The crew planned to harvest juvenile oysters in the Housatonic River and then seed the vessel owner's oyster beds located off Charles Island near Milford, CT, in the waters of Long Island Sound. After approximately five hours of dredging for juvenile oysters, the crew stacked approximately 125 fully loaded totes of oysters on the aft deck and transited toward the oyster beds in fair weather (clear skies, 10-15 knot winds, 2-3 foot seas).

Upon arrival, as the vessel operator turned to port to begin seeding, the bilge alarm sounded, and the stern began flooding. Despite MAYDAY calls and attempts to lighten the load, the vessel sank rapidly. All three crew members entered the water without lifesaving gear. U.S. Coast Guard Station New Haven, Milford Fire and Rescue, and one nearby Good Samaritan vessel responded. The crewmembers were recovered within 10-15 minutes by the Good Samaritan vessel. The vessel operator suffered cardiac arrest, and CPR was initiated during the transfer to Milford Fire and Rescue vessel. U.S. Coast Guard Station New Haven and Milford Fire and Rescue transported all three crewmembers to Milford Hospital, where the vessel operator was pronounced deceased and the two deckhands were treated for minor injuries and hypothermia. The MERRICK sank and was not recovered.

As a result of its investigation, the Coast Guard determined the initiating event to be the flooding of the aft deck as the vessel operator made his port turn upon arrival at the oyster beds. Subsequent events were the sinking of the vessel with all three crewmembers on board entering the water, and the death of the operator. Causal factors contributing to the casualty were: 1) the heavy load of oysters stacked on the aft deck, 2) penetration of seawater into the below-deck spaces, 3) the weather conditions, in particular the wave height and direction, and 4) the operator's decision to put the stern into the seas.



16732  
February 4, 2026

**SINKING OF THE FISHING VESSEL MERRICK (CT1979BK) WITH THE  
SUBSEQUENT LOSS OF ONE LIFE, IN THE VICINITY OF MILFORD,  
CT, IN LONG ISLAND SOUND ON NOVEMBER 4, 2024**

**INVESTIGATING OFFICER'S REPORT**

**1. Preliminary Statement**

1.1. This marine casualty investigation was conducted, and this report was submitted in accordance with Title 46, Code of Federal Regulations (CFR), Subpart 4.07, and under the authority of Title 46, United States Code (USC) Chapter 63.

1.2. No individuals, organizations, or parties were designated a party-in-interest in accordance with 46 CFR § 4.03-10.


1.3. The Coast Guard was the lead agency for all evidence collection activities involving this investigation. The Connecticut State Police Dive Team assisted in this investigation.

1.4. All times used in this report are approximate and are listed in Eastern Standard Time.

**2. Vessel Involved in the Incident**



Figure 1. Undated photograph of MERRICK provided by Owner

Official Name:	MERRICK
Identification Number:	CT1979BK
Flag:	United States
Vessel Class/Type/Sub-Type	Fishing Vessel/Fish Catching Vessel/Dredger
Build Year:	1975
Gross Tonnage:	10 GT
Length:	39 ft
Beam/Width:	10 ft
Draft/Depth:	3 ft
Main/Primary Propulsion: (Configuration/System Type, Ahead Horse Power)	Diesel inboard/150 HP
Owner:	
Operator:	Donald Harlacher Hamden, CT

**3. Deceased, Missing, and/or Injured Persons**

Relationship to Vessel	Sex	Age	Status
Operator	Male	58	Deceased
Deckhand 1	Male	40	Uninjured
Deckhand 2	Male	46	Uninjured

**4. Findings of Fact**

4.1. The Incident:

4.1.1. On November 4, 2024, at approximately 6:30 a.m., the Operator and two Deckhands, of the uninspected commercial fishing vessel MERRICK departed Safe Harbor Marina in Stratford, CT with empty totes to harvest juvenile oysters within the Housatonic River, CT.

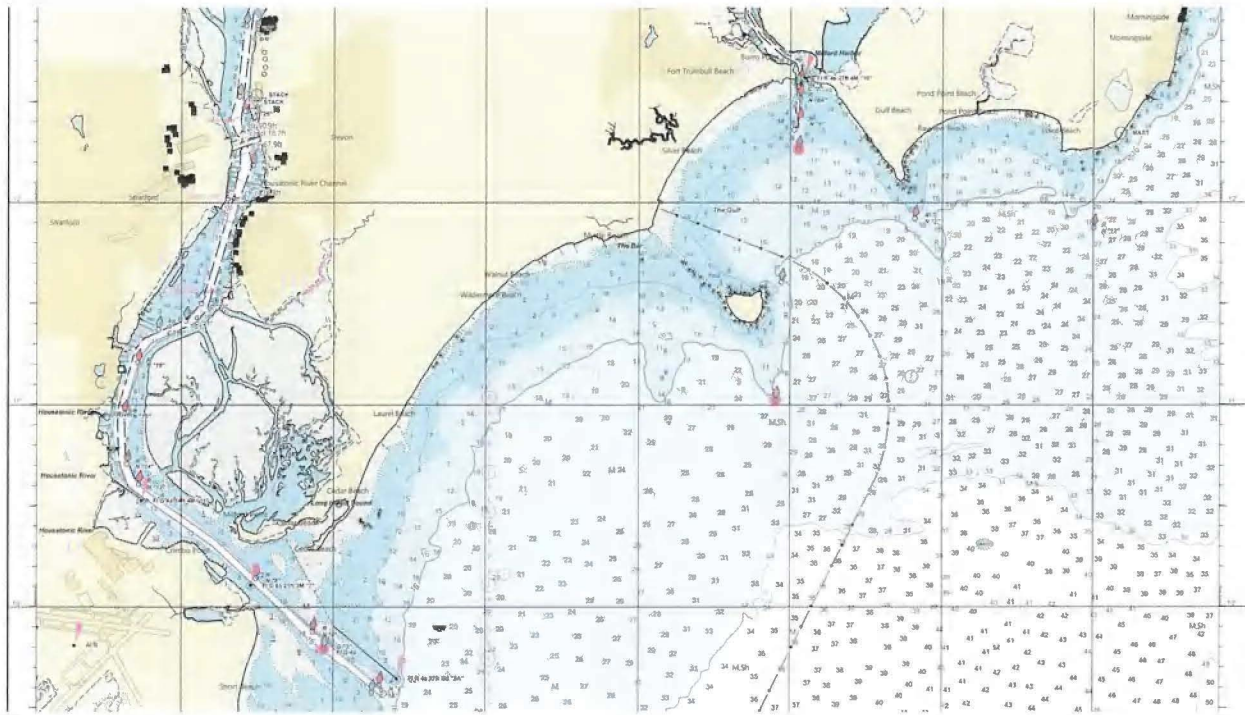


Figure 2. NOAA chart of Housatonic River and Milford, CT shoreline

4.1.2. At approximately 11:30 a.m., the crew completed harvesting juvenile oysters and stacked approximately 125 fully loaded totes of oysters onto the aft deck.

4.1.3. At approximately 11:30 a.m., the MERRICK began making its way out of the Housatonic River into Long Island Sound, enroute to the owner's oyster beds located southeast of Charles Island off Milford, CT. They planned to use the juvenile oysters harvested that morning to seed the owner's oyster beds.

4.1.4. The transit to the oyster beds took nearly 50 minutes. The two deckhands reported sea water on the deck over their ankles during the transit but did not observe the bilge pump running/discharging overboard. The aft deck scuppers were submerged below the water line during the transit.

4.1.5. The fishing vessel MILFORD was fishing for clams east of Charles Island when the MILFORD's Captain saw the MERRICK underway not more than a quarter mile away. The Captain noted the MERRICK was heavily loaded with oyster totes on the deck and appeared to be sitting low in the water by the stern and midships. He kept an eye on the MERRICK and directed his crew to retrieve their fishing gear on deck.

4.1.6. At approximately 12:32 p.m., the MERRICK arrived at the oyster beds. The Operator slowed the vessel and made a turn to port to enable the two deckhands to begin seeding operations (dumping the contents of the loaded totes overboard).

4.1.7. The MERRICK's bilge alarm sounded.

4.1.8. Sea water flooded the deck of the MERRICK at the stern, submerging it.

4.1.9. Sea water progressively flooded the deck from the stern toward the bow. The crew members noted the water level was above their knees and rising. They began pushing

totes overboard to lighten the vessel. The Operator initiated a “MAYDAY” call to the Coast Guard on VHF Channel 16.

4.1.10. The Captain of the MILFORD witnessed the MERRICK beginning to sink and heard the “MAYDAY” call on VHF Channel 16. He urged his crew to hurry and secure the gear so that he could proceed toward the MERRICK and assist.

4.1.11. On board the MERRICK, the water was reaching the waist of Deckhand 1 who was located on the port side of the aft deck pushing oyster totes off the vessel. When the water was chest-high, Deckhand 1 decided to swim away from the vessel to avoid getting trapped in the gear as the vessel continued to sink. He was not wearing a personal floatation device (PFD)/life jacket. He hung on to an empty tote to stay afloat.

4.1.12. At 12:35 p.m., the Operator of the MERRICK made two more “MAYDAY” calls to the Coast Guard on VHF Channel 16. After the second call, the Operator and Deckhand 2 went into the water off the starboard side as the MERRICK continued to rapidly sink beneath them. Neither were wearing a PFD/life jacket.

4.1.13. At 12:36 p.m., Coast Guard Sector Long Island Sound notified CG Station New Haven of a fishing vessel in distress off Milford and directed the Station to launch a rescue boat.

4.1.14. At 12:42 p.m., the Captain of the MILFORD notified CG Sector Long Island Sound that he was close by to the MERRICK, witnessed it sinking, saw three people in the water, and was making way towards the MERRICK to assist.

4.1.15. At 12:43 p.m., Milford Fire Marine Unit notified CG Sector Long Island Sound that they were responding to the MERRICK with two rescue boats and support units on shore in Milford Harbor, Milford, CT.

4.1.16. At 12:45 p.m., CG Station New Haven’s 29-foot response boat-small (RBS) was underway enroute to the MERRICK.

4.1.17. At 12:50 p.m., the crew of the MILFORD rescued Deckhand 2 using their life ring to hoist him on board.

4.1.18. At 12:55 p.m., the MILFORD rescued the MERRICK’s Operator who was in the water with Deckhand 1. Once on board, the Operator became non-responsive. Deckhand 2 began CPR on the Operator while the MILFORD crew brought Deckhand 1 on board. Both deckhands performed CPR on the Operator until the Milford Fire rescue boat arrived and EMS personnel relieved them.

4.1.19. At 1:00 p.m., a Milford Fire Marine Unit rescue boat met the MILFORD and transferred the MERRICK’s Operator to the Milford Fire rescue boat to be transported to Milford Yacht Club where ambulances were standing by to assist.

4.1.20. At 1:03 p.m., CG Station New Haven’s 29-foot RBS arrived on scene and transferred the MERRICK’s two deckhands from the MILFORD onto the RBS. They then proceeded to Milford Yacht Club, Milford, CT.

4.1.21. At 1:20 p.m., both the Coast Guard and Milford Fire boats arrived at Milford Yacht Club and transferred the Operator and two deckhands to emergency services personnel. They were all taken to Milford Hospital via ambulance.

4.1.22. At 1:35 p.m., the Operator of the MERRICK was declared deceased by Milford Hospital personnel.

#### 4.2. Additional/Supporting Information:

4.2.1. The weather at the time of the incident had seas of one to two feet with occasional waves of three feet; winds were reaching 10 knots from the southeast with gusts of 12-15 knots; visibility was 10 nautical miles; water temperature was 60°F, and air temperature was 54°F. The tide was slack after the flood stage.

4.2.2. As a fishing vessel of less than 200 Gross Tons (GT), the MERRICK was not subject to mandatory Coast Guard inspection and certification, nor was it subject to manning and licensing requirements. Title 46 U.S.C. §3301 and 3302 exempt fishing vessels from inspection and certification requirements. Title 46 U.S.C. § 8304 does not require operators of documented CFVs less than 200 GT to hold a Coast Guard issued Merchant Mariner Credential. As an uninspected Commercial Fishing Vessel, the MERRICK is subject to requirements for Commercial Fishing Industry Vessels, 46 C.F.R. Part 28. The final rule for 46 C.F.R. Part 28 became effective on September 15, 1991. The Coast Guard issued the regulations for U.S. documented or state numbered uninspected fishing, fish processing, and fish tender vessels to implement provisions of the Commercial Fishing Industry Vessel Safety Act of 1988, codified in 46 U.S.C. § 4501-4508. The intent of these regulations is to improve the overall safety of commercial fishing industry vessels and to reduce fatalities and vessel losses. The regulations provide requirements for the equipment, operations of vessels, and include provisions for lifesaving, firefighting, navigation, communication, and emergency instructions. Numerous comments were received during the notice of proposed rulemaking regarding stability requirements for vessels less than 79 feet, and, as a result, the proposed regulations were removed from the final rule.

4.2.3. Since the implementation of 46 C.F.R. Part 28, numerous amendments have been made to the Coast Guard Authorization Act to further improve the commercial fishing vessel safety program. The 2010 and 2012 Coast Guard Authorization Acts added a new subsection (d) to 46 U.S.C. § 4503. This provision required the Coast Guard to develop an alternate safety compliance program (ASCP) for commercial fishing vessels that operate beyond the three nautical mile line, if the vessel is: (1) at least 50 feet in overall length; (2) was built before July 1, 2013; and (3) is 25 years of age or older in 2020.

4.2.4. On July 20, 2016, the Coast Guard issued Marine Safety Information Bulletin 111-16. This bulletin discussed the Coast Guard's decision to suspend the effort to create an ASCP. Rather the Coast Guard would develop an Enhanced Oversight Program to address safety concerns on existing fishing vessels.

4.2.5. On January 2017, the Coast Guard issued Voluntary Safety Initiatives and Good Marine Practices for Commercial Fishing Industry Vessels. These safety initiatives discuss stability, vessel operation, lifesaving equipment, and drill documentation, among others.

4.2.6. The Coast Guard Authorization Act of 2010 and the Coast Guard and Maritime Transportation Act of 2013 both amended 46 U.S.C. Chapter 45, which covers Uninspected Commercial Fishing Industry Vessels. In particular, it amended 46 U.S.C. § 4502(f) to direct both state registered and federally documented vessels that operate beyond three nautical miles from shore to complete a Coast Guard dockside safety exam no later than October 15, 2015. These vessels will need to complete this safety examination at least once every five years thereafter. The Coast Guard, however, continued to use the “two years” safety decals for all successful exams, mandatory or otherwise.

4.2.7. The MERRICK was a Connecticut-registered and state numbered uninspected commercial fishing vessel that worked the oyster fishery within the waters of Long Island Sound, CT. The vessel, built in 1975, did not operate beyond three nautical miles from the baseline of the U.S. territorial sea. As such, the MERRICK was not required to submit to a mandatory dockside safety examination, nor did the MERRICK voluntarily submit to an examination.

4.2.8. The MERRICK was a NOVI-style commercial fishing vessel. The NOVI hull design originated in Nova Scotia and is typically recognized by its step-up bows, rounded bottom, and upturned sterns. The MERRICK displayed these characteristics and more. It had an open transom, low midships, and a closed keel cooler system. The wheelhouse was located forward of midships. The helm station was on the starboard side, inside the wheelhouse. The engine compartment was accessed via a hatch inside the wheelhouse on the port side. Just aft of the wheelhouse on the starboard side was a mounted davit and winch system for setting and retrieving the oyster dredge. The aft deck/work deck had three flush aluminum hatches along the centerline. The forward-most hatch was located just behind the wheelhouse and provided access to the primary bilge pump and high-water alarm (float switch). The bilge pump overboard discharge was located on the starboard side in the vicinity of the helm station. The middle hatch was located in the middle of the work deck and provided access to the shaft packing. The aft-most hatch was located close to the stern and provided access to the steering gear. The owner stated that he replaced all three hatch gaskets each year. There was a 100-gallon plastic fuel tank installed below the deck and located between the forward and middle hatches with the fill located on deck. There were two 2-inch scuppers on each side of the aft deck. The first set was located approximately midship, and the second set was approximately 12 inches aft of the first set.



Figure 3. Undated photograph of MERRICK provided by Owner

4.2.8.1. The MERRICK was fiberglass-over-wood construction. The owner estimated 8 to 10 layers of fiberglass had been installed over the original wood hull prior to his purchase of the vessel. The owner described that the fiberglass did not continuously flow from the horizontal deck and up the inside of the gunwale, and over to the outside/shell hull. The fiberglass stopped approximately 18 inches up from the weather deck; exposing the wood structure of the inside rail.



Figure 4. Undated photograph of MERRICK provided by Owner

4.2.9. On October 15 – 17, 2024, the owner of the MERRICK had the vessel hauled for maintenance at Safe Harbor Marina in Stratford, CT. The work completed included: 1) sanding/grinding down chipped areas of the fiberglass on the keel, filling exposed wood areas with epoxy and laying strips of fiberglass over repair areas; 2) cutting away old sealant around the stern tube, filling existing gouge with epoxy and glassing around the

stern tube repair, and; 3) filling voids and holes in the aft work deck with thickened epoxy, and laying strips of fiberglass over existing cracks emanating from the center deck hatch. Maintenance employees noted some delaminating of the fiberglass on the deck in some areas. The owner stated to Safe Harbor Marina that this was a temporary repair until the season ended; he intended to completely replace the deck at a future date in 2025.

4.2.10. The MERRICK had been operated for three days prior to the incident. On Friday November 1, 2024 and Saturday November 2, 2024, the two deckhands and the Operator took the vessel out to seed the owner's oyster beds. Both days the crew made two trips out of the Housatonic River to the oyster beds without incident. They reported no issues with the vessel. On Sunday, the owner took the MERRICK out on one trip to seed his beds. He reported no issues with the vessel.

4.2.11. The Operator and two deckhands had been working together on the MERRICK for the last two years. The Operator had 30 years of experience in the commercial fishing industry, starting out as a crewmember working on different vessels and various fisheries. He was made Captain of the MERRICK in 2022. Deckhand 1 had 25 years of experience working in the oyster fishing industry; the last two on the MERRICK. Deckhand 2 had been employed in the oyster fishing business for eight years, the last two on the MERRICK.

4.2.12. The MERRICK worked the oyster fisheries in Long Island Sound. The vessel was used to gather juvenile oysters for seeding and then to harvest (collect) the mature oysters for market. According to the owner and the deckhands, when engaged in both seeding and harvesting, a typical load was 80-90 filled totes loaded on the deck. Each loaded tote can weigh approximately 100 - 150 pounds. On the date of the incident, the Operator and one of the deckhands had discussed the number of trips they were to make that day. The Operator wanted to make two trips, however the Deckhand 1 stated that he was tired and wanted to make only one trip. They decided to make one trip and loaded 125 totes filled with juvenile oysters on the deck they had harvested from the Housatonic River. The weight of the load had the MERRICK sitting low in the water, putting the deck scuppers below the waterline. The deck was awash in approximately 4-6 inches of water for the 50-minute transit out of the Housatonic River to the oyster beds.

4.2.13. The MERRICK was uninsured at the time of the casualty. The owner claimed that he did not have the money to salvage the vessel, despite being told that it was his responsibility to do so by both the Coast Guard and the Connecticut Department of Energy and Environmental Protection (CT DEEP). As such, the vessel was not made available to investigators to conduct a post-casualty survey. It remains sunken in its reported location in Long Island Sound, approximately 300 yards off Milford, CT.

4.2.14. Two separate dive surveys were conducted on the MERRICK in its sunken location. The owner contracted Marine Diving Service of Croton-On-Hudson, NY who conducted a dive survey on November 24, 2024. The owner provided Marine Diving Service's written dive report to the Coast Guard. Additionally, the Coast Guard coordinated with the Connecticut State Police Dive Team who conducted a dive survey on December 9, 2024. The CT State Police Dive Team provided the Coast Guard with a written dive report and five video clips taken during the dive.

4.2.14.1. Marine Diving Service results: divers noted the MERRICK was located approximately 300 yards offshore in 15 feet of water. The vessel was found partially lying on its starboard side with the transom on the sea floor and a small portion of the bow buoyant above the waterline. Damage to the keel (splits, cracks, and gouges) was noted from the transom toward the bow for 2 – 3 feet. The deck appeared to be solid; two deck hatches were found in place, in good condition with the surrounding deck solid. Hull, gunwales, and chines (the intersection of the lines forming the sides and the bottom of a boat) all appeared solid. Divers noted the front cabin superstructure was damaged: the roof and side windows were missing. Divers did not inspect the running gear due to the vessel's position making those areas inaccessible.

4.2.14.2. CT State Police Dive Team results: three divers inspected the MERRICK in its sunken position. The vessel was located on the bottom in approximately 18 feet of water; the bow was slightly buoyant beneath the surface. The vessel was found to be resting on the bottom on its stern/starboard side. Divers noted damage to the transom and fiberglass hull on the starboard side where it was resting on the bottom. They noted two aluminum hatches secured in place on the deck, and one hatch missing in the area of the cabin/superstructure. The single prop appeared to be intact and mounted to the shaft with no visible damage.

4.2.14.3. There were five video clips provided by the CT State Police Dive Team to the Coast Guard. The videos were taken by GoPro headsets worn by the divers. Each of the five videos were short in duration. Visibility was slightly obscured due to the lack of daylight/limited flashlight illumination. The slight current/chop made the videos appear choppy and jumpy. The owner of the MERRICK viewed the videos along with CG and both parties noted the following: not all of the aft work deck was readily visible because the rubber mats were present; the aluminum deck hatch cover in the vicinity of the davit appears intact and secured; the center deck hatch cover appears intact and secured; the areas of the deck that were visible appeared solid and uncompromised; evidence of recent fiberglass work is visible around the hatches; the keel cooler piping appears to be attached and in good condition; the propeller and rudder both appear in good condition and intact; there was visible split wood/fiberglass damage to the transom; the engine compartment hatch cover and battery access hatch cover were not in place; the throttle position was in reverse.

4.2.15. In accordance with 46 CFR §4.06-3, the owner of the MERRICK was directed by the Coast Guard to conduct post-casualty drug testing for the two deckhands. The owner was unfamiliar with the regulatory requirement and the steps necessary to obtain the drug tests for his crewmembers. The owner made multiple attempts with a Quest Diagnostics facility to set up the collections for the drug test but was repeatedly told that since he did not have an active account, they would not perform the tests. As a result, post-casualty drug testing for the two deckhands was not completed.

4.2.16. An autopsy and post-mortem toxicology were conducted on the Operator by the State of Connecticut Office of the Chief Medical Examiner. The Medical Examiner determined that the Operator died accidentally due to environmental exposure with stimulant use (cocaine and methamphetamine).

## 5. Analysis

5.1. The weather on November 4, 2024, was typical for the region at that time. The winds and seas were not especially hazardous and did not require the National Weather Service to issue any warnings.

5.1.1. The National Weather Service will issue Small Craft Advisories for Long Island Sound when there are sustained winds or frequent gusts of 25 to 33 knots and/or seas of 5 feet or higher. [National Weather Service New York, NY Marine Definitions Page](#)

5.2. The MERRICK was a NOVI-style fishing vessel and naturally sat low in the water at midships. Unloaded, the vessel displayed approximately four inches of freeboard below the deck scuppers at midships. The open stern had 4-6 inches of freeboard due to the vessel design (upturned stern).



Figure 5. Undated photograph of MERRICK underway provided by Deckhand 1

5.2.1. There were three deck hatches on the aft deck, all designed to be weathertight, meaning the hatch covers would prevent water from entering from the outside under normal sea conditions. They were not designed to withstand pressure from water and were not intended for submerged conditions. The center-most hatch was located midships and was covered by loaded oyster totes during the transit out of the Housatonic River. The crew members stated that the deck was submerged in 4-6 inches of water for the 50-minute transit to the oyster beds.

5.2.2. There was one bilge alarm float switch and one bilge pump, both located beneath the aft deck in the vicinity of the forward-most hatch, just behind the wheelhouse. The bilge alarm had a light and audible alarm located at the helm station. According to the crew members, the bilge alarm began to sound as soon as the Operator slowed the vessel upon reaching the oyster beds. The alarm could be heard over the radio during the Operator's MAYDAY calls to the Coast Guard on VHF Channel 16.

5.2.3. When the Operator arrived at the oyster beds, he slowed and turned the vessel, maneuvering the vessel so that it was taking the seas directly over the transom. The transom was already sitting low in the water due to the weight of the load, and the



5.5. Post-mortem toxicology determined that the Operator had evidence of recent drug use. The use of drugs can result in impaired judgement, mental fog, drowsiness, impaired attention or memory, and poor coordination.

5.5.1. The attending Medical Examiner provided additional explanation as to the cause of death: a combination of the exposure to the cold water and exertion to remain afloat combined with stimulant use could have resulted in an epinephrine shock and the subsequent death of the Operator.

5.6. The Coast Guard Authorization Act of 2010 directed the Coast Guard to develop an Alternate Safety Compliance Program (ASCP) for vessels that operate beyond the three nautical mile line if the vessel is: (1) at least 50 feet overall in length; (2) was built before July 1, 2012; and (3) is 25 years of age or older (in 2020); or was built before July 1, 2012, and undergoes a substantial change to the dimension or type of vessel, completed after July 1, 2012. Regulations were never implemented. Instead, in 2016, the Coast Guard suspended development of an ASCP and announced its plans to develop an Enhanced Oversight Program (EOP) for commercial fishing vessels and publish voluntary safety guidelines which offers suggested measures to increase CFV safety. See Commandant's Marine Safety Information Bulletin (MSIB) 18-14 dated December 1, 2014 and MSIB 11-16 dated July 20, 2016. The EOP does not include vessels similar to the MERRICK that are less than 50 feet in length and do not operate beyond three nautical miles, thus the MERRICK was an uninspected commercial fishing vessel with limited regulatory oversight.

## **6. Conclusions**

### **6.1. Determination of Cause:**

6.1.1. The initiating event for this casualty occurred when the MERRICK began taking on water undetected through the center and stern deck hatches, flooding the bilge. Causal factors leading to this event were:

6.1.1.1. Overloading – the normal load was 80-90 totes. The crew had stacked 125 fully-loaded totes of juvenile oysters onto the aft deck for the transit to the oyster beds. This added an additional 5,000 pounds to the deck, causing the deck to become submerged under 4-6 inches of water for the 50-minute trip to the oyster beds.

6.1.1.2. The deck hatches were weather tight, not watertight and were not designed to keep water out while submerged.

6.1.1.3. There was only one high-level alarm in the bilge and it was located forward of the center hatch.

6.1.1.4. The crewmembers could not detect that the bilge was flooding because they were already experiencing the deck under 4-6 inches of water during the transit.

6.1.1.5. As the vessel was transiting to the oyster beds, the water accumulated in the bilge at the stern and progressively flooded the bilge until it reached the high-level alarm. When the vessel slowed upon reaching the oyster beds, the water

came forward (free surface effect) and triggered the bilge alarm, altering the crew that there was water in the bilge

6.1.2. The first subsequent event was the sinking of the MERRICK by the stern. The causal factors leading to this event were:

6.1.2.1. The weight of the load and the water that had flooded the bilge caused the scuppers and overboard discharge for the bilge pump to be submerged and unable to shed the water off the deck/overboard.

6.1.2.2. The Operator made a turn to port, putting the stern into the sea. The weight of the sea water on the stern continued to force the stern to submerge.

6.1.3. The next subsequent event was Deckhand 1 entering the water.

6.1.4. The next subsequent event was the Operator and Deckhand 2 entering the water.

6.1.5. The next subsequent event was the death of the Operator.

6.2. Evidence of Act(s) or Violation(s) of Law by Any Coast Guard Credentialed Mariner Subject to Action Under 46 USC Chapter 77: There were no acts of misconduct, incompetence, negligence, unskillfulness, or violation of law by a credentialed mariner identified as part of this investigation.

6.3. Evidence of Act(s) or Violation(s) of Law by U.S. Coast Guard Personnel, or any other person: There were no acts of misconduct, incompetence, negligence, unskillfulness, or violations of law by Coast Guard employees or any other person that contributed to this casualty.

6.4. Evidence of Act(s) Subject to Civil Penalty: The owner of the MERRICK did not salvage the vessel and it remains in its sunken location in the waters of Long Island Sound, approximately 300 yards offshore from Milford, CT. This is evidence of a violation of Connecticut State Statute Title 15, Chapter 268, Boating Section 15-140c, enforced by the Connecticut Department of Energy and Environmental Protection (CT DEEP).

6.5. Evidence of Criminal Act(s): There was no evidence of criminal acts that would warrant further investigations.

6.6. Need for New or Amended U.S. Law or Regulation: This investigation identified no matters needing new or amended U.S. law or regulations.

6.7. Unsafe Actions or Conditions that Were Not Causal Factors: The Operator had evidence of recent drug use, however it could not be determined if his use was a causal factor for this incident.

## **7. Actions Taken Since the Incident**

7.1. There have been no actions taken since this incident occurred.

## **8. Recommendations**

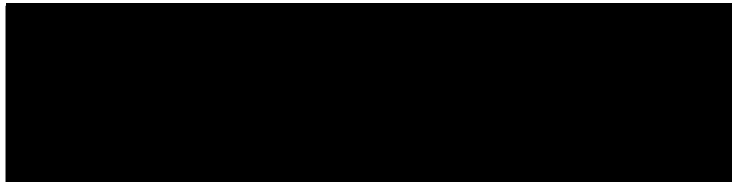
8.1. Safety Recommendation:

8.1.1. There were no proposed actions to add new or amend existing U.S. laws or regulations, international requirements, industry standards, or U.S. Coast Guard policies and procedures as part of this investigation.

8.2. Administrative Recommendations:

8.2.1. It is recommended that Coast Guard Sector Long Island Sound and the Connecticut Department of Energy and Environmental Protection develop a process to address authority and jurisdiction, as well as appropriate funding streams, to mitigate abandoned and/or unsalvaged vessels in Connecticut state waters.

8.2.2. It is recommended that this investigation be closed.



U.S. Coast Guard  
Investigating Officer