

## WATERCRAFT WAIVER OF LIABILITY

8/8/2020

Rowboat and/or Kayak use is available with this waiver of liability only. Simply read the notes below and send a text or email stating that you have read this document in its entirety and agree with the terms and conditions of use outlined below. **Each person wishing to use a kayak or rowboat must do this and send from their own phone or email.** I will respond with an approval and location of the key to access the kayaks and oars/paddles as soon as possible.

### Terms and Conditions:

1. I understand that I am using the rowboat and/or kayaks entirely at my own risk. Anchors Away Whidbey is not responsible for any damages or harm resulting from my decision to use this equipment. I understand that my use is entirely of my own free will and I will not allow anyone else in my party to use this equipment unless they have been expressly granted permission by the management of Anchors Away Whidbey to use this equipment pursuant to the terms outlined in this document.

2. I understand that kayaks and rowboats are unstable, and I may capsize.

3. I will wear a life jacket suitable for my weight and body type.

4. I acknowledge that fog, wind and tidal currents present significant dangers relative to finding or making my way back to shore.

5. I understand that hypothermia is probable if I capsize and enter the water - even in as little as 15 minutes.

6. I will take necessary precautions to ensure my own safety.

7. I will report any damage or loss to kayaks, rowboat, life vests, or paddles to Anchors Away. After use I agree to rinse all equipment that has made contact with the saltwater with fresh water including life vests, crab pots, boats and paddles/oars. (To avoid mildew, life vests need not be rinsed unless they made contact with the saltwater) Please hang to dry if they are wet. Please remove as much sand and water as possible from the kayaks before returning them to the shed.

**NOTE: Failure to clean the kayaks and/or row boat after use will incur a \$10 cleaning charge per boat.** They don't have to be perfect, but do your best to make them presentable for the next guest. Please report any damage to the equipment immediately.

8. Child Use: Children must always be accompanied by an adult. No more than one person per kayak. No children under the age of 10 are permitted to use the kayaks.

If you are the parent or guardian of a child, and wish to use the rowboat, you agree to take full responsibility for their safety and agree to accompany them in the rowboat.

If you would like to allow children age 10+ to use the kayaks, you must accompany them in your own kayak, and you agree to remain close enough to render immediate assistance when/if necessary. Please take extra precautions for their safety including explanation of rules and cautions outlined in this document. Please bring your own well-fitting life vest for your children and require them wear it. Adult vests are not appropriate for children.

10. Rowboat use is only allowed between the pilings at the end of the road (just to the north) and the boat ramp at Possession Waterfront Park to the south and within 250 yards of the shoreline.

11. I have thoroughly read all of the *Important Safety Notes* provided below and understand the dangers associated with paddling/rowing on Puget Sound.

*Important Safety Notes:* (please read)

**Currents:** On an outgoing tide, the current will run south. Incoming tides will have a northbound current. Consult the tide guide for Glendale, WA, or Edmonds, WA for most accurate current tidal predictions. There are many sources for tide info. I have provided a couple links to tide charts online.

- <http://tides.mobilegeographics.com/locations/2173.html>
- <http://www.tides4fishing.com/us/washington/glendale-whidbey-island>
- On the wall, around the corner from the fridge, is a tidal calendar for Seattle Tide Predictions (thru Dec 31, 2018).

Localized *current tables* are even better if you are familiar with them.

Currents can be swift around Possession Point and on an outgoing tide, you may become exhausted trying to paddle northbound, especially during maximum ebb (outgoing) tidal flow. Best to paddle near shore and at slack tides when currents are at their minimum.

**Weather** can change quickly. Be aware of the forecast, but also be flexible with your plan. If weather conditions begin to worsen, return to shore.

**Fog:** I recommend not paddling in fog. Small boats are very hard to see by other vessel traffic even without fog, and not picked up on vessel radar. Avoid shipping lanes and heavy boat traffic. Moreover, it is easy to become disoriented in the fog, even with compass or GPS.

**Wind:** Paddling against the wind can result in exhaustion. Wind waves are also a danger because they can cause capsize, or waves may start to fill the boat with water. Do not paddle if wind forecast is greater than 5-10 mph.

**Animals:** It is common to see seals, sea lions, whales, porpoise or other marine mammals that can be curious, and quite large. Please keep your distance. They are wild animals and they can be unpredictable. **KAYAKERS:** Do not approach within 100 feet of the Possession Point Buoy at any time due to strong currents that may wash you into the buoy. If you hit the buoy, you will probably capsize, but even without currents, sea lions are usually resting on the buoy and a startled sea lion is not your friend. You certainly don't want 1000 lbs of blubber jumping off the buoy onto your kayak.

**Hypothermia:** 50-degree temperatures are normal for Puget Sound waters, which means you will lose body temperature very quickly upon capsize. Even 15 minutes in this water will cause body temps to drop to dangerous levels and prolonged exposure will cause death. If you stay close to shore, you will mitigate risk of overexposure should you capsize. Get to shore and get warm as quickly as possible. Don't worry about saving the boat -save yourself.

**KAYAKERS:** Finally, it is recommended that you **paddle with a buddy** and bring a cell phone in a waterproof container in case of an emergency. I use a ziplock bag, but remember it will sink so keep it in your pockets or fill the bag with air to make it float. If you capsize, do not try to climb aboard your buddy's kayak or ask them to assist you in re-entering the kayak. Your life jacket will support you, but if you try to obtain assistance from your paddling buddy, you are likely to both end up wet. Try to climb aboard your own kayak if you can, but if you cannot re-enter the kayak, and if you are close to shore, let your buddy tow the kayak in, while you swim into shore. Do not hesitate to call for help, or wave down a larger vessel if you capsize or are driven too far away from your destination by wind and currents.

ROWBOAT USERS: Do not use the aluminum boat – it is not sea-worthy and too heavy to carry to shoreline easily. You may, however use the Fiberglass 10-foot rowboat. It’s not fancy, but it is available for use under the terms of this agreement. The oars are in the shed with the kayaks.

Additional cautions/rules for rowboat use.

1. The rowboat is fiberglass and the beach is rocks with barnacles. This means the bottom will quickly wear through the fiberglass if you drag the boat on the beach. To mitigate the damage to the boat hull, please use two or more people to carry the boat down the beach and wade into the water to launch. Please avoid sliding the boat on the beach and into the water.
2. For your own safety, watch carefully for boat wakes and large waves as you enter/exit the boat at the shoreline. Time your entry/exit to the waves, or just wait until it’s safe. It’s easy to injure yourself at the shoreline when waves toss the boat at the shoreline.
3. Simply avoid use of boat in windy weather/choppy water.
4. Entering the boat – Step into the middle floor of the boat. This is where the hull is reinforced. DO NOT step on seats or near the sides. It is not a flat bottom boat and you will wobble getting in/out, so stay low.
5. Maximum capacity is the lesser of 400 lbs or 3 people. Essentially, 1 adult plus a couple of small children or 2 adults. Do not overload the boat.
6. Every person must wear a personal floatation device (life jacket).
7. When landing or launching, please wear boots or something that you can wade in the water so you don’t have to run the boat up on the gravel to enter or exit.
8. Please rinse the boat before you check out to remove sand, salt and seaweed. A quick rinse is fine – don’t waste water. Remember to get all seaweed, debris, fishing gear, bait, etc out of the boat before storing. Flip the boat over and return the boat to where you found it upon departure. Return the oars to the shed.
9. Tides are rather extreme here, so please carry the boat up the beach to the logs when not in use, and especially on the incoming tide. Leaving it on the beach will likely cause you to lose the boat on incoming tide.
10. Remain seated at all times.
11. If the boat is leaking or you note structural damage (cracks, holes, thin spots in hull, etc), discontinue use and notify me by text or email. (425.239.3164/[anchorsawaywhidbey@outlook.com](mailto:anchorsawaywhidbey@outlook.com))

I have read this document entirely and understand the risks. I assume any and all responsibility for use of this equipment.

To agree, simply:

- A. **Text** (mobile phone): ***“I [your name], agree to the Watercraft Waiver of Liability, dated 8/8/2020” to 425.239.3164***  
or
- B. **Email** ***“I, [your name], agree to the Watercraft Waiver of Liability, dated 8/8/2020” to [anchorsawaywhidbey@outlook.com](mailto:anchorsawaywhidbey@outlook.com)***  
or
- C. **Sign below, scan and email to [anchorsawaywhidbey@outlook.com](mailto:anchorsawaywhidbey@outlook.com)**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_