



# **Aviation Investigation Final Report**

Location: Oshkosh, Wisconsin Accident Number: CHI04CA219

Date & Time: August 1, 2004, 10:30 Local Registration: N1056L

Aircraft: Lake LA4-200 Aircraft Damage: Substantial

**Defining Event:** 2 None

Flight Conducted Under: Part 91: General aviation - Personal

### **Analysis**

The amphibious airplane was damaged when it reportedly encountered a large wave during a water takeoff and subsequently impacted the water.

### **Probable Cause and Findings**

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The unsuitable rough water conditions encountered during the attempted water takeoff.

### **Findings**

Occurrence #1: ON GROUND/WATER ENCOUNTER WITH TERRAIN/WATER

Phase of Operation: TAKEOFF - ROLL/RUN

#### **Findings**

1. (C) TERRAIN CONDITION - WATER, ROUGH

2. (C) UNSUITABLE TERRAIN OR TAKEOFF/LANDING/TAXI AREA - ENCOUNTERED

#### **Factual Information**

On August 1, 2004, about 1030 central daylight time, a Lake LA4-200 amphibian, piloted by a commercial pilot, sustained substantial damage during a water takeoff from Lake Winnebago near Oshkosh, Wisconsin. The 14 CFR Part 91 personal flight was operating in visual meteorological conditions without a flight plan. There were no injuries to the pilot or passenger. The flight had originally departed from Cushing Field Airport near Newark, Illinois, about 0900, and was bound for the Seaplane Base at the annual Experimental Aircraft Association gathering in Oshkosh, Wisconsin.

The pilot reported that he landed mistook a harbor for the seaplane base and landed. He said that after he realized that he was north of the seaplane base, he attempted to takeoff. He said that during the water takeoff, he encountered a large wave that "launched" the airplane into the air prior to achieving takeoff speed. He said that the airplane was damaged when the airplane came down and impacted the water.

#### **Pilot Information**

Certificate:	Commercial	Age:	55,Male
Airplane Rating(s):	Single-engine land; Single-engine sea; Multi-engine land	Seat Occupied:	
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 Valid Medicalw/ waivers/lim	Last FAA Medical Exam:	June 24, 2004
Occupational Pilot:		Last Flight Review or Equivalent:	September 22, 2002
Flight Time:	668 hours (Total, all aircraft), 108 hours (Total, this make and model), 469 hours (Pilot In Command, all aircraft), 4 hours (Last 90 days, all aircraft), 4 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

Page 2 of 5 CHI04CA219

# **Aircraft and Owner/Operator Information**

Aircraft Make:	Lake	Registration:	N1056L
Model/Series:	LA4-200	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	649
Landing Gear Type:	Retractable - Tricycle; Amphibian	Seats:	
Date/Type of Last Inspection:	July 10, 2004 Annual	Certified Max Gross Wt.:	
Time Since Last Inspection:	4.5 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	720.5 Hrs at time of accident	Engine Manufacturer:	Lycoming
ELT:	Installed, not activated	Engine Model/Series:	IO-360-A1B
Registered Owner:	Jack D. Lupei	Rated Power:	200 Horsepower
Operator:		Operating Certificate(s) Held:	None

# Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:		Distance from Accident Site:	
Observation Time:		Direction from Accident Site:	
<b>Lowest Cloud Condition:</b>		Visibility	
Lowest Ceiling:		Visibility (RVR):	
Wind Speed/Gusts:	/	Turbulence Type Forecast/Actual:	/
Wind Direction:		Turbulence Severity Forecast/Actual:	/
Altimeter Setting:		Temperature/Dew Point:	
Precipitation and Obscuration:			
Departure Point:	Oshkosh, WI	Type of Flight Plan Filed:	None
Destination:	NEWARK, IL (0C8)	Type of Clearance:	VFR
Departure Time:		Type of Airspace:	Class G

Page 3 of 5 CHI04CA219

# **Wreckage and Impact Information**

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:	1 None	Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	
Total Injuries:	2 None	Latitude, Longitude:	43.966667,-88.5

Page 4 of 5 CHI04CA219

#### **Administrative Information**

Investigator In Charge (IIC):	Brannen, John
Additional Participating Persons:	
Original Publish Date:	December 3, 2004
Last Revision Date:	
Investigation Class:	<u>Class</u>
Note:	This accident report documents the factual circumstances of this accident as described to the NTSB.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=59941

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.

Page 5 of 5 CHI04CA219