

November 30, 2018

Memorandum for FAA Flight Standards District Office
Tampa FL

From: Scott Tobin

[REDACTED]
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[REDACTED]

Subject: Accident Statement - N54058, November 28, 2018

1. It's with a great deal of humiliation and remorse that I provide this statement, since the entire incident can be summarized by the words "pilot error." I apologize to all affected by my actions, particularly the three men aboard the plane, and only hope that someday I'll be able to repair my reputation. The only positive aspect of this is hopefully the injuries are no more severe than what they appeared the day of the crash.

2. Preparation for this flight started with a text message Monday night (Nov 26th) from Paul Carlson of the Florida Fish and Wildlife Conservation Commission (FWC), asking if I was available the following day to discuss the nature of their research. We met on Tuesday for roughly 30 minutes, where he showed me a satellite image of Tampa Bay and the nine specific points over which he wanted to gather spectrometry samples. He subsequently emailed me the lat/long coordinates for them, which I said I'd enter into my Foreflight and also the plane's onboard Garmin 430 GPS. He informed me there would be three personnel going and to estimate their weights at 180 lbs each. We were originally scheduled in N6013J, which I told him couldn't support four people, so I looked for an alternate aircraft and moved our flight to N54058. I also did a weight and balance that day and determined we'd be under the maximum gross weight provided they didn't refuel the aircraft after the flight scheduled before us.

3. As I told Paul, I entered everything into Foreflight and arrived at the airport early to enter them into the 430. I also placed a "Do not refuel" sign in the window to help ensure we remained underweight. Unfortunately the flight preceding us didn't occur due to a steering problem during taxi, so I'm sure we were at max weight since they didn't use as much fuel as anticipated. Since none of the three gentlemen appeared particularly large, I think Paul may have given me a conservative estimate on weights. As such, I didn't insist we defuel any additional fuel.

4. I finished my scheduled training flight around 1145 and noticed several individuals waiting in the lobby area of the flight school as we walked through, and assumed they were the FWC folks. I also noticed both N54067 and N54058 were at the maintenance hangar, so I also assumed our FWC flight wouldn't be feasible with two aircraft out of commission. I finished my debrief with my student to find the individuals gone and noticed they were loading the plane, which had been returned to one of the parking places. Paul mentioned one member had gone to retrieve another item and was returning as we spoke. I went back inside to use the restroom and grab my headset/flight bag and found all three loaded/buckled in the plane awaiting to depart. Why this made me feel so rushed, I have no idea, but it did. My normal process for flying with passengers (unless it's a training flight) is to prepare myself (e.g.

weather, NOTAMS, weight and balance, etc.) and the plane, then invite them to join me when I'm finished. In this case I still needed to preflight, mount my iPad, and mentally prepare myself for that flight. I guess I was concerned they were cramped in the plane and I was still running back and forth from the building grabbing gear, keys, etc.

5. I recall at one point thinking to myself that I knew it had fuel, and it gets topped off with oil every morning, and I'd recently done a deep dive inspection on it, so I'm sure it's airworthy. Consequently I short-changed the preflight process and focused on getting underway. I had presence of mind to unbuckle and grab my checklist out of my headset bag in the baggage compartment for the flight portion, but obviously didn't follow the preflight checklist. So I hastily went through the engine start portion of the checklist and requested taxi clearance. I found it ironic the controller asked me if the steering problem had been taken care of, and it appeared it had (I had no problems controlling it). Paul informed me they wanted to reverse the order of the survey points from what he'd briefed me on the day before, so I knew I had more reprogramming to do on both my iPad and GPS prior to taking off...yet another change in the process.

6. After a quick run-up, I taxied to runway 36 and waited for arriving traffic. I had already reversed the order of the waypoints in my Foreflight, but had to delete and reenter the waypoints in reverse order in the 430 as we were holding short. After that, tower cleared us for takeoff and a right turnout southbound. I also loaded MacDill's tower frequency since we were going to be operating very near, or right inside their airspace, if approved, for two of the waypoints.

7. Prior to taking the runway I decided to put in 10° of flaps since I knew we were at max weight. As we started takeoff roll, I immediately noticed how slowly we were accelerating relative to most other flights. I don't recall at what point I realized the control lock was in, but we had used up a fair amount of runway by that point. I remember noting that we had sufficient airspeed and wondered why I was unable to start applying elevator back pressure to start rotating. That's when I saw the control lock. As with this entire episode, disbelief was the overwhelming sensation throughout everything. Having installed and removed the control lock hundreds of times, I simply reached over to remove it. I think I got it mostly removed, but remember it hitting a post light or knob on the instrument panel and wouldn't move any further. I have to confess I don't ever recall trying to abort or reduce power...I think I was focused on removing the control lock. The entire time I knew we were only a second or two away from climbing out and all would be back to normal, until I realized I couldn't remove it. I then saw the end of the runway, the grass, and of course the water ahead.

8. I feel so terrible for the gentlemen who were onboard. I knew what was happening the entire time (well, in retrospect it's obvious I wasn't thinking clearly at all), but they had no control or no awareness of what was happening and I'm just glad they weren't injured any worse than they were.

9. I remember the impact and the immediate sensation of flipping over. I believe it was the gentleman directly behind me who said something to the effect of "...we need to get out of here..." I remember reaching down and opening my door and seeing him on the surface next to me trying to help me out. I realized I was still buckled in and refocused inside the plane to unbuckle. I also remember an irrational thought or two about either my glasses having fallen off or that my headset was visible in front of me. I also recall the sick irony of noticing the control lock was now free...either I was able to remove it just before we hit the water, or the impact jarred it loose.

10. After I unbuckled my seatbelt, I realized my left foot/leg was caught in the seatbelt/shoulder harness and was pulling me below the surface. I also remember realizing that one of my shoes had come off and the seatbelt was removing the other. But I was able to get free and start an ascent to the sunlight above. I'm not sure how far down it had taken me, but I would guess approximately ten feet, given how long it took me to swim to the surface. A fishing boat had already recovered the other men and all were gesturing for me to swim their way. I told them I was alright and very slowly, embarrassingly, made my way to their boat. Shortly after that, the Coast Guard arrived and we transferred to their boat for transport to the Coast Guard station adjacent the airport.

11. At the Coast Guard station medics took our vital signs and a police officer gathered our names. They also had an ambulance standing by for Paul, who had the head laceration. Aside from getting coveralls to change out of our wet clothes into, we essentially just waited for a ride back to the airport.

12. Disbelief was overwhelming, as it still is today, and I wasn't really able to talk much about it immediately after the incident. I remember one of the guys asking me what was wrong with the steering wheel, but I was still staring at the floor and couldn't bring myself to say out loud that I'd left the control lock in. Rick Hipwell, our chief flight instructor, arrived shortly and ultimately drove me back to the flight school, and home. He too asked a few questions trying to find out what happened, and realized I was still trying to process things myself, but I think deep down he knew it was probably my fault.

13. I'm still overwhelmed with disbelief and humiliation. Again, I feel so sorry for the three gentlemen onboard, and their families, for the trauma I've subjected them to, and for the trust I've violated with FWC for any future flights. And I apologize to everyone at St Pete Air for the loss of an aircraft, the inconvenience I've caused them, and the undue public scrutiny which will no doubt come from this. But I want to thank all involved for their professionalism and courtesy throughout this entire process.

14. I'm available at [REDACTED] for any further questions or interviews.

Very Respectfully,

[REDACTED]

Scott D. Tobin