

**Statement of
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Pennsylvania Department of Conservation and Natural Resources
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Chairman Kirkland and members of the House Tourism and Recreational Development Committee, I want to thank you for the opportunity to discuss the open swim policy of the Department of Conservation and Natural Resources.

Pennsylvania's 117 beautiful state parks offer a variety of recreational activities, including swimming in lakes. Millions of visitors have enjoyed swimming at our beaches without life guards since DCNR began phasing in our open swim policy 11 years ago, during the Ridge Administration. (Attachment #1) Our safety record during this period is strong, and our customers tell us they like the open swim program.

Last year we completed the phase in of the open swim policy at the remaining 15 state park lake beaches. All pools and beaches at Presque Isle State Park and Fuller Lake within Pine Grove Furnace State Park will continue to have lifeguards.

Our first concern is the safety of our visitors. Believe me, there is no one who is more concerned about the safety of state park visitors than the men and women who work for and manage our state parks. They are a dedicated group of professionals who put public safety first in their jobs.

When the Department first introduced the open swim policy to Pennsylvania state parks it was after much research concerning the safety implications of such a decision, and we have continued to monitor its effects within Pennsylvania state parks as well as the impact of similar or identical policies on a national basis.

Under our open swim policy, swimming is permitted at state park beaches from 8 AM to sunset within the designated areas appropriately marked for swimming. The beaches we operate are designed as swimming beaches. Generally, they have sandy or river gravel bottoms that are regular and gentle sloping.

Beaches continue to be patrolled and monitored by state park staff to ensure public safety. Our rangers and managers receive extensive training in first aid and CPR, water rescue and other specialized fields related to public safety. These members of our staff also are in direct contact with county emergency management staff by either radio or phone.

In addition, beaches are clearly posted with "Open Swimming Area – No Lifeguard on Duty" signs. (Attachments # 2-4) Ring buoy stands, marked "Emergency Use Only," are provided for rescue purposes; patrol boats are readily available for rescue; public telephones are provided with takeaway hospital directions nearby; and signs indicating location of first-aid facilities are posted.

Our decision to institute open swim was primarily an operational decision, not a cost-saving measure. It grew out of the lack of qualified guards being available to work the entire swimming season. The problem has been two fold. First, we have experienced significant and increasing difficulty in hiring enough guards to cover one shift per day seven days per week. The second issue has been that schools and universities start in middle to late August, leaving many facilities without guards or enough guards to operate for substantial portions of the swimming season.

As lifeguards are seasonal, most of our candidates are of school age. Becoming a lifeguard requires forethought and extensive training which must be undertaken months

in advance of the swimming season. Park managers have made numerous contacts with schools, colleges and universities to encourage folks to become lifeguards. We have also raised the pay rates for lifeguards many times over the last decade trying to encourage more applicants. Currently, a guard starts at \$10.05/hour. (Attachment #1, p.2)

The results of our recruitment efforts have been mixed; system wide we have not been able to hire and retain the number of guards we need to provide full coverage. The problem has only increased over the last decade.

Initially, those parks that were unable to hire a sufficient number of lifeguards were granted permission to adopt a full open swim policy; that is, allowing unguarded swimming during park hours of 8 a.m. – sunset. Prior to this change, swimmers would be asked to exit the water at 7 p.m. and would not be permitted to swim without a lifeguard present.

Between 1999 and 2007, full open-swim was incrementally expanded statewide to include a total of 23 state parks by the 2007 season. This brings us to the present, with the 15 remaining state parks being added to the program for a total of 38.

The very basic tenet of the open swim policy is to clearly inform our visitors that we do not have lifeguards on duty and for parents, guardians and friends to watch out for the safety of their group. At parks where the open swim program was initially put in place, we received many encouraging, positive comments from swimmers. Most notably, they commented favorably on longer hours and seasons for swimming and increased freedom intrinsic to open-swimming areas.

It also became clear to us during our reviews that providing lifeguards at beaches some of the time created a false sense of security among some regular beachgoers when guards were not present.

In addition to evaluating the phase in of the program in Pennsylvania, we've also looked at the experiences of others.

More than 40 other states have instituted unguarded/open swim programs at many or all of their inland beaches with great success. Numerous other agencies, including the National Park Service, U.S. Forest Service, the U.S. Army Corps of Engineers and, most notably, Ohio and Indiana State Parks, have instituted programs identical to ours, retaining lifeguards only at pools and Great Lakes beaches, with good public safety records.

As a whole, these agencies have observed, as DCNR has, greater attentiveness on the part of parents, leading to a better overall family atmosphere; no detectable increase in the number of drownings or accidents since the switch from guarded beaches to an open-swim policy; and greater public access to beaches due to the expansion of swimming hours and season length.

As an agency that manages 58 beaches and many hundreds of miles of shorelines on streams, rivers and lakes we know there are inherent dangers in water related activities. We encourage our visitors to know their limits and to be mindful of others.

We manage on average of 3 million swimmer days per year in our recognized swimming areas. In the past eleven years we have experienced three drownings, two at beaches where lifeguards were on duty and one at an unguarded beach.

We attribute our safety record to the overall management of the physical facilities, our staff, and the diligence of our park patrons in being watchful of their groups. We believe that a consistent management practice is the safest policy for managing our beaches and pools.

Each year we perform a detailed inspection of each state park swimming facility. The inspections focus on safety issues such as the physical condition of the facilities, staff readiness and public information and education elements. As a result of these inspections and our experiences we adapt the program to enhance our service.

As examples, last year the Department assigned additional staff to educate visitors about the open-swim program, standardized the facilities where practical, and stepped up law enforcement patrols on the beaches. In addition, we have contacted the Pennsylvania State System of Higher Education (PASSHE) in an effort to explore ways to improve the recruitment and retention of lifeguards. Specifically, we asked if the training and experience as a lifeguard could be used to gain academic credit; thereby increasing the incentive for college students to become guards. After a thorough review, PASSHE determined that the work and the training does not rise to the level to be considered for credit.

This upcoming summer season we will continue to employ seasonal rangers to augment the full-time staff to oversee and manage our swim areas.

If HB 719 passes as drafted it does not provide for sufficient funding to perform the mandate. The cost of compliance with the provisions of HB 719 is in excess of \$1.3 million annually. It is critically important for the Committee to understand that, when lifeguards are not available due to daily call-offs or the retention issues discussed above,

the provisions of HB 719 will require us to close swimming facilities entirely. It will also require us to ban swimming before 11 AM and after 7 PM and before Memorial Day and after Labor Day. Over the last decade, thousands of swimmers have taken advantage of the opportunity to swim during these times. This will inevitably be a drastic reduction in public service and will also impact visitation and local tourism.

The safety of our state park visitors is always our first concern. State park beaches have been operated safely with an open swim policy; while at the same time providing extended recreational opportunities for our visitors. We thank you for your interest in this issue and appreciate the opportunity to offer this testimony today.

Open Swim General Statistics

In January 2008, DCNR announced the full adoption of the open swim program and implemented it at the remaining 15 state park beaches that had had some lifeguard presence in 2007 and two facilities – Lyman Run and Gouldsboro - that were closed for the past several years for construction projects. Lifeguards were retained at swimming pools and Presque Isle State Park beaches.

- **Open Swim prior to 2008 – (38 beaches total)**
 - 35 beaches (92%) have been operating under open swim 2 days a week or more since at least 2006.
 - 17 beaches (45%) have been operating under open swim 7 days a week since at least 2006 with no major incidents to report.
 - 9 beaches (24%) had been operating under open swim at least one full day a week for 5-10+ years prior to full open swim in 2008.
 - Only 3 (8%) beaches were fully guarded 7 days a week until the institution of full open swim in 2008.
- **Lifeguard Recruitment – (31 Park Complexes total)**
 - 87% of Park Complexes worked with Universities, High Schools and/or YMCA's and community recreation centers to help acquire lifeguards for their facility.
 - The two acceptable certifications dictated by the State Civil Service Commission job announcement are the American Red Cross and the YMCA.
- **Number of Drownings in state park swimming areas that were guarded since 1998 : 2 – (Presque Isle 1999, Prince Gallitzin 1999)**
- **Number of Drowning in state park swimming areas that were unguarded since 1998: 1 – (Pine Grove Furnace 2008)**
- **In general, the Bureau of State Parks has received very few comments regarding the full institution of the Open Swim policy this year.**
 - (29 responding complexes total)
 - 13 park complexes (45%) reported either predominantly positive comments or no comments at all.
 - 8 park complexes (28%) reported a ratio of about 50/50 positive and negative comments
 - 6 park complexes (21%) reported predominantly negative comments.
 - 2 park complexes (7%) reported questions as to the absence of lifeguards with indifferent responses to explanation.
- **The Bureau of State Parks surveyed field sites with beach operations in order to determine an approximate number of lifeguards needed for 7 day a week 11 a.m. – 7 p.m. coverage and total cost for the bureau at**

2008 wages rates. Including benefits, a figure of \$12/hour was used for lifeguards and \$13/hour was used for lifeguard supervisors.

- The approximate bureau total to achieve a full complement of lifeguards is **\$1,280,496.00** for a total of 174 Lifeguards and 44 Lifeguard Supervisors statewide.
- Lifeguard: Pay Range ST01, Grade 01, \$10.05/hour
Lifeguard Supervisor: Pay Range ST01, Grade 07, \$11.32/hour
Lifeguard (Lake Erie): Pay Range ST01, Grade 05, \$10.88/hour
Lifeguard Supervisor: (Lake Erie): Pay Range ST01, Grade 11, \$12.24/hour
Lifeguard Manager: (Lake Erie): Pay Range ST02, Grade 11, \$13.78/hour

• **SWIMMING POOLS-** During the first two weeks and last two weeks of the season most facilities are closed on weekdays due to a lack of lifeguard coverage resulting from high school schedules and lifeguards returning to college.

• **Managers of park complexes with beach operations surveyed nearby recreational facilities that employ lifeguards to establish an average starting lifeguard pay at their pools/beaches. A query of local municipal park and recreation agencies was also completed through the Pennsylvania Recreation and Park Society (PRPS)**

- The average hourly pay rate from this survey was \$7.73/hour
- Bureau of State Parks lifeguards start at \$10.05/hour, lifeguard supervisors start at \$11.32/hour, as noted above.

• **From the Centers for Disease Control, drowning rates are highest mainly for children under 5 years of age and persons 15-24 years of age. How children drown tends to vary by age. For example, children under age one most often drown in bathtubs, buckets, and toilets. Children 1-4 most often drown in swimming pools, hot tubs, and spas.**

http://www.cdc.gov/healthmarketing/entertainment_education/tips/drowning.htm

<http://www.cdc.gov/ncipc/factsheets/drown.htm>



NOTICE

OPEN SWIMMING AREA

NO LIFEGUARD ON DUTY

SWIM AT YOUR OWN RISK



AVISO

Area Abierta Para Nadar

NO HAY SALVAVIDAS

Nade a su propio riesgo



**Open Swimming Area
Swim At Your Own Risk**

**Área Abierta Para Nadar
Nade A Su Propio Riesgo**

- Leave the beach area at the first sign of lightning or thunder.
- Seek shelter - your car is usually a good place.

- Salga de la playa a la primera señal de relámpagos o truenos.
- Busque refugio. Su automóvil es generalmente un lugar bueno.

- All children under 10 years of age must be supervised by a person at least 14 years of age. There may be no more than 5 children under the supervision of one person.

- Todos niños bajo la edad de 10 años tienen que ser supervisados por una persona que no tenga menos de 14 años de edad. No pueden haber más de cinco niños bajo la supervisión de una persona.

SWIMMING PERMITTED FROM 8 AM TO SUNSET

SE PERMITE NADAR DE LAS 8 A.M. HASTA LA PUESTA DEL SOL

Bureau of State Parks Lifeguard Recruitment and Retention

The recruitment and retention of certified lifeguards is not unique to DCNR and the Bureau of State Parks. Although for years DCNR has struggled to maintain sufficient lifeguard staffing, it was evident in the late 1990's and early 2000's that this was a growing national problem. The continued inability to hire enough qualified lifeguards to cover one shift per day; seven days per week for the entire swimming season became impossible. While the hiring of qualified lifeguards continued to be challenging, the retention of lifeguards through the entire swimming season became almost impossible. Traditional swimming seasons at our state parks were typically from Memorial Day to Labor Day, but due to school districts around the Commonwealth ending in mid-June the agency was forced to have reduced swimming availability during these times. Additionally colleges and universities were starting earlier, and the advent of more competitive high school sports beginning mandatory team practices in late August, forced the Bureau to look further at ways to retain staff through the Labor Day Holiday by instituting bonuses to those who would stay, or at least work the weekends through this late summer holiday. Unfortunately, such tactics did not work and many parks were forced to shorten the guarded season to mid August. The open swim program has allowed the Bureau to once again offer swimming from Memorial Day to Labor Day and even stretch swimming opportunities outside of the traditional season to mid to early May through mid to late September. Without the open swim option many state parks would have been forced to close beaches or seriously curtail swimming opportunities for the public.

Lifeguard positions require several professional certifications which must be completed months in advance of the swimming season, maturity generally exceeding their age bracket and excellent public contact skills. Since lifeguards are seasonal employees, most of our candidates are of high-school or college age. As previously noted, the recruitment of lifeguards can be a difficult and time-intensive task. To maintain a pipeline of seasonal lifeguards, park managers have made contacts with local schools, colleges, and universities to encourage students to become lifeguards. Pay rates for state park lifeguards have also increased over the last several years, to the point where state park lifeguards are paid above the vast majority of municipal and private swimming operations, exceeding minimum wage by several dollars per hour (average rate of pay at which many school age employees typically work). In many cases all of this effort has failed to yield a sufficient pool of candidates to fill our lifeguard positions throughout the state and has not alleviated the situation where lifeguards are not as readily available for the full swimming season.

Each year the Bureau of State Parks works with DCNR's Bureau of Human Resources to develop the attached Lifeguard Job Poster for parks to post at easily-viewed locations, as well as providing it to local schools, universities, and employment centers as a way to help get the word out about state park lifeguard position availability. The Bureau has also sent letters to local chapters of the YMCA and Red Cross, sent press releases to the media, as well conducting some personal recruitment all with the intended effort of noting the availability of lifeguard positions within state parks.

The results of our recruitment efforts have been mixed; system-wide we have not been able to hire and retain the number of guards we need to provide full coverage. The

problem has only increased over the last decade. It is worthwhile to note that national reasons for lifeguard shortages include competition from better paying and less strenuous jobs, fears of skin cancer and too few qualified swimmers as reasons for the shortages. Many of our State Parks face an additional challenge due to their remote locations which hinder the lifeguard staff because of transportation concerns, and this problem is further compounded by the increased costs of fuel.