

DECISION

Request Number: 05

Protest

Event: Whidbey Island Race Week 2018 Race Number: 5

Hearing Date: 2018-07-22

PARTIES AND WITNESSES

Initiator: 2 - PHRF - USA USA 50791 - With Grace - Chris Johnson

Respondent(s): 2 - PHRF - USA USA 87478 - Dangerous When Wet 5 - Nathan Dye

Witnesses: Greg Muller, Egor Klevak, and Ron Baer from With Grace; Nathan Dye from Dangerous When Wet.

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

9-11 knots of wind, relatively flat water, incident at 6.5-7 knots of boat speed, there was current at about 1.25 knots.

With Grace was on starboard, following **Lodos** (J109) into the weather mark.

Dangerous When Wet was on port.

With Grace was slightly to weather and clearly astern **Lodos**.

With Grace had eased their genoa and the trimmer remained on the port side. The driver was steering from the port side.

Dangerous When Wet, ducked **Lodos**, then turned back up to cross **With Grace** who had not yet extended their pole, but was in the process of doing so.

While crossing **With Grace**'s bow, **Dangerous When Wet** saw the pole (7') extended on **With Grace** and attempted to tack short to minimize contact, however as soon as the tack was initiated, the impaled sprit prevented it.

With Grace did not alter course from the time she first saw **Dangerous When Wet** until the impact.

With Grace's pole crossed the deck under the lifelines approximately 3' ahead of **Dangerous When Wet**'s stern and became entrapped in the stern pulpit. Subsequent motion brought the hulls together, further entangling the boats.

Both boats sustained significant damage and retired from Race 5. No injuries were reported.

Diagram: Protest Committee diagram attached

CONCLUSIONS AND RULES THAT APPLY

Dangerous When Wet failed to keep clear of **With Grace**, the starboard tack boat, breaking rule 10.

With Grace, right of way boat, failed to avoid contact when it became clear the **Dangerous When Wet** was not keeping clear, breaking rule 14.

DECISION

Both boats retired from Race 5, therefore no further penalty is issued.

Date & Time: 2018-07-25 10:26 PDT

PROTEST COMMITTEE

Chaired By: Byron Skubi (USA)

Committee Members: Jeff Snell (USA), Liesl Mordhorst (USA)

Written Decision Requested By: With Grace

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