

Memo

To: House Judiciary Committee
From: Ken Schatz, DCF Commissioner
RE: H. 330
Date: May 5, 2015

My involvement in swimming hole safety dates back to the summer of 2011 when the 12 year old son of a good friend drowned at the popular Bolton swimming holes.

Out of that tragedy, a group dedicated to swimming hole safety began meeting to discuss ways to improve safety and increase awareness about the risks of high water. The group is made up of representatives from the Health Department, Vermont River Conservancy, Place Creative Company, the Agency of Natural Resources including the Departments of Environmental Conservation, and Forest, Parks and Recreation as well as several individuals.

Research indicated that there were at least six swimming areas where people have drowned since 1985. The group agreed to focus on public education about safety risks to try to prevent future injuries at swimming holes. The Department of Health agreed to enhance its online presence regarding swimming hole safety and publish occasional press releases in the spring to remind the public about changing water conditions when the water is high.

Swim Hole Safety Press Release: http://healthvermont.gov/news/2013/053113_swim_hole_safety.aspx

Swim Safety Tips: <http://healthvermont.gov/prevent/summer/safety.aspx#swim>

Swim Hole Safety Tips: http://healthvermont.gov/prevent/summer/documents/swim_hole_safety_tips.pdf

The group is continuing to work on a marketing campaign with a particular focus on capturing the attention of young people.

In addition, the group determined that warning signage is another approach to educate people that swimming at swimming holes may be dangerous due to conditions that are not obvious (e.g. underwater rocks or ledges, fast water after rainfall, etc.). Apparently, landowners have raised concerns that if they post a sign they may increase their risk of liability if an accident occurs. The proposed limitation on liability set forth in H. 330 is intended to address those concerns.

We all share the desire to protect our children. Thank you for your consideration of this bill.

