

## FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION **DIVISION OF LAW ENFORCEMENT**



# FLORIDA BOATING ACCIDENT INVESTIGATION REPORT

FORWARD COPY TO: FWC Boating Safety Agency Case Number: 10-119963/ FWSW100OF00-2215						
620 South Meddian Street						
Tallahassee, FL 32399-1600 REPORTING AGENCY: ☐ FWC ☐ Police ☑ Sheriff						
QUESTIONS CALL: (850) 488-5600 PPP Diber						
5 7-V						
Total Number: 6 0 0 Estimated total property \$ 300,000 damage \$2000 or more						
Figures righty beyond First Aid wissing (February						
County: LEE County: LEE						
OTHER SIX CORPORATION	- 1					
Date of Account. Jazzazio						
Nearest City: Saranei						
Carl Diraci. April : Native the Committee of the Committe						
Accident Site: Li Bay/Sound Li Marinass 23 Cosandolis Li Zalen de Li						
☐ Idle Speed ☐ Manatee Idle Speed ☐ Swimming Latitude/Longitude (decimal minutes)						
Restricted Story Speed Manatee Slow Speed Permit Code:	į					
Area: MPH Linit Other						
Weather: Visibility: Water Conditions: Wind: □ None Temperature:						
Treatment on First County Air 78 F						
Modes Crossey Cold and Cold an						
Company (15 05 mole) Strong Company						
LIFOG LITERATURE CONTROL ST. Teleform	nent					
(LARCA SH MAZ PARK)	3					
bosting accident continuation sheet for additional vessels)						
V.1 V.2 Vessel/Swimmer V-1 V-2 Vessel/Swimmer V-1 V-2 Vessel/Swimmer						
Cancizang Fire/Explosion (Fuel) Starting Engine						
Collision w/Fixed Object Fire/Explosion (Non-Fuel) Person Struck by Boat	ļ					
Col. w/Floating Object/Person Flooding (Swamping) Person Struck by Skeg/Prop	į					
Collision w/Vessel Grounding X Struck Underwater Object	ļ					
Fall in Boat Sinking Vessel Wake Damage						
Falls Overboard Sider Hit Object Other.						
Fall on PWC Skier Mishap/Fall						
What Contributed to the Accident: (You may enter up to tirree (3) contributing causes for each Vessel)						
V4 V.2 Vereinsmitter						
V-1 V-2 Vision No improper action						
Charlesting						
Congression Visites II II Skier or Occ. Behavior						
1 D Chanting Silling on Gunwale Bow of Trace	som					
Christophers Femine (convey)						
L Excessive speed						
☐ ☐ Failure to Venit Funnes ☐ ☐ Off Throttile Steering – Jet ☐ ☐ Weating ☐ ☐ Hazardous Water ☐ ☐ Operator Inattention						
Hazardous Water U Operator Inauternion  Operator Inexperience  Operator Inexperience						
(Indicate the equipment that failed)						
Manufacturery of ments. Value V.1 V.2 Vessel V.1 V.						
V-1 V-2 Vessel	-					
Liedancal System Li Communicatione II II Seat Broke Loc	<b>386</b>					
Sound Product	ng					
U D Foet System D D Visual Distress	j.					
Starting Ling, in Gear Line Fros						

### FLORIDA BOATING ACCIDENT INVESTIGATION REPORT

Agency Case Number: 10-119963/ FWSW-100FF00-2215 Name of Vessel Year Hall ID Number Registration or Documentation # # of Skiers Being Towed # of Injured # of Fatal Model # of POB Length Make Federal Definition of Vessel: Less than 10 mph ☐ None Unknown Ш Recreational Commercial Government **Extimated Speed** Over 40 mph 10-20 mph 21-40 mph (I) Status (I) OPERATOR/SWIMMER INFO: State Issued ☐ Uninjured ☐ Insured Drivers License or Boater ID # IT ☐ Fatality Missing Date of Birth Fill out injury/fatal data sheet as First Name Last Name required Estimated Damage: Home Phone Street \$ Work Phone Zio Code State City ШΜ Gender BAC: Operator Education BU! Info □F Operator Experience PFD Used Refused Arrest State Other (Into) 18-100 Hrs USCG AIX Under 10 Hrs Person Can Swim Boen Drinkint Drugs Red Cross USPS\_ П None Over 100 Hrs Person Was Ejected Over 100 Hrs O 10-100 Hrs Under 10 Hrs Total Hours in This Type Vessel: if occupant, use occupant section injuryfiatal data sheet Z ☐ occupant Owner lafo: Fill in owner's name and address. Check if also 🔲 operator or (I) Drivers License State Issued MI First Name ٤ Last Name Phone # Date of Birth 3 Street ☐ Yes 3 insurance: Policy # Insurance Company ∏ No Zip Code State City П Person (ATTACH BUJURY/FATAL DATA SHEETS FOR Gender Person PFD Used Can Swim Ejected NON-FATAL OR UNINJURED OCCUPANT INFO: M F EACH BUILTY OR FATALITY) П DOB: Phone: Oct Name: П П DOB: Phone: Oc2 Name:  $\Box$ DOB: Phone: Oc3 Name: П DOB: Phone: Oc4 Name: Accident Descriptors: (Attach offense incident narrative sheets for more detailed description) Synopsis for USCG detahase use. Brief Synopsis of Accident: On March 27, 2010, at approximately 11:47 p.m., the Lee County Sheriff's Office received a call from the U.S. Coast (Check all that apply) Guard that there was a forty-two foot vessel taking on water in the area of Blind Pass, Sanibel, Lee County, Florida. The Lee County Sheriff's Office Marine Unit along with the U.S. Coast Guard responded to the scene. At approximately 12:05 p.m., Boat Found Capsized LCSO and USCG units arrived on scene and located the forty-two foot vessel in the distress. The vessel was described as a Boat Found Upright Drifting П 2000, red and yellow color, forty-two foot, closed cabin racing catamaran bearing New Hampshire registration NH8033BP. The vessel was requested to come to a stop and the USCG deployed a gas operated dewatering device to assist with Boat Struck by Lightning flooding of the vessel. The two occupants of the vessel were wearing type three personal flotation devices and were Carbon Monoxide Involved transferred to the UCSG vessel. The USCG was unable to defeat the flooding and the vessel partially sank at the stem in П Commercial Vessel approximately filteen feet of water. The occupants of the vessel where identified as owner/operator Chistan L. Harvie, a white male with the date of birth of П Hit and Run (left scene) April 5, 1964 and crewmember John Prondecki, a white male with the date of birth of July 4, 1949. Both occupants of the Parasailing Accident vessel advised they where uninjured and didn't require medical assistance. The occupants of the vessel advised they were travelling North in the Gulf of Mexico approaching Blind Pass and they heard a "pop" noise come from the engine П Runaway Boat compariment. They came to slow speed and discovered water in the engine space. The vessel operator kept the vessel П Victim Entangled in Line moving with steerageway in attempt to stop the water. The owner requested the vessel to be salvaged by Tow Boat U.S. 図 Other: After arrangements for salvage were made, the USCG transported the two man crew to the USCG Station Fort Myers Upright partially Beach. Deputy Campion Wylie met with Gishlan Harvie at the USCG Station and obtained a swom written statement of the submerged aforementioned case facts. Harvise explained he was heading North, West of Sanibel Island in his forty-two foot MTI at an approximate speed of ninety to one hundred miles per hour. He noticed the water pressure on the starboard engine had dropped. He slowed the ressel and they verified the situation in the engine compartment. When they opened the compartment they noticed water coming inside. He then contacted the USCG for assistance. Deputy Campion Wylie met with John Prondecki and obtained a swom written statement of the aforementioned case facts. Prondecki advised they were just West of Sanibel heading North at approximately one hundred and six mile per hour. The water pressure dropped on a motor and they slowed to a stop. Prondecki advised they didn't hit anything. They opened the starboard compartment and noticed water rising in the bilge. The starboard engine failed and the water continued to enter the bilge.

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On March 27, 2010, 4:27 p.m., Tow Boat U.S	at approxima	ately 4:20 p.m., Tow Boat U.S. arrived on scene to salv to the vessel and towed the vessel astern to Punta Ra	age the vessel. ssa Boat Ramp	At approximately		
inspected the vessel whi hull forward of the port si the starboard engine. Bo gouges on the leading e	ile it was on t ide trim tab. ' oth propeliers dge.	ately 9:00 a.m., Deputies David Jennings and Campion railer at Tarpon Pointe Marina. The vessel sustained a The hole was approximately one foot by one foot. The p were five bladed and all were present. The starboard of	encugn num no ort engine sket angine propeller	e on the port skie gwas bent toward blades sustained		
time of the incident. The	screen shot ben anneare	ent emailed photographes of screen shots of his GPS; s show a trackline of a course headding North and the d to drift South tor a short period then changing direction is GPS activity, there are no marked or charted obstruc	n in a North co	an a stock commercial	,	
plotter. During transit of	the area, Co	onding to the incident, he took a similar path as shown poral Harvey didn't see any debris or objects that could prestigation, the operator of the vessi Gishlan Harvie w an submerged object that could not be seen from the	s not found at	sic pair or the crash.		
						_
Non-Vessei Property I Describe damages prop		Damage excluding the vessels involved or their contents	☐ Yes	⊠ No	If yes, the estimated amount \$	
	Last	First			MI:	
D	Street:				_ ( ) -	
Property Owner Information	SHOOT _		To Co		Phone #	

FWCDLE 146 (10/08)

### FLORIDA BOATING ACCIDENT INVESTIGATION REPORT

Agency Case Number: 10-119963/ FWSW10OOF00-2215

#### **ACCIDENT DESCRIPTION NARRATIVE**

DESCRIBE WHAT HAPPENED

(Sequence of events, include failure of equipment. Continue on additional sheets if necessary. Include any information regarding the involvement of alcohol and/or drugs in causing or contributing to the accident, include any descriptive information about the use of PFDs or fire extinguishers.)

On March 27, 2010, at approximately 11:47 p.m., the Lee County Sheriff's Office received a call from the U.S. Coast Guard that there was a forty-two foot vessel taking on water in the area of Blind Pass, Sanibel, Lee County, Florida. The Lee County Sheriff's Office Marine Unit along with the U.S. Coast Guard responded to the scene. At approximately 12:05 p.m., LCSO Deputy Campoin Wylie and USCG units arrived on scene and located the forty-two foot vessel in the distress. The vessel was described as a 2000, red and yellow color, forty-two foot, closed cabin racing catamaran bearing New Hampshire registration NH8033BP. The vessel was requested to come to a stop and the USCG deployed a gas operated dewatering device to assist with flooding of the vessel. The two occupants of the vessel were wearing Type III personal flotation devices and were transferred to the UCSG vessel. The USCG was unable to defeat the flooding and the vessel partially sank at the stern in approximately fifteen feet of water.

The occupants of the vessel where identified as owner/operator Ghislan L. Harvie, a white male with the date of birth of April 5, 1964 and crewmember John Prondecki, a white male with the date of birth of July 4, 1949. Both occupants of the vessel advised they where uninjured and didn't require medical assistance. The occupants of the vessel advised they were travelling North in the Gulf of Mexico approaching Blind Pass and they heard a 'pop" noise come from the engine compartment. They came to slow speed and discovered water in the engine space. The vessel operator kept the vessel moving with steerageway in attempt to stop the water. The owner requested the vessel to be salvaged by Tow Boat U.S.

After arrangements for salvage were made, the USCG transported the two man crew to the USCG Station Fort Myers Beach. Deputy Campion Wylie met with Gishlan Harvie at the USCG Station and obtained a sworn written statement of the aforementioned case facts. Harvie explained he was heading North, West of Sanibel Island in his forty-two foot MTI at an approximate speed of ninety to one hundred miles per hour. He noticed the water pressure on the starboard engine had dropped. He slowed the vessel and they verified the situation in the engine compartment. When they opened the compartment they noticed water coming inside. He then contacted the USCG for assistance.

Deputy Campion Wylie met with John Prondecki and obtained a sworn written statement of the aforementioned case facts. Prondecki advised they were just West of Sanibel heading North at approximately one hundred and six mile per hour. The water pressure dropped on a motor and they slowed to a stop. Prondecki advised they didn't hit anything. They opened the starboard compartment and noticed water rising in the bilge. The starboard engine failed and the water continued to enter the bilge.

On March 27, 2010, at approximately 4:20 p.m., Tow Boat U.S. arrived on scene to salvage the vessel. At approximately 4:27 p.m., Tow Boat U.S. hooked tow to the vessel and towed the vessel astern to Punta Rassa Boat Ramp.

On March 28, 2010, Deputies David Jennings and Campion Wylie met with Harvie and inspected the vessel while it was on trailer at Tarpon Pointe Marina. The vessel sustained a through full hole on the port side hull forward of the port side trim tab. The hole was approximately one foot by one foot. The port engine skeg was bent toward the starboard engine. Both propellers were five bladed and all were present. The starboard engine propeller blades sustained gouges on the leading edge.

On March 30, 2010, Mr. Harvie set emailed photographes of screen shots of his GPS plotter used on the vessel at the time of the incident. The screen shot's show a trackline of a course headding North and the vessel coming to a stop South of Blind Pass. The vessel then appeared to drift South tor a short period then changing direction in a North course close to shore towards Blind Pass. In the area of this GPS activity, there are no marked or charted obstructions.

While Corporal Harvey was responding to the incident, he took a similar path as shown on the screen shots of the GPS plotter. During transit of the area, Corporal Harvey didn't see any debris or objects that could have been in the path of the vessel. Based on the entirity of this investigation, the operator of the vessel Gishlan Harvie was not found at fault for the crash. It is determined that his vessel struck an submerged object that could not be seen from the surface of the water.

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#### FLORIDA BOATING ACCIDENT INVESTIGATION REPORT Agency Case Number: 10-119963/ FWSW10OOF00-2215 DIAGRAM OF ACCIDENT If applicable, diagram exactly what happened. Show the distribution of boats involved before, during and after accident. DIAGRAM NOT TO SCALE Indicate North with an Armw Give Way N/A Stand on Vessel# Vessel Priority: Vessel# Violations: UBCAVarning # Statute # **Violation** Violator's Name (Just check how Experator) Versul # Citation No action ☐ Pending ☐ Warning Operator Citation Warning Citation ■ No action ☐ Pending Operator ■ No action ■ Warning Pending Operaka Citation ■ No action Warning Citation Pending Орежно No action Pending ☐ Warning Operato О No action Citation Pending ☐ Warning Operator ☐ No action Citation Pending ■ Warning Operator Officer Completing Report: Marine Lee County Sheriff's Office District/Region Officer's Signature Agency Name 00-073 ( 239 ) 477 - 1000 Print Officer Name 14750 Six Mile Cypress Parkway ID# Phone# Street March 27, 2010 FL0360000 33912 Fort Myers **ORI Number** Date Completed State Zip Code City Print Supervisor/Reviewer Name Field Supervisor/Reviewer Signature (include total hours for response, search & rescue & investigation for officer completing report & officers assisting) Investigative Tate: 8.0 8.0 20 6.0 Aircraft Engine Hrs. Car Miles Boat Engine His. Total Hrs. Admin, Hrs. As Hrs. Land Hos. Boat Hrs. DO NOT COMPLETE BELOW THIS LINE - FINC HQ BOATING SAFETY REVIEWING AUTHORITY ONLY Reportable Federal Accident Classification: ☐ Non-Reportable ☐ Government ☐ Off-Shore Recreational Commercial (For Statistical use) Reviewed By ID#

Tertiary Cause

Page \_\_\_\_

of

Secondary Cause

Primary Cause

Tersary Type

Primary Type

Secondary Type