



## FLORIDA BOATING ACCIDENT INVESTIGATION REPORT

Agency Case Number: 10-119063/ FWSW-10OFF00-2215

VESSEL

OR SWIMMER

Registration or Documentation #		Hull ID Number		Name of Vessel		Year
Length	Make	Model	# of POB	# of Fatal	# of Injured	# of Skiers Being Towed
Estimated Speed	<input type="checkbox"/> Unknown <input type="checkbox"/> 10-20 mph	<input type="checkbox"/> None <input type="checkbox"/> 21-40 mph	<input type="checkbox"/> Less than 10 mph <input type="checkbox"/> Over 40 mph	Federal Definition of Vessel:		
				<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial	<input type="checkbox"/> Government
OPERATOR/SWIMMER INFO:				Status		
Drivers License or Boater ID #				State Issued		
				<input type="checkbox"/> Uninjured <input type="checkbox"/> Injured		
				<input type="checkbox"/> Missing <input type="checkbox"/> Fatality		
Last Name				First Name		MI
Street				Date of Birth		Fill out injury/fatal data sheet as required
City				Home Phone		Estimated Damage:
State				Zip Code		\$
Operator Experience				Operator Education		BUI Info
<input type="checkbox"/> Under 10 Hrs <input type="checkbox"/> 10-100 Hrs		<input type="checkbox"/> USCG Aux <input type="checkbox"/> Other (Info)		<input type="checkbox"/> State		BAC:
<input type="checkbox"/> Over 100 Hrs		<input type="checkbox"/> USPS <input type="checkbox"/> None		<input type="checkbox"/> Red Cross		Arrest
Total Hours in This Type Vessel:		<input type="checkbox"/> Under 10 Hrs <input type="checkbox"/> 10-100 Hrs		<input type="checkbox"/> Over 100 Hrs		Drugs
Owner Info: Fill in owner's name and address. Check if also <input type="checkbox"/> operator or <input type="checkbox"/> occupant. If occupant, use occupant section injury/fatal data sheet						
Last Name		First Name		MI		Drivers License
Street		Date of Birth		State Issued		Phone #
City		State		Zip Code		Insurance:
						<input type="checkbox"/> Yes <input type="checkbox"/> No
				Insurance Company		Policy #
NON-FATAL OR UNINJURED OCCUPANT INFO:				(ATTACH INJURY/FATAL DATA SHEETS FOR EACH INJURY OR FATALITY)		
Oc1 Name:	Phone:	DOB:	Gender	Person Ejected	PFD Used	Person Can Swim
Oc2 Name:	Phone:	DOB:	M	F		
Oc3 Name:	Phone:	DOB:				
Oc4 Name:	Phone:	DOB:				

## Brief Synopsis of Accident: (Attach offense incident narrative sheets for more detailed description) Synopsis for USCG database use.

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 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 three personal flotation devices and were transferred to the USCG 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 were identified as owner/operator Ghislain 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 were 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 Ghislain 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.

Accident Descriptors:  
(Check all that apply)

- ☐ Boat Found Capsized
- ☐ Boat Found Upright Drifting
- ☐ Boat Struck by Lightning
- ☐ Carbon Monoxide Involved
- ☐ Commercial Vessel
- ☐ Hit and Run (left scene)
- ☐ Parasailing Accident
- ☐ Runaway Boat
- ☐ Victim Entangled in Line
- ☒ Other:  
Upright partially submerged

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, at approximately 9:00 a.m., 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 hull 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 sent emailed photographs 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 heading North and the vessel coming to a stop South of Blind Pass. The vessel then appeared to drift South for 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 entirety 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.

**Non-Vessel Property Damage:**

Damage excluding the vessels involved or their contents

☐ Yes☒ No

If yes, the estimated amount: \$

Describe damages property:

Property Owner  
Information

Last:

First:

MI:

Street:

Phone #

City

State

Zip Code

FWCDLE 146 (10/08)

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## FLORIDA BOATING ACCIDENT INVESTIGATION REPORT

Agency Case Number: 10-119963/ FWSW1000F00-2215

## 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 USCG 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 were identified as owner/operator Gishlan 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 were 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 Campoin 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 Campoin 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.

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## FLORIDA BOATING ACCIDENT INVESTIGATION REPORT

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## DIAGRAM OF ACCIDENT

If applicable, diagram exactly what happened. Show the direction of boats involved before, during and after accident.

DIAGRAM NOT TO SCALE

Indicate North with an Arrow



Violations:		Vessel Priority:	Vessel #	Stand on	Vessel #	Give Way	N/A
Vessel #	Violator's Name (Just check box if operator)	Statute #	Violation	Type	UBC/Warning #		
<input type="checkbox"/>	Operator			<input type="checkbox"/> Citation <input type="checkbox"/> No action			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Warning <input type="checkbox"/> Pending			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Citation <input type="checkbox"/> No action			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Warning <input type="checkbox"/> Pending			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Citation <input type="checkbox"/> No action			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Warning <input type="checkbox"/> Pending			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Citation <input type="checkbox"/> No action			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Warning <input type="checkbox"/> Pending			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Citation <input type="checkbox"/> No action			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Warning <input type="checkbox"/> Pending			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Citation <input type="checkbox"/> No action			
<input type="checkbox"/>	Operator			<input type="checkbox"/> Warning <input type="checkbox"/> Pending			

## Officer Completing Report:

Lee County Sheriff's Office

Agency Name

14750 Six Mile Cypress Parkway

Street

Fort Myers

City

FL

State

33912

Zip Code

Marine

District/Region

(239) 477 - 1000

Phone #

FLO360000

ORI Number

CPL Paul Harvey #00073

Officer's Signature

CPL Paul Harvey

Print Officer Name

March 27, 2010

Date Completed

00-073

ID #

Field Supervisor/Reviewer Signature

Print Supervisor/Reviewer Name

ID #

Investigative Time:

(Include total hours for response, search &amp; rescue &amp; investigation for officer completing report &amp; officers assisting)

6.0

2.0

8.0

8.0

Boat Hrs.

Land Hrs.

Air Hrs.

Admin. Hrs.

Total Hrs.

Car Miles

Boat Engine Hrs.

Aircraft Engine Hrs.

DO NOT COMPLETE BELOW THIS LINE - FWC HQ BOATING SAFETY REVIEWING AUTHORITY ONLY

Federal Accident Classification:  
(For Statistical use)☐ Recreational☐ Commercial☐ Government☐ Off-Shore☐ Non-Reportable☐ Reportable

Primary Type

Secondary Type

Tertiary Type

Primary Cause

Secondary Cause

Tertiary Cause

Reviewed By

ID #