



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH

PO Box 47990 • Olympia, Washington 98504-7990

October 24, 2024

Ken Wilkinson
Owner
Aquatic Center at MLK Jr. Park
129 N 2nd street
Yakima, WA 98901

Sent via email

Dear Ken Wilkinson:

I'm writing to inform you that the State Board of Health (Board) conditionally approved the variance requests for the AquaClimb and AquaZip'N at the Aquatic Center at MLK Jr. Park. The Board also determined that a variance is not required for the construction of a Ninja Cross as requested. Here's a brief summary of the variance request and Board action.

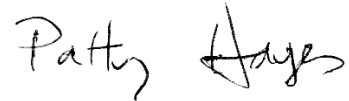
On June 20, 2024, you sent a letter to the Board requesting a variance to a standard in WAC 246-262-060(5)(b)(vi) pertaining to diving envelope requirements. Specifically, your request referred to the installation of an AquaClimb climbing wall, an AquaZip'N rope swing, and a Ninja Cross.

At its meeting on October 8, 2024, the Board approved the installation of the Aqua Climb and AquaZip'N as specified in the variance request subject to the conditions attached to this letter. The Board adopted the Department of Health's recommendation that the installation of a Ninja Cross, as specified in the variance request, complies with the rules and does not require a variance, but is subject to all the conditions recommended in the manufacturer and user guidelines, and by the Department of Health.

This approval allows you to install the equipment as specified in the variance requests with the conditions specified in the attachment.

Thank you for your patience and for the work of your staff and consultants on this matter. If you have questions or need additional information, please contact Shay Bauman, Policy Advisor at 564-669-8929 or Shay.Bauman@sboh.wa.gov.

Sincerely,

A handwritten signature in black ink that reads "Patty Hayes". The signature is written in a cursive style with a large initial "P" and a stylized "H".

Patty Hayes, Chair

Cc: Michelle Davis, State Board of Health
David DeLong, Washington State Department of Health
Justin Law, Washington State Department of Health
Carina Gonzalez, Yakima Health District
Kaitlyn Wolterstorff, Yakima Health District



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Conditions to the approval of the Aquaclimb and AquaZip'N Rope Swing at the Aquatic Center at MLK Jr. Park

Aquaclimb

1. All manufacturer installation, maintenance, and use guidelines must be followed.
2. The Aqua Climb must be installed as shown on submitted plans with a minimum water depth of 6.5 ft.
3. Detailed signs specifying user rules must be posted, including the minimum and maximum user height and weight.
4. Only one user may be permitted to occupy the Aqua Climb at one time.
5. A dedicated lifeguard must be provided for the Aqua Climb climbing wall. The lifeguard must control the entry and exit of users.
6. The Aqua Climb climbing wall must be inspected daily and any identified maintenance issues must be addressed prior to opening the wall to users.
7. Lifeguard and operations plans must be developed and submitted to the local health jurisdiction prior to the issuance of a pool operating permit.

Aqua Zip'N Rope Swing

1. All manufacturer installation, maintenance, and use guidelines must be followed.
2. The Aqua Zip'N must be installed as shown on submitted plans with a minimum water depth of 6ft.
3. Detailed signs specifying user rules must be posted, including the minimum and maximum user height and weight.
4. Only one user may be permitted at one time.
5. A dedicated lifeguard must be provided for the Aqua Zip'N. The lifeguard must control the entry and exit of users.

6. The Aqua Zip'N must be inspected daily and any identified maintenance issues must be addressed prior to opening the wall to users.
7. Lifeguard and operations plans must be developed and submitted to DOH and the Local Health Jurisdiction prior to the issuance of a pool operating permit.