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NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Steven Lederer - Director
Environmental Management
REPORT BY: Christine Secheli, Assistant Director, 253-4471
SUBJECT: Activity Pool Guidance Policy for Napa County

RECOMMENDATION

Director of Environmental Management requests the Board adopt the Activity Pool Guidance Policy.

EXECUTIVE SUMMARY

Current State regulations for public swimming pools do not address Activity Pools. Title 22 California Code of Regulations (CCR) Section 65501(a) defines a Swimming Pool or Pool as "an artificial basin, chamber or tank used, or intended to be used, for public swimming, diving or recreative bathing....." Section 65501(c) defines a Special Use Pool as a pool "designed and used exclusively for a single purpose such as wading, instruction, diving, competition or medical treatment....". The purpose of these guidelines is to recognize Activity Pools as a type of Special Use Pool designed and used for the purpose of limited wading activities by younger children where the children do not submerge themselves underwater for the purpose of swimming. Activity Pools are unsuitable for normal pool activities such as swimming and diving. Features commonly associated with Activity Pools include shallower depths and incorporation of one or more of the following: ladders, climbable bars, chutes, bubblers, fountains or similar devices.

Napa County currently has several proposals pending for the construction of Activity Pools. The policy has been crafted to provide uniformity to Activity Pool approvals and ensure adequate safety and sanitation features in their design and construction.

The California Department of Health Services has been working with the California Conference of Directors of Environmental Health (CCDEH) Community Health Committee and the Bay Area Swimming Pool Information Sharing Committee for the last several years on establishing official regulations or guidelines related to Activity Pools. Based on current information it appears it will still be months to get the proposed regulations to the Office of Administrative Law, and much longer to full adoption.

The Department of Environmental Management has prepared an Activity Pool Guidance Policy for Board approval. This policy has been formulated by using the current CCDEH Recreational Water Park Guidelines and input from

industry professionals and the Engineer from the Town of Yountville. The guidelines are based on those existing regulations which are applicable to the unique and special nature of Activity Pools, and the authority of the Department to approve of alternative methods of construction and equipment which provide adequate safety and sanitation features as provided in Title 24 CCR Section 3105B.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

An Activity Pool is a Special Use Pool which features recreational water activities incorporating one or more of the following: ladders, climbable bars, ropes, chutes, bubblers, fountains or similar devices. These types of pools have become increasingly popular at resorts and water parks throughout California. They are designed for use by smaller children and are not suitable for normal pool activities such as swimming and diving.

Current State regulations for public swimming pools do not address the unique features which characterize Activity Pools. The California Department of Health Services has been working with the California Conference of Directors of Environmental Health (CCDEH) Community Health Committee and the Bay Area Swimming Pool Information Sharing Committee for the last several years on establishing uniform regulations for jurisdictions to apply to Activity Pools. Based on current information available it will still be months to get the proposed regulations to the Office of Administrative Law, and even longer to full adoption

As allowed pursuant to Title 24 CCR Section 3105B.1, the enforcing agency (in this case the Department of Environmental Management) may approve an alternate equipment, material, or method of construction provided it finds that the proposed design is satisfactory and complies with the provisions of Chapter 31B and that the equipment, material, method or work is for the propose intended and at least equivalent of that prescribed in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. As such, these guidelines have been prepared to address the differences between conventional Swimming Pools and Activity Pools and include additional health and safety requirements for Activity Pools where the current codes are silent or inapplicable.

Napa County currently has several proposals pending for the construction of Activity Pools. The proposed policy has been crafted to provide uniformity to Activity Pool approvals and ensure adequate safety and sanitation features in their design and construction. The policy has been formulated by using the current CCDEH Recreational Water Park Guidelines and input from industry professionals and the Engineer from the Town of Yountville.

The policy will be revisited upon ultimate approval of state-wide guidelines or regulations for Activity Pools.

SUPPORTING DOCUMENTS

A . Activity Pool Guidance Policy

CEO Recommendation: Approve

Reviewed By: Andrew Carey