



## ACA Risk Management Requirements for Paddle America Clubs, ACA Affiliate Organizations & ACA Divisions



The ACA requires its Paddle America Clubs, ACA Affiliate Organizations, and ACA Divisions to comply with the risk management procedures and requirements set forth below. This list sets forth the minimum requirements for managing risk during ACA-insured club, division and affiliate organization activities.

The ACA strongly encourages clubs, divisions, and affiliate organizations and their individual members to review the ACA's safety publications, which contain valuable information and recommendations for making paddling activities safer and more enjoyable. In particular, the ACA's Best Practices for Paddlers and Paddlesports Programs provide detailed information on how to have a successful paddling trip in a variety of venues. Visit the Educational Resource page of the ACA website to review the ACA's safety materials – [www.americancanoe.org](http://www.americancanoe.org)

[Note: The safety requirements set forth below are intended for clubs, divisions and organizations that participate in the ACA's insurance program. **They are not intended to serve as a standard of care for commercial outfitters or guides.**]

### Administrative Requirements:

- Waiver and Release of Liability: All participants, volunteers, safety personnel, media representatives, event organizers, VIPs, and others must read and sign the ACA Waiver and Release of Liability form before participating in or assisting with the event or activity. ACA Paddle America Club members may satisfy this requirement by signing an annual waiver in accordance with the Paddle America Club agreement. Original waivers must be mailed back to the ACA.
- ACA Membership: All activity participants must be ACA members in one of the ACA's membership categories. Persons who are volunteering at an event but not actively participating in it need not become members. However, volunteers must sign a Waiver and Release of Liability.
- Property Damage: Activity organizers and sponsors must report all property damage resulting from an ACA-insured activity to the ACA National Office **within seven (7) days** of the activity using the ACA Incident / Accident Report Form.
- Injuries: Activity organizers, trip leaders and trip coordinators must report all injuries requiring medical attention to the ACA National Office **within seven (7) days** using the ACA Incident / Accident Report Form. The report form must be accompanied by the original waiver of the injured party. In the event of a serious injury, **immediately notify the insurance company** (American Specialty) by calling 1-800-245-2744. American Specialty will answer calls to this number 24 hours a day, 365 days a year (if calling after hours, follow the instructions for emergency claims reporting).

### General Risk Management Requirements:

- Lifejacket Wear: All participants in ACA-insured activities must wear properly-fitting U.S. Coast Guard-approved lifejackets (Personal Flotation Devices, or PFDs) at all times during on-water

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activities, except for two narrow exceptions described below. Clubs are responsible for enforcing this requirement, and should understand that **if a participant removes his or her lifejacket and an injury or death occurs, the insurance company may deny coverage to the club and/or its members.**

- All lifejackets must be in serviceable condition. USCG-approved Inflatable lifejackets are acceptable for activities that do not involve paddling in surf zones or on whitewater rated at Class I or above. Inflatable lifejackets provide a useful alternative for flat-water paddling in hot weather.
- Stand Up Paddleboards: The U.S. Coast Guard has determined that Stand Up Paddleboards operating outside the surf zone are “vessels” for purposes of the USCG regulations, and therefore must carry one lifejacket for each person on board. In addition, the ACA requires persons using Stand Up Paddleboards at ACA-insured events to wear their lifejackets at all times while on the water.
- The only exceptions to the ACA’s lifejacket wear requirements are for: (1) Pool sessions where a certified lifeguard is present and (2) Elite-level competitions, with written permission from the ACA National Office.
- Skill levels: Clubs should maintain a culture that recognizes and respects varying participant skill levels, and does not place participants in situations for which they are not prepared.
  - Trip leaders and activity coordinators should know the skill levels required for the activity they are organizing, and should use reasonable screening techniques to ensure that participants have the skills necessary for the activity. To avoid awkward situations, coordinators should disclose skills requirements to potential participants before they travel to participate in an activity.
  - Individual participants should know their skill levels, and should avoid conditions for which they are not prepared.
- Appropriate clothing: All participants must be dressed in clothing appropriate for the venue and conditions of the activity. Participants should always be prepared to get wet, flip over or go into the water. In particular, if the water temperature is less than 60°F, and/or the combined air and water temperature is less than 120°F, participants must wear wetsuits, dry suits or other acceptable clothing.
- Drug and Alcohol Use before or during on-water activities: The ACA does not allow persons under the influence of alcohol or illegal drugs to participate in ACA-insured on-water activities. Clubs and activity coordinators should not allow participants to consume any alcohol or illegal drugs immediately before or during an on-water activity or event. Clubs and affiliate organizations must disqualify any participant under the influence of alcohol or drugs from participation and ask them to leave immediately. [See p. 5 for information on serving alcohol at off-water events and meetings.]
- Paddling Alone: The ACA’s insurance covers group paddling activities only. The ACA provides no insurance coverage for individuals who are not paddling as part of a group activity.
- Managing the Group: Clubs should follow these rules in conducting ACA-insured activities:
  - Before the activity begins, develop a float plan and leave it with someone who is not participating.
  - Make sure the group has the appropriate safety equipment for the activity. Before starting, inventory the available safety equipment and make group members aware of who is carrying it.
  - Make sure each participant brings adequate food and water for the activity. During the activity, make sure participants stay well-hydrated, and eat enough food to maintain their energy levels.
  - Prepare the group for the challenges of communicating effectively while on the water. Wind and water sounds can make hearing others difficult. Encourage participants to carry whistles. Review hand and whistle signals before the trip begins.

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- Designate a “sweep” boat to bring up the rear and make sure the group does not lose stragglers.
- Remind participants, particularly novices, to not stand up in a canoe or kayak, and to avoid weight shifts that may cause capsize. Advise them to keep three points of contact with their boat at all times.
- Remind all participants to pay attention to signs and safety warnings.
- Do not leave loose rope in or dangling from boats, since these ropes can rapidly become entrapment hazards. Do not tie any person in or to a boat.
- During the trip, set a reasonable pace so everyone can stay together. Recognize when group members are tired or having difficulty and adjust the group’s pace accordingly.
- Constantly scan for changing weather conditions, and be prepared for weather changes.
- Be aware that federal regulations restrict paddling near military vessels and installations, and anticipate that there may be restrictions near bridge pilings and other areas.

### Risk Management Requirements for Specific Venues and Activities:

The following requirements are in addition to the requirements listed above:

#### Class I-II Whitewater

- Participants must wear properly-fitting paddling helmets (in class II and above). Bicycle helmets are not acceptable.
- Participant must have an appropriate level of additional flotation in their boats for the venue.
- For groups of up to 10 participants, there must be at least two (2) throw-ropes. For groups of more than 10 participants, there must be one (1) throw-rope for every five participants.

#### Class III or more Whitewater

- Participants must wear properly-fitting paddling helmets. Bicycle helmets are not acceptable.
- Participant must have an appropriate level of additional flotation in their boats for the venue.
- Groups of up to eight (8) participants must carry at least two (2) throw ropes. Groups larger than eight (8) participants must carry at one (1) throw rope for every four (4) participants.

#### Protected Coastal Waters

- Participants must outfit their boats with additional flotation appropriate for the venue.
- Participants must have a minimum of one bilge pump or bailer for every two (2) boats.

#### Unprotected Coastal Waters

- Participants must outfit their boats with additional flotation appropriate for the venue.
- Each participant boat must have a bilge pump or bailer. Each kayak must have a paddle float.
- Activity leaders must have the following additional equipment and know how to use it:
  - Marine VHF Radio (minimum of one per group).
  - Tow system.
  - Rescue sling.
  - Map & compass.

#### Large Events with General Public Involvement

Large events such as festivals and races where members of the general public will be involved as participants or spectators pose special risk management challenges. Examples include races, regattas, sojourns, and other activities with participants who are not members of the sponsoring club or organization. In some instances, these events involve both on and off-water components.

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The ACA requires event organizers to use the requirements listed above for the on-water portions of these events. In addition, event organizers must follow these risk management procedures for the event:

- Prepare an overall risk management plan for the event. It may be appropriate to appoint a risk management coordinator or committee to oversee the implementation of the risk management plan.
- Inspect the event site early enough in the planning process to change locations if necessary. Document the results of this inspection. Repeat this inspection just prior to the event to ensure that conditions have not changed. Document the results of the final inspection.
- Notify land managers, public safety and emergency personnel of the event in advance. Include the U.S. Coast Guard where appropriate (*e.g.*, near sensitive sites). Determine whether public safety and/or emergency personnel should be pre-positioned for the event for spectator management or rescue purposes.
- Determine the number of safety personnel needed, and where they will be located. In many instances, on-water safety personnel or “safety boats” will be required. If so, determine the number, placement and qualification of safety boaters for the event. Require all safety boaters to carry a first aid kit and a spare paddle.
- Determine the type and quantity of safety and rescue equipment needed (*e.g.* throw ropes, rescue rigging, litters, etc.), and where it should be located.
- Determine the types of safety equipment that event participants will be required to carry (*e.g.*, whistles, helmets, flotation, etc.). On the day of the event, conduct an inspection if necessary.
- Prepare the following lists, and share these lists with all event personnel:
  - A roster of on-site event personnel. Include each person’s safety and first aid qualifications.
  - A list of the safety and rescue equipment that will be available and where it will be located.
  - A list of communications resources available to event personnel and where it will be located.
  - A list of emergency contacts for the event (event organizer, police, fire and rescue, land management agencies, etc).
- Prepare contingency plans to handle extreme heat or cold, changing water levels, precipitation, sun exposure, and lightning, including contingency plans for cancellation, postponement or relocation of the event.
- Determine the skill level required for participants, and include that information when promoting participation in the event. Use reasonable screening techniques for participants on the day of the event. If necessary, conduct skills tests or require participants to provide a statement of ability.
- For races and similar events, hold a pre-event meeting for all participants and organizers to review the route, potential hazards, communications capabilities, safety and rescue personnel and procedures, and contingency plans for medical emergencies and extreme weather.
- Instruct all participants and event personnel to comply with all local, state and federal regulations.
- To the greatest extent possible, ensure that there are clean and safe entry and exit areas for participants and spectators.
- Provide appropriate signage for spectators & participants. Ensure that the course is clearly marked
- **If event organizers close the venue due to high water or other reasons, they should provide proper signage and supervision at the starting point to communicate the closure to event participants, and make every effort to ensure that participants do not enter the water after the venue has been closed.**

### Kayak Ramps (aka “kicker” ramps)

Kayak ramps, slides or other jumping or sliding structures are not covered by the ACA’s insurance unless the event sponsor obtains prior express written permission from the ACA National Office AND

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the ACA's insurance company. The ACA will consider requests for insurance for a ramp or slide if the club or affiliate organization demonstrates the following:

- The structure has been designed and built by persons with appropriate training and expertise;
- Operation of the structure will be carefully managed by event personnel;
- Users will be screened for appropriate skill levels; and
- The site for the structure has been chosen to minimize risk.

Permission will be granted at the sole discretion of the ACA and its insurance company. **Under no circumstances will minors be allowed to use ramps.**

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### Serving Alcohol at Club Meetings, Banquets and other Events

Paddle America Clubs may serve alcohol at ACA-insured activities, subject to the conditions set forth below:

- The ACA's insurance policy includes liquor liability coverage that is adequate for most situations. However, in some instances, the club may be required to purchase a liquor liability coverage rider in order to ensure complete coverage. If the local alcoholic beverage control board requires the club to obtain a temporary liquor license for the event, then a rider will be required. The cost of a rider varies by state. However, in most states, riders are \$200-400.
- Alcohol may only be served during off-water activities. If an event includes on-water activities, the club may not serve any alcohol until after all of the on-water activities have completely concluded.
- Consider whether selling or otherwise providing alcohol is really necessary. From a liability standpoint, it may be better to allow attendees to bring their own alcohol to the event, rather than provide it.
- In planning and promoting the event:
  - Make sure that socializing, rather than drinking, is the theme of the party. Avoid creating the impression that the event is a place to get drunk.
  - Consider requiring alcohol servers to have proper alcohol awareness training, such as "TIPS" or an equivalent. This is particularly important for large events with numerous attendees.
  - Plan to have plenty of non-alcoholic drinks at the event. This should include soft drinks, along with water.
  - Plan to provide food, preferably kinds that are substantial enough to temper the effects of the alcohol. Don't rely solely on salty and sweet foods that make people drink more.
  - Develop a ride home strategy before the event begins. Do not wait until the need arises at the end of the night, because the stress of that situation can result in a loss of control. A ride home strategy can be as simple as having the phone number of a nearby taxicab company available. Taxicabs are often the best option, because the club generally will not have any driver liability exposure.
- In running the event, ACA clubs are required to do the following:
  - Establish a reasonable limit on the number of drinks to be served to each person. Two drink limits are a good idea.
  - Monitor ages. A good strategy is to set up an ID check located away from the alcohol service location to avoid confusion. Check IDs for persons 26 and under, with no exceptions. Wrist bands are a good way to identify people of legal age.
  - When serving alcohol, do not allow people to also bring their own alcohol, since this will make it difficult to monitor consumption.
  - Stop serving alcohol before the event is over. A minimum one-hour cooling off period is required.

### BoaterCross Events

- Any downriver or up river whitewater race that has a direct head-to-head race component to it that could either specifically, or loosely, be described as a 'boatercross style of event' requires additional safety considerations.
- The event / race sponsor or organizer must obtain prior written permission from the ACA National Office.