



Aviation Investigation Final Report

Location:	Elko, Nevada	Accident Number:	WPR21LA092
Date & Time:	January 16, 2021, 14:00 Local	Registration:	N2828M
Aircraft:	CREEK MICHEL W BEARHAWK	Aircraft Damage:	Substantial
Defining Event:	Loss of control on ground	Injuries:	1 Minor
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The pilot of the tailwheel equipped airplane reported that he was on an approach to land on a ridge with the sun partially blocking his vision. The pilot continued the approach and the airplane touched down on a slope, away from his intended landing point, and the left wingtip impacted the ground. The pilot added power, but the airplane continued down the slope, nosed over, and came to rest inverted in a ravine. Both wings were substantially damaged. The pilot reported that there were no preaccident mechanical failures or malfunctions with the airplane that would have precluded normal operation.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The pilot's unstable approach to land, which resulted in a loss of directional control and subsequent nose over. Contributing to the accident was the pilot's decision to continue an approach in sun glare conditions.

Findings

Aircraft	Descent/approach/glide path - Not attained/maintained
Personnel issues	Decision making/judgment - Pilot
Personnel issues	Aircraft control - Pilot
Aircraft	Directional control - Not attained/maintained
Environmental issues	Glare - Effect on personnel

Factual Information

History of Flight

Landing-flare/touchdown	Collision with terr/obj (non-CFIT)
Landing-flare/touchdown	Loss of control on ground (Defining event)

Pilot Information

Certificate:	Private	Age:	61, Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	3-point
Instrument Rating(s):	None	Second Pilot Present:	
Instructor Rating(s):	None	Toxicology Performed:	
Medical Certification:	Class 3 With waivers/limitations	Last FAA Medical Exam:	January 17, 2019
Occupational Pilot:	No	Last Flight Review or Equivalent:	April 18, 2019
Flight Time:	(Estimated) 2500 hours (Total, all aircraft), 1430 hours (Total, this make and model), 2500 hours (Pilot In Command, all aircraft), 5 hours (Last 90 days, all aircraft), 3 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	CREEK MICHEL W	Registration:	N2828M
Model/Series:	BEARHAWK	Aircraft Category:	Airplane
Year of Manufacture:	2008	Amateur Built:	Yes
Airworthiness Certificate:	Utility; Experimental (Special)	Serial Number:	056-107/108-854
Landing Gear Type:	Tailwheel	Seats:	4
Date/Type of Last Inspection:	June 1, 2020 Condition	Certified Max Gross Wt.:	2500 lbs
Time Since Last Inspection:	55 Hrs	Engines:	1
Airframe Total Time:	1480 Hrs at time of accident	Engine Manufacturer:	
ELT:	C126 installed, activated, did not aid in locating accident	Engine Model/Series:	
Registered Owner:	On file	Rated Power:	
Operator:	On file	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	KEKO,5074 ft msl	Distance from Accident Site:	11 Nautical Miles
Observation Time:	13:56 Local	Direction from Accident Site:	234°
Lowest Cloud Condition:		Visibility	10 miles
Lowest Ceiling:		Visibility (RVR):	
Wind Speed/Gusts:	3 knots /	Turbulence Type Forecast/Actual:	None / None
Wind Direction:	170°	Turbulence Severity Forecast/Actual:	N/A / N/A
Altimeter Setting:	30.34 inches Hg	Temperature/Dew Point:	9°C / -2°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Elko, NV (KEKO)	Type of Flight Plan Filed:	None
Destination:	Elko, NV (KEKO)	Type of Clearance:	None
Departure Time:	12:45 Local	Type of Airspace:	Class G

Wreckage and Impact Information

Crew Injuries:	1 Minor	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	1 Minor	Latitude, Longitude:	40.934666,-115.60009(est)

Administrative Information

Investigator In Charge (IIC):	Nepomuceno, Eleazar
Additional Participating Persons:	Donald Morgan; FAA; Reno, NV
Original Publish Date:	September 20, 2021
Last Revision Date:	
Investigation Class:	Class 4
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=102542

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).