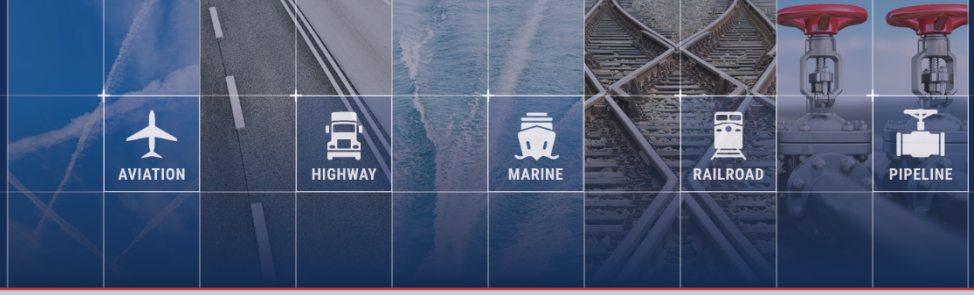

Aviation Investigation Final Report

Location:	Wilmot, New Hampshire	**Accident Number:**	NYC04FA157
Date & Time:	July 5, 2004, 15:00 Local	**Registration:**	N6248V
Aircraft:	Lake LA-4-200	**Aircraft Damage:**	Substantial
Defining Event:		**Injuries:**	1 Fatal, 1 Serious
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The pilot departed under visual flight rules (VFR) and was flying under a cloud layer at an altitude that was approximately 500-800 feet above the trees. When the VFR conditions worsened, he "stayed on instruments," at an altitude of 3,500 feet msl, and shortly thereafter, the airplane impacted terrain, approximately 500 feet from the summit of a 2,937-foot mountain. When asked what caused the accident, the pilot stated, "Controlled flight into terrain." Witnesses reported at the time of the accident, the mountain was obscured by a cloud layer from its summit, down to about 2,000 feet, and the lateral visibility was approximately 200 feet. Examination of the airplane revealed no pre-impact mechanical deficiencies. The pilot received his instrument rating 5 years prior to the accident, and had logged a total of 5.4 hours of instrument time during 4 flights since then. The pilot's most recent instrument experience was 3 years prior to the accident, when he logged 0.5 hours of actual instrument time.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's continued VFR flight into IMC conditions, and his failure to maintain terrain clearance, which resulted in a controlled flight into terrain. Factors in the accident were the low cloud ceiling and the pilot's lack of recent instrument time.

Findings

Occurrence #1: IN FLIGHT ENCOUNTER WITH WEATHER
Phase of Operation: CRUISE

Findings
1. (C) VFR FLIGHT INTO IMC - CONTINUED - PILOT IN COMMAND
2. (F) LACK OF RECENT INSTRUMENT TIME - PILOT IN COMMAND
3. (F) WEATHER CONDITION - LOW CEILING

Occurrence #2: IN FLIGHT COLLISION WITH TERRAIN/WATER
Phase of Operation: CRUISE

Findings
4. TERRAIN CONDITION - MOUNTAINOUS/HILLY
5. ALTITUDE - NOT MAINTAINED - PILOT IN COMMAND

Factual Information

HISTORY OF FLIGHT

On July 5, 2004, approximately 1500 eastern daylight time, a Lake LA-4-200 airplane, N6248V, was substantially damaged when it impacted terrain in Wilmot, New Hampshire. The certificated private pilot was seriously injured and the passenger was fatally injured. Instrument meteorological conditions prevailed, and no flight plan was filed for the flight which departed the Clinton County Airport (PLB), Plattsburgh, New York, and was en route to the Concord Municipal Airport (CON), Concord, New Hampshire. The personal flight was conducted under 14 CFR Part 91.

Information provided by the Federal Aviation Administration (FAA) revealed the pilot contacted the Burlington Flight Service Station (FSS) about 1030 and requested a visual flight rules (VFR) outlook weather briefing for a flight from the Adirondack Regional Airport (SLK), Saranac Lake, New York, to CON. The weather briefer reported that marginal ceilings were forecasted all day, with mountain obscuration from clouds, and precipitation. Thunderstorms were also forecasted for the afternoon. The forecast, valid until 1600, included: broken clouds at 1,500 feet, an overcast cloud layer at 6,000 feet, visibility 6 miles, occasionally broken clouds at 2,500 feet, an overcast cloud layer at 5,000 feet, and visibility 2 miles with rain and mist.

The pilot then requested the current weather at Clinton County, which was reported by the briefer as: scattered clouds at 1,200 feet, 10 miles visibility, and calm winds. The pilot reported he would "head over there" and the briefer asked him if he was still going to CON. The pilot replied that he was "worried about getting through the Green Mountains" but stated he could "go into Manchester if [he] needed to." He then asked what the current weather was at Manchester, and the briefer responded that the weather was: clouds 1,100 scattered, 1,700 broken, 3,000 overcast, 10 miles visibility, and winds from 180 degrees at 7 knots. The briefer also stated that the forecast, valid until 1600, was for: scattered clouds at 800 feet, broken clouds at 1,500 feet, and 6 miles visibility. The forecast also included an occasional overcast cloud layer at 800 feet with rain and mist. The pilot responded, "I didn't bring my charts so I'm going to head to Plattsburgh."

A review of radar data provided by the FAA revealed a target departed Plattsburgh at 1338, and proceeded southeast across Vermont. The target over flew Lebanon, New Hampshire, about 1440, at an altitude of 5,500 feet, and then began a gradual descent of about 200 feet per minute. The target continued on a southeast heading and descended to an altitude of 2,600 feet. The target was level at 2,600 feet for about 1 minute prior to the last recorded hit, which occurred about 1455, at 43 degrees, 29 minutes north latitude, and 71 degrees, 41 minutes west longitude.

According to local law enforcement authorities, the pilot called "911" from his cell phone and reported he had impacted trees about 15 miles west of Concord. He remained on the phone line while search and rescue personnel attempted to locate the airplane. A review of the "911" tape revealed the pilot stated he was flying "under a [cloud] deck" between the Concord VOR and Lebanon Airport, at an altitude of 3,000-3,500 feet, about 500-800 feet above the trees. He stated that he and his son had originally departed from the Long Lake Seaplane Base, flew to Adirondack Regional Airport, and then to Clinton County Airport. They waited for weather to clear, and then departed Clinton County. The pilot flew a path direct to Rutland [Vermont], where it was clear above 12,000 feet, and then flew a path from Rutland to Lebanon [New Hampshire], "where there was overcast." The pilot further stated:

"I flew over the overcast at 9,000 feet VFR, and came through a hole past Lebanon. I was flying at 3,500 feet and the hole disappeared. I stayed at 3,500 feet on instruments. The report at Concord was that the ceiling was 1,400 feet and I was heading to Concord for a landing, a fuel stop."

The pilot was asked by dispatchers what caused the accident, and he replied, "Controlled flight into terrain."

The airplane and pilot were located about 1851, at an elevation of 2,490 feet on the western side of Mount Kearsarge. The summit of Mount Kearsarge was 2,937 feet. An officer of the New Hampshire Fish and Game Division reported that at the time of the accident, Mount Kearsarge was obscured by a cloud layer from its summit, down to about 2,000 feet. Additionally, the lateral visibility was about 200 feet at the time.

PERSONNEL INFORMATION

The pilot held a private pilot certificate with ratings for airplane single-engine land, single-engine sea, and instrument airplane. His most recent FAA third class medical certificate was issued on March 22, 2004. At that time he reported 475 hours of total flight experience.

Examination of the pilot's logbook revealed he had accumulated 479 hours of total flight experience, 15 hours of actual instrument time, and 74 hours of simulated instrument time. He received his instrument rating on November 22, 1999, and had logged instrument time on 4 flights since then (5.4 hours of simulated instrument time and 0.5 hours of actual instrument time). The most recent entry for instrument flight time was on August 26, 2001, at which time the pilot logged 0.5 hours of actual instrument time.

AIRCRAFT INFORMATION

Examination of the airplane and engine logbooks revealed the most recent annual inspection was performed on March 25, 2003, with no abnormalities noted. The airplane had flown 49 hours since then.

METEOROLOGICAL INFORMATION

The cloud ceiling reported at CON, at 1451, was overcast at 1,400 feet. The visibility was reported as 10 miles; however, local authorities stated that weather in the vicinity of the accident site was "foggy, with low ceilings."

The cloud ceiling reported at LEB, at 1453, was overcast at 1,300 feet. The visibility was reported as 10 miles.

COMMUNICATIONS

Information provided by the FAA revealed the pilot did not file a flight plan. Additionally, there was no record of air traffic control communication with the pilot.

WRECKAGE AND IMPACT INFORMATION

The airplane impacted wooded, up-sloping terrain, and an underside section of the right wing was noted suspended in a tree, at the beginning of the wreckage path. Tree strikes continued along the wreckage path, all approximately the same height. The wreckage path extended about 300 feet from the initial tree strikes to the main wreckage, and was oriented on an approximate 155-degree heading. Branches of varying diameters, cut at 45-degree angles, and the leading edge of the left wing were also located along the wreckage path.

The main wreckage came to rest upright, in a level attitude, on a heading of 142 degrees. The left wing remained intact and attached to the fuselage at the wing root. The left flap and aileron remained attached to the wing at their attachment points. The outboard half of the right wing, with the aileron attached, came to rest under the left wing. The inboard half of the right wing remained attached to the fuselage at the wing root, and the right flap was separated and located under the inboard right wing.

The empennage section remained attached to the fuselage and sustained minimal damage.

The engine remained attached above the fuselage and was examined at the accident site. The engine was rotated by the propeller and thumb compression and valve train continuity was obtained on all cylinders. The top and bottom spark plugs were removed; their electrodes were intact and light gray in color. During rotation of the engine, spark was produced at each magneto ignition lead.

Fuel was observed in the fuel distributor, engine driven fuel pump, and the fuel line to the fuel pump.

ADDITIONAL INFORMATION

Federal Aviation Regulation (FAR) 61.57(c), Instrument Experience, states, "no person may act

as pilot in command under IFR or in weather conditions less than the minimums prescribed for VFR, unless within the preceding 6 calendar months, that person has: performed and logged under actual or simulated instrument conditions, (i) at least six instrument approaches, (ii) holding procedures; and (iii) intercepting and tracking courses through the use of navigation systems."

FAR 91.155, Basic VFR Weather Minimums, states, "no person may operate an aircraft under VFR when the flight visibility is less, or at a distance from clouds that is less, than that prescribed for the corresponding altitude and class of airspace." Class C, D, E, and G distance from cloud minimums were listed as: 500 feet below, 1,000 feet above, and 2,000 feet horizontal.

ELT (Emergency Locator Transmitter)

The airplane was equipped with a Martech ELT, which emitted a signal after the accident, and aided rescue workers in locating the airplane.

Wreckage Release

The wreckage was released to a representative of the owner's insurance company on July 7, 2004.

Pilot Information

Certificate:	Private	**Age:**	48,Male
Airplane Rating(s):	Single-engine land; Single-engine sea	**Seat Occupied:**	Left
Other Aircraft Rating(s):	None	**Restraint Used:**	
Instrument Rating(s):	Airplane	**Second Pilot Present:**	No
Instructor Rating(s):	None	**Toxicology Performed:**	No
Medical Certification:	Class 3 Without waivers/limitations	**Last FAA Medical Exam:**	March 1, 2004
Occupational Pilot:	UNK	**Last Flight Review or Equivalent:**	October 1, 2004
Flight Time:	479 hours (Total, all aircraft), 408 hours (Pilot In Command, all aircraft), 5 hours (Last 90 days, all aircraft), 5 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Lake	**Registration:**	N6248V
Model/Series:	LA-4-200	**Aircraft Category:**	Airplane
Year of Manufacture:		**Amateur Built:**	
Airworthiness Certificate:	Normal	**Serial Number:**	861
Landing Gear Type:	Retractable - ; Amphibian	**Seats:**	4
Date/Type of Last Inspection:	March 25, 2003 Annual	**Certified Max Gross Wt.:**	2600 lbs
Time Since Last Inspection:	49 Hrs	**Engines:**	1 Reciprocating
Airframe Total Time:	1934 Hrs at time of accident	**Engine Manufacturer:**	Lycoming
ELT:	Installed, activated, aided in locating accident	**Engine Model/Series:**	IO-360
Registered Owner:	NH-Waterbirds LLC	**Rated Power:**	180 Horsepower
Operator:	Stephen Young	**Operating Certificate(s) Held:**	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Instrument (IMC)	**Condition of Light:**	Day
Observation Facility, Elevation:	CON,346 ft msl	**Distance from Accident Site:**	18 Nautical Miles
Observation Time:	14:51 Local	**Direction from Accident Site:**	120°
Lowest Cloud Condition:		**Visibility**	10 miles
Lowest Ceiling:	Overcast / 1400 ft AGL	**Visibility (RVR):**	
Wind Speed/Gusts:	12 knots /	**Turbulence Type Forecast/Actual:**	/
Wind Direction:	190°	**Turbulence Severity Forecast/Actual:**	/
Altimeter Setting:	29.87 inches Hg	**Temperature/Dew Point:**	22°C / 18°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Plattsburgh, NY (PBG)	**Type of Flight Plan Filed:**	None
Destination:	Concord, NH (CON)	**Type of Clearance:**	None
Departure Time:	13:38 Local	**Type of Airspace:**	

Wreckage and Impact Information

Crew Injuries:	1 Serious	**Aircraft Damage:**	Substantial
Passenger Injuries:	1 Fatal	**Aircraft Fire:**	None
Ground Injuries:	N/A	**Aircraft Explosion:**	None
Total Injuries:	1 Fatal, 1 Serious	**Latitude, Longitude:**	43.368888,-71.851943

Administrative Information

Investigator In Charge (IIC):	Andrews, Jill
Additional Participating Persons:	Gary Radio; FAA/FSDO; Portland , ME James M Childers; Textron Lycoming Engines; Elizabethton, TN
Original Publish Date:	October 27, 2005
Last Revision Date:	
Investigation Class:	Class
Note:	The NTSB traveled to the scene of this accident.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=59553