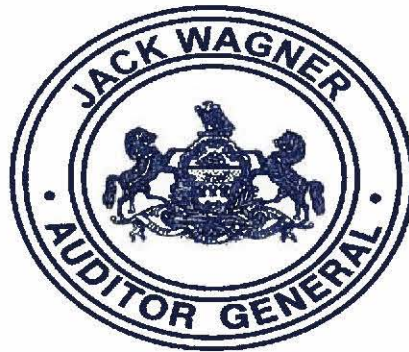


House Tourism and Recreational Development Committee



Auditor General Jack Wagner

*Testimony by
Stephanie G. Maurer
Deputy Auditor General for Performance Audits*

May 11, 2009

Good morning, Chairman Sainato, committee members, and guests. My name is Stephanie Maurer, and I am the Deputy Auditor General for Performance Audits with the Department of the Auditor General.

Auditor General Jack Wagner is disappointed he could not be here himself. He thanks you for seeking our input today, as do I. We place a high priority on public safety and public communications.

I will break down my testimony into five brief points to explain how we became involved in the state park lifeguard issue and what we've done.

First, however, you may be interested to hear a fact about Auditor General Wagner's background, and how it relates to this hearing.

Before entering the public sector, Jack Wagner spent ten years as a safety engineer in the private sector. He showed *companies* how to avoid potential accidents, thereby keeping *people* safe.

His experience was of such consequence that it resulted in a special emphasis on safety issues during his subsequent three decades of public service. You may recall this emphasis in some of our audit and report topics over the past four years, such as restaurant inspections, school safety, dam and levee safety, driver safety on our turnpike, community safety related to Megan's Law, and fire safety at state institutions.

That background brings me to my five summary points, including how our involvement began, the quiet evolution of the no-lifeguard policy, what we found and reported in our examination, how we've engaged the Department of Community and Natural Resources, which I will refer to as DCNR, and our continued concerns.

- **Our involvement** began in January 2008 when we read a DCNR announcement about the elimination of lifeguards at 37 of Pennsylvania's 38 state parks with lake beaches. The lone

May 11, 2009

Testimony by

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Deputy Auditor General

exception was—and is—the beaches at Presque Isle State Park on Lake Erie, which would remain guarded because of the lake’s hazardous currents.

We began to look further into this matter because it didn’t seem safe or logical to remove lifeguard protection from all but one of our state beaches. Lakes in state parks where swimming is permitted present potential hazards that do not exist in swimming pools, including variations in water temperature that can be extremely cold, sudden variation in water depth, more isolated locations, the lack of large numbers of swimmers at various times during the day, and water that may not be clear enough to allow visibility of someone under water. Any of these issues and more must be considered in eliminating lifeguards in favor of what DCNR calls its “open-swim” policy.

- **The evolution of this no-lifeguard policy**, we were surprised to learn, had started about ten years ago, thereby spanning three administrations. In effect, the policy had been validated by the passage of our state budget each of those years.

So while the announcement in January 2008 looked sudden and sweeping, we realized it marked the finish of a multi-year plan that was implemented in stages, a group of parks at a time.

- **Our examination** of this issue took place between January 2008 and mid-May 2008, at which time we released **our special report**, of which you have copies.

You’ll see that we questioned DCNR’s rationale that unguarded beaches were a national trend. In addition, we learned that children between the ages of 5 and 15 typically drown not only in swimming pools, but also in open water such as lakes and rivers. And we found research to support common sense that children need constant supervision in or near water, and that families should

choose swimming areas supervised by trained and certified lifeguards.

You'll also see that we looked at DCNR's performance in warning the public about risks. We reviewed communications both on-line and on-site, including lakeside signage; we were especially concerned that DCNR referred to its "open swim" policy without always explaining that "open swim" meant no lifeguards. Finally, we found that DCNR's Web site still posted pictures of guarded beaches or made mention of lifeguards on duty.

- As the result of our work, **we engaged DCNR** in discussing our findings and recommended it reevaluate its decision. We said that, in the meantime, DCNR must improve its public communications.

I can report today that DCNR was responsive to us, both in writing and face-to-face discussions. Public communications on-line and on-site were improved. DCNR was direct in saying it had no plans to restore lifeguards overall, but it did agree to consider restoring them to "unique" swim areas. One such unique area about which Auditor General Wagner is adamant is Fuller Lake in Cumberland County at Pine Grove Furnace State Park. Waters there are abnormally cold, and part of the swim area is more than 30-feet deep.

- My last point summarizes **our continuing concerns**. We cannot let this issue fade; we cannot stop working to protect our swimmers at state park lakes. We are concerned that the restoration of lifeguards at Fuller Lake, for example, may be compromised in the face of budget cuts. We are concerned that even Presque Isle beaches may lose their guards, and we simply can't let that happen in light of Lake Erie's hazardous currents.

We are also concerned about DCNR's difficulty in recruiting lifeguards. We offered suggestions to DCNR, such as contacting our State System of Higher Education about granting course credit

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Pennsylvania Department of the Auditor General

May 11, 2009

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for guarding the beaches, because we're convinced that we are not doing all that we can do with regard to recruitment. DCNR subsequently reported to us that it took our suggestion in approaching SSHE but found that the idea was not feasible.

Our concerns continue, and others share them. Our report resulted in widespread publicity that illustrated real public interest, including editorials and letters.

I will close my testimony with something that happened just last week. An area man visited us to share his passion about restoring lifeguards, explaining that he and his family are frequent users of one of our parks in Centre County, Black Moshannon. He had ideas about lifeguard recruitment, such as granting \$1,000 vouchers to use for state college tuition, or paying guards to perform other useful duties on rainy no-swim days. He showed us how he and his wife collected 132 signatures representing 383 visitors at the park during three days last June. All but one of those signatures indicated support for restoring lifeguards.

Was this survey scientific? I don't know. But the point is this: this man is a great example of a taxpayer who cares deeply, and a great example of how our park users can contribute new ideas for consideration. I think we should listen.

Thank you.