

Beach and Swim Regulation rule signs are posted in prominent areas of each beach. The District's Pool Regulations are similarly posted at Roberts and Castle Rock pools. Enforcement authority for these rules is provided for in the District's Ordinance 38 Section 401. It reads in part, "Swimming will be allowed pursuant to the rules and regulations established by the Board of Directors as set forth in the "East Bay Regional Park District Swimming Policies and Regulations," as adopted and amended from time to time." Because the rule signs are specified in this policy, violation of these posted rules violates Ordinance 38.

Lifeguards are responsible to advise on and gain voluntary compliance to the "Beach and Swim Regulations" and "Pool Regulations."

The purpose of rules and regulations, both posted and discretionary, is to address an associated safety concern. Following is not only the rule but also an explanation of the rules purpose.

POSTED RULES

The following list makes up posted rules and their associated safety concerns. The posted rules are not discretionary and therefore need to be enforced at all times. Possible exceptions may include reasonable accommodations to people with disabilities.

When lifeguards are on duty follow their instructions

Safety concerns vary depending on conditions. Not every rule can be posted. The District recognizes the lifeguard's expertise in assessing water and swim area hazards. The District extends to lifeguards the authority and responsibility to take action necessary to carry out their duties.

Swimming is restricted to designated area

District policy provides designated swimming areas in an effort to manage aquatic risk and provide public service. The risk to swimming outside designated areas is greater, so the District prohibits it.

Swimming permitted only when lifeguards are on duty

This rule relates to District lifeguards at Roberts, Don Castro, Cull Canyon, Castle Rock and Contra Loma. California's Health and Safety code specifies that swimming is not allowed in public facilities of artificial construction without lifeguards on duty.

No diving in shallow water

The risk for head, neck or back injury is high when entering the water head first. It is especially high when the water is shallow. The risk of striking the bottom or unseen submerged objects outweighs the potential fun.

No alcoholic beverages, dogs, glass containers, fishing and barbecues permitted on the beach or in the swim area

Drinking alcohol impairs judgment and coordination, both necessary for safe swimming. Keeping alcohol away from swimming areas may reduce the incidence of swimming under the influence of alcohol.

Dog excretion presents a health risk in swimming areas. Dogs may also present a biting hazard and many people are uncomfortable around unfamiliar dogs. Given these two factors a blanket rule is established for consistency and ease of enforcement.

Glass containers have the potential for breaking. Broken glass is very hard to clean up in the sand, water or concrete and presents a high risk for laceration, puncture, and embedded object injury.

Fishing presents a risk to others in casting weighted line, entanglement in fishing line and impalement in hooks.

Hot coals used in barbecues present a burn hazard, especially to bare foot people. Hot coals in the sand are hard to see and clean up. Barbecues can also heat up the sand around them for hours. Gas barbecues are included in this rule for consistency and ease of enforcement.

Floataction devices in shallow water only

It is extremely difficult for lifeguards to assess the swimming ability of someone on a float. Floats deflate and people fall or are knocked out of them. They are not designed to be lifesaving devices. People on floats in deep water often rely on them for that purpose. People, especially children, have a tendency to go into deep water with floats. Children using floats are often supervised less closely by their parents. A complete non-swimmer who loses a float in deep water may not struggle on the surface but submerge unseen. Floats are an attraction to others. Groups around floats are hard to assess. Floats can block the view of lifeguards, people may be under or behind them. For these reasons a blanket rule is established for consistency and ease of enforcement. In practice, "shallow water" is defined by the wading rope but it may mean shallower areas for small children. Coast Guard approved personal floatation devices correctly worn and in serviceable condition are allowed in "shallow water" up to chest deep. Adults standing in chest deep water may have infants or toddlers wearing PFDs with them as long as the adult is holding the child.

A Coast Guard approved personal floatation device will have received an Underwriters Laboratory Standard endorsement which is usually silk screened or attached on a label on the inside of the PFD. For example it will read: "UL 1177" or "UL 1123"

No floatation devices weekends and holidays (Del Valle only)

The above reasons apply. In addition, experience has shown that weekends and holidays at Del Valle are often very crowded. Due to the campground, people have a tendency to bring large floatation devices to the beach. These exaggerate the danger of blocking the lifeguard's view and knocking people down if kept in shallow water. Water fluctuation also makes it very difficult to maintain a consistent wading area. Through several years of trying to address these problems (putting a limit on the size/type etc.) the District has taken the position of prohibiting floats on weekends and holidays for consistency and ease of enforcement. Coast Guard approved personal floatation devices correctly worn are allowed in shallow water (up to chest deep) on weekends and holidays.

No snorkels, masks or scuba equipment permitted

Training is necessary in order to properly use masks and snorkels. Also there is a variety of equipment quality that is brought to the parks. An improperly used mask and snorkel can cause water aspiration. A snorkeler laying motionless on the surface is hard to assess by a lifeguard. The danger of "shallow water blackout" is increased while using this equipment (even in experienced snorkelers) and is almost impossible to detect by lifeguards. Scuba diving is prohibited as a District wide policy due to its inherent risks and supervision difficulties (except within specified programs).

Swim attire required – No nudity

Wearing clothing not designed for swimming increases the risk of drowning due to increased weight and drag. Nudity is prohibited by District-wide ordinance because it may offend others. An exception is made for children under 5 years old. However, if a complaint is received, staff will typically contact the offending party, inform them of the complaint and ask for compliance in an effort to promote a family atmosphere.

No pets

The associated health hazard and potential for harm to others causes the District to adopt this blanket rule regarding pets. California Code of Regulations prohibits animals in pool and pool areas.

Litter should be placed in containers

Littering is unsightly, discourteous and potentially unhealthful. It is listed as a specific violation of Ordinance 38, Section 504.

Diaper Policy

Ordinance 38 states that, “Incontinent individuals are prohibited from water contact activities in non-chlorinated swimming areas.” The Department of Environmental Health has made this requirement of the District in an effort to insure water quality remains acceptable for swimming. With insufficient water clarity at our lake facilities it is very difficult to identify accidental fecal releases (AFR) and the lack of chlorine negates the opportunity for chemical sanitation of the water to occur.

At chlorinated facilities, swim diapers are required. They have been shown to be better at fecal retention than regular or disposable diapers.

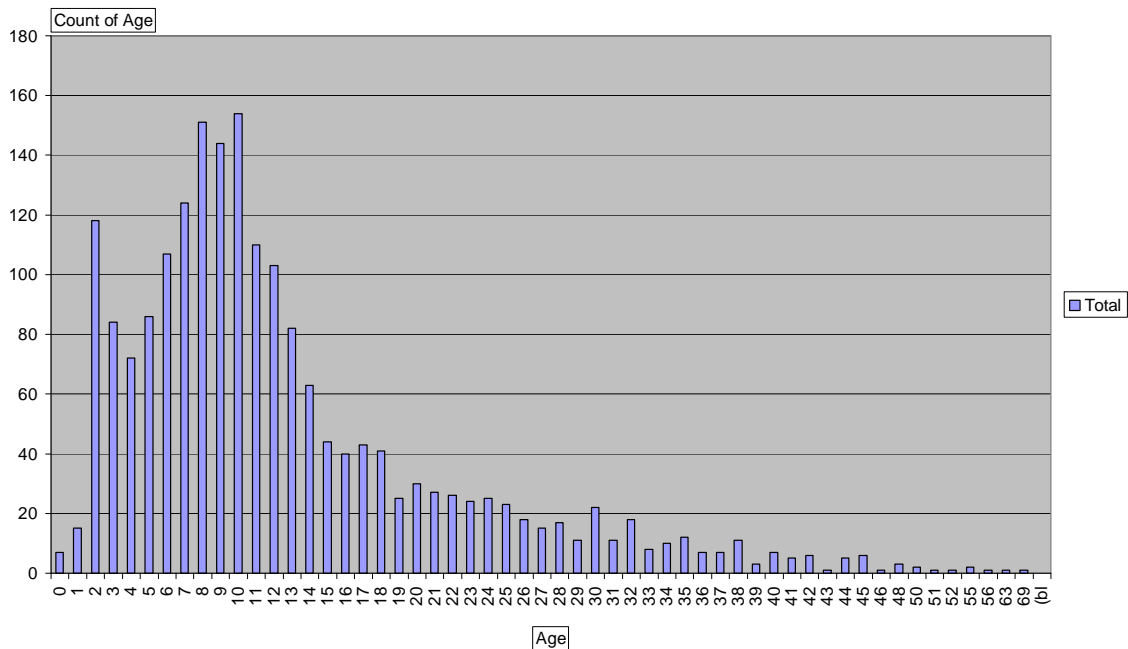
Swim area supervision rule

Children 12 years old and under are not permitted in the swimming area unless accompanied by a responsible, actively supervising, individual 16 years old or older.

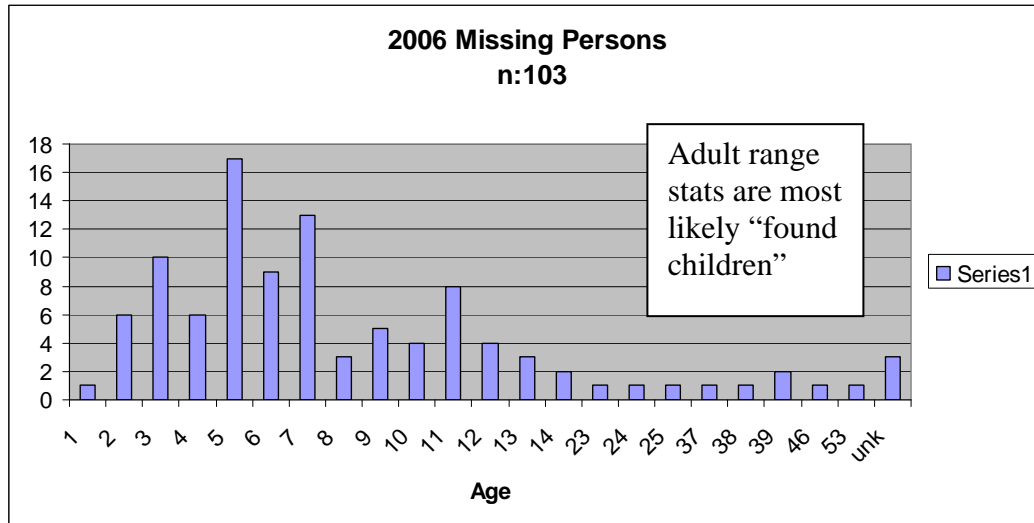
In California, drowning is the leading cause of injury death for persons under 15 years old (http://www.usla.org/PublicInfo/safety_guide.asp#1)

District rescue records illustrate the majority of rescues are to those 12 years old and under. Table shows data from years 1996-2004. Approximately 2,000 rescues.

Rescues by Age



The majority of swim area missing person incidents occur to children 12 years old or under. Dealing with these emergencies represents a drain on resources and disruption of public service.



Lifeguard attention is spread among all swimmers. Safety is improved for everyone when parents/guardians are monitoring and controlling their kids' (smaller groups) and their behavior.

POSTED RULES SPECIFIC TO ROBERTS AND CASTLE ROCK POOLS

No floatation devices

For the same reasons stated above and the pool area is too small to accommodate their safe use.

No Running

The concrete deck and locker room areas are slippery when wet. A fall in these areas could result in serious injury.

Shower before entering the pool

Water sanitation and clarity of pool water is required by the Health and Safety Code. Showers prevent unnecessary contaminants from entering the pool.

DISCRETIONARY RULES

Given the myriad of potential ways visitors may get injured, the District relies on lifeguard good judgment in taking discretionary preventive actions not specified on the rule signs. Recognizing this need, the first rule on the signs is: "When lifeguards are on duty follow their instructions."

When enforcing discretionary rules, it's important to recognize lifeguards are trying

to ensure the safety of everyone at the swimming area and that they are skilled in recognizing the potential for injury. Information on common discretionary rules and their purpose is provided below.

Lifeguards have the authority to enforce discretionary rules based upon conditions that apply. For example, it may be fine for a child to throw sand while playing alone near the shore but not alright for the same child to throw sand around others. It is important to err on the side of safety when making decisions. Also, it is important to recognize that activities need to be appropriate for the environment. For example, teens using loud foul language (even among themselves) may not be appropriate for the public beach environment.

The following is a partial list of actions that are prohibited unless there are unusual conditions that call for allowing it.

Swimming without an over-arm stroke in deep water

This is perhaps the District's most commonly enforced discretionary rule; in practice it borders on a mandatory enforcement that could be posted. It is important to be a strong swimmer if venturing out into deep water. One of our most common causes of deep water rescues occurs when people overestimate their swimming ability. Having the ability to swim an over-arm stroke demonstrates a degree of strength and skill. Endurance is also an important factor to consider. As necessary, lifeguards give a swim test as a way to gauge strength, endurance and skill. However, swimming with an over-arm stroke is not a definitive demonstration of ability to swim safely in deep water. Some people may be very strong swimmers while using breaststroke, sidestroke or some variation. It is up to the lifeguard in the chair to make the determination if someone swimming without an over-arm stroke is safe or needs to be called back to chest deep water.

Throwing objects: sand, rock, ball, Frisbee, etc.

Errant throws may cause injury when striking others. Sand in the eyes is a particular concern.

Rough play, fighting, wrestling

Rough play has a tendency to get out of hand and cause injury. The play may also accidentally hurt those nearby. Rough play in the water may result in accidental water aspiration due to unexpected dunking.

Splashing directed toward others

May cause eye injury or water aspiration. Annoying to others.

Hanging on ropes and buoys

Causes damage to ropes and buoys. When sunk it's not visible to others who may need it for reference/safety, it is no longer a barrier to boats.

Ropes may be used by weak swimmers to get into deep water.

Building human pyramids, shoulder rides, throwing people, flips, cartwheels, skim boarding, etc.

These activities usually occur in shallow water where a fall can result in injuries from striking the bottom or others.

Inflatable boats with oars, being upside down

Errant oars strike others. People inside the air pocket of an upside down inflatable boat are impossible to see so people may be in trouble without the lifeguard knowing it.

Balls in deep water

They are often used as a form of floatation. Also, people often lose control of them and then feel compelled to chase after them farther from shore. They may then find that they have exceeded their swimming ability and need help.