

# CHARTER TOUR RULES AND CONDUCT POLICY

## Pacific Open Water Swim Co. | Altos Pacific, LLC

*For San Francisco Bay Tours aboard our Axopar 28 T-Top Vessels*



### Welcome Aboard

We're thrilled to have you out with us on San Francisco Bay. Whether it's your first time or your fiftieth, the Bay always puts on a show: shifting tides, commercial ships the length of city blocks, rogue waves, sudden fog, and harbor porpoises slipping by in the chop. Rain or shine, it never disappoints.

Altos Pacific, LLC operates [Pacific Open Water Swim Co.](#), known for professional open water swim logistics and small-group maritime charters. Our USCG-licensed master captains have spent thousands of hours navigating the Bay's shipping lanes, anchorages, and back channels. We run safety-critical operations that depend on timing, communication, and precise vessel handling.

Our **Axopar 28 T-Top** (Brabus Edition) vessels are fast, comfortable, and low to the water—built for adventure and engineered for precision. Developed in Finland and refined for performance in real-world conditions like San Francisco Bay, they're open, responsive, and unlike anything else on the water. You'll be close to the elements—and close to the crew. That's part of the magic. But it also means we need your full attention, maturity, and cooperation throughout the ride.

Heading out with us on our vessels is an adventure—nothing like a ferry, cruise, or party boat. These are purpose-built craft, run by professionals, moving fast and comfortably through one of the most iconic and dynamic bodies of water in the world. There's a lot to see, a lot to take in, and even more to enjoy.

## CHARTER TOUR RULES AND CONDUCT POLICY

Here's what to know before we head out:

- Listen to your captain. They're doing more than steering. They're coordinating vessel traffic, watching current and wind, and keeping you safe.
- Stay seated unless told otherwise. If you want to move around, just ask.
- Use one hand for the boat. The Bay doesn't wait.
- Keep gear inside the boat. Phones, hats, bags—if it's not tied down, it's probably going overboard.
- No snacks, no smoking, no coffee, no alcohol, no marijuana (federal law), no animals. Water is welcome.
- Dress for real marine conditions. Layers, wind protection, and footwear with grip. Cotton and sandals don't cut it.
- This is not an ADA-accessible vessel. Boarding involves stepping over the side and moving along narrow walkways with limited handholds. Let us know in advance if you're unsure about access.
- Respect the crew, the wildlife, and the Bay. That's what we do. Please match it.

Ask questions. Take photos (carefully). Soak in the experience. We're glad you're here. Let's make it a great trip—for you and for everyone on board.

Attached are our full rules and policies. This covers what's expected, what's off-limits, and how to stay safe and comfortable while we're underway. Please read them carefully—there's a reason for every line.

See you on deck,

Bryan & Sylvia

*Altos Pacific, LLC / Pacific Open Water Swim Co.*

# CHARTER TOUR RULES AND CONDUCT POLICY

## 1) SAFETY PROTOCOLS AND CONDUCT REQUIREMENTS

### General Safety Requirements:

- i) Wear your life jacket unless instructed otherwise. We provide Coast Guard-approved, inflatable PFDs. In an emergency, we may switch to backup Type II vests stowed onboard. These PFDs are automatic and will inflate when submerged.
- ii) Use only the black railings to steady yourself. Do not use antennas, equipment mounts, or unsecured fixtures for support.
- iii) Keep phones, cameras, and other belongings well inside the vessel. The central Bay is over 60 feet deep in most places, and anything dropped overboard is almost never recoverable.
- iv) Participants must remain seated while the vessel is in motion unless expressly authorized by the captain to move about the vessel. If you want or need to move around, just ask!
- v) Always maintain at least one hand on the vessel for stability when standing or moving.
- vi) No climbing, sitting, or standing on or against railings, gunwales, T-top structure, or any part of the vessel not designed for passenger seating.
- vii) Entry to the cabin, helm station, or technical areas is prohibited unless specifically authorized by the captain.
- viii) Report any unsafe conditions, injuries, or illness immediately to the captain or crew

## 2) BOARDING AND DISEMBARKING

- a) Board and disembark only when directed by the captain or crew.
- b) Use only designated boarding areas.
- c) No jumping onto or off the vessel under any circumstances.
- d) Accept crew assistance during boarding and disembarking when offered.
- e) Follow the "three-point contact" rule: always maintain three points of contact with the vessel during boarding and disembarking.

## 3) PASSENGER CONDUCT

- a) Follow all instructions from the captain and crew immediately and without debate.
- b) Treat the crew and other participants with respect. Physical or verbal aggression won't be tolerated.
- c) No leaning over railings or extending limbs, cameras, or other items beyond the vessel perimeter.
- d) No throwing of objects from the vessel.
- e) No horseplay, running, pushing, or unsafe physical conduct.
- f) No interfering with the captain's operation of the vessel or navigation equipment.
- g) The captain's authority is absolute in all matters of vessel operation and safety.
- h) There's a lot going on around you—but you won't catch it with your face in your phone. Snap a photo or two, then look up. Your friends can wait. Your TPS reports can definitely wait. You came for the adventure, not the feed.

## CHARTER TOUR RULES AND CONDUCT POLICY

- i) Do not give instructions to other participants. The captain and crew are solely responsible for all operations and passenger direction.
- j) Do not wear loose baseball hats or other headwear without a securing strap. These items are frequently lost overboard and create a distraction and potential hazard.
- k) Expect anything loose, untied, or not stowed to blow away due to wind and vessel speed. This includes headwear, clothing, phones, sunglasses, bags, wrappers, and paper. If it goes overboard, it's likely gone—and may distract the crew or disrupt the tour. Keep your belongings secure at all times. (See also 1.iii.)

### 4) PROHIBITED ACTIVITIES

- a) Swimming or entering the water is strictly prohibited at all times.
- b) No smoking, vaping, or use of any flame-producing devices.
- c) Alcohol is permitted on some charters, but not all. Please check with us in advance. Intoxication or unsafe behavior is never allowed.
- d) No illegal substances or activities. Our vessels operate under federal jurisdiction, and U.S. Coast Guard regulations apply at all times. California marijuana laws do not apply onboard. Marijuana is prohibited in all forms, at all times, without exception.
- e) No firearms, weapons, or hazardous materials.
- f) No drones or remote-controlled devices without prior written authorization.
- g) No 'selfie sticks', tripods, or monopods or similar camera supporting devices, only handheld cameras/phones/etc.
- h) No feeding marine wildlife.
- i) No littering or discharge of any materials into the water.

### 5) ENVIRONMENTAL AND REGULATORY COMPLIANCE

#### a) Marine Wildlife Interaction

- i) We will maintain minimum legal distances from all marine mammals (100 yards from whales, 50 yards from seals/sea lions).
- ii) Do not make loud noises to attract wildlife.
- iii) Photographs may be taken, but no flash photography directed at wildlife.
- iv) Report any marine mammal in distress to the captain immediately.
- v) No disposal of any material, including food, in the water.

#### b) Protected Areas and Regulations

- i) Special rules apply near Angel Island, Alcatraz, marine sanctuaries, and other protected areas.
- ii) Participants must comply with all federal, state, and local regulations as communicated by the captain.
- iii) Voices must be kept at reasonable levels when near shorelines, especially residential areas.
- iv) Respect private property and restricted zones.

### 6) COMMUNICATION AND EMERGENCY PROCEDURES

#### a) Communication Protocol

- i) The captain will use clear verbal commands for safety instructions.

## CHARTER TOUR RULES AND CONDUCT POLICY

- ii) Emergency instructions will be preceded by the word "EMERGENCY" or three short whistle blasts.
- iii) Participants must acknowledge all safety instructions verbally.
- iv) Report any safety concerns immediately to the captain or crew.
- v) Notify the captain or crew immediately of any passenger in distress.

### b) **Emergency Procedures**

- i) In case of emergency, remain calm and listen for captain's instructions.
- ii) Know the location of emergency equipment as identified during pre-departure briefing.
- iii) Emergency assembly point is at the aft (rear) seating area unless otherwise directed.
- iv) In case of person overboard, immediately point continuously at the person in the water and shout "MAN OVERBOARD."
- v) In the unlikely event of vessel evacuation, PFDs must be worn, and participants must remain together as a group. Leave your personal possessions behind if we are forced to vacate the vessel.

### c) **Weather and Marine Condition Response**

- i) Tours may be modified, delayed, or canceled due to weather or marine conditions.
- ii) The captain has sole discretion to determine if conditions are safe for operation.
- iii) Follow all instructions related to weight distribution and movement during changing conditions.
- iv) Secure personal belongings when directed during rough conditions.
- v) Be prepared for sudden wind, spray, or wave conditions typical of San Francisco Bay. Listen for and follow your captain's instructions if you are alerted of a rogue wave or wake approaching the vessel.

## 7) **VESSEL-SPECIFIC CONSIDERATIONS**

### a) **Axopar 28 T-Top Configuration**

- i) The vessel features an open deck design with limited shelter from elements.
- ii) Designated seating areas are: forward console seats, helm companion seat, and aft bench seating.
- iii) The T-top provides limited sun protection but not complete shelter from precipitation.
- iv) Vessel has twin outboard engines; the stern area (rear) is strictly off-limits during engine operation.
- v) Head (toilet) facilities are limited; inform the captain of any urgent needs.

### b) **Stability and Motion**

- i) The vessel is designed for stability but will experience motion in San Francisco Bay conditions.
- ii) Maintain secure handholds when the vessel is in motion.
- iii) Secure all personal items to prevent sliding or loss overboard.
- iv) Distribution of passenger weight is important; follow crew instructions regarding seating.
- v) Be prepared for spray and wind exposure typical of bay conditions.

## CHARTER TOUR RULES AND CONDUCT POLICY

### 8) PARTICIPANT RESPONSIBILITIES

#### a) Personal Preparation

- i) Dress appropriately for marine conditions. Wear layered clothing, secure footwear with non-marking soles, and sun protection. San Francisco Bay is often colder and windier than expected, with air temperatures in the 50s, gusty winds, and salt spray—or more. If you're wet and not dressed for it, it gets uncomfortable fast. Plan ahead. GoreTex is a sailor's best friend. Cotton, jeans, sandals, and shorts—not so much. You've been warned.
- ii) Limit personal items to one soft-sided bag or backpack per person. Space is limited aboard the vessel. Keep water bottles inside your bag when not in use.
- iii) Protect electronic devices with waterproof cases or keep them put away; Altos Pacific is not responsible for water damage.
- iv) Leave valuables and irreplaceable items at home. This includes jewelry, wallets, watches, designer clothing, and specialty footwear. The vessel is an exposed, wet, and unpredictable environment—not a secure place for anything you'd be upset to lose. Altos Pacific is not responsible for loss, damage, or theft of personal property.
- v) Bring required medications and inform captain of any medical conditions that may require attention.
- vi) Use restroom facilities before boarding. While the vessel has a small electric flush head onboard, it is best used only when necessary. If needed, the captain will move to calmer water and provide instruction.
- vii) Apply sunscreen and bring drinking water as appropriate.
- viii) Plan for seasickness. Take appropriate motion sickness medication (such as Dramamine or scopolamine patches) before departure if you are prone to motion sickness. Altos Pacific does not supply medications. Youth participants must coordinate with parents/guardians and notify adult supervisors of any planned medication use.

#### b) Youth Supervision

- i) Participants under 18 must be always accompanied by a responsible adult.
- ii) Adults supervising minors must always maintain visual contact with their charges.
- iii) One adult may supervise no more than two minors under age 12.
- iv) Parents/guardians are responsible for ensuring minors follow all safety rules.
- v) Children under 13 must always wear a PFD while aboard, regardless of swimming ability.

#### c) Photography and Recording

- i) Photography for personal use is permitted. Do not extend cameras or equipment beyond the vessel perimeter.
- ii) Photography of other tour participants requires their consent.
- iii) Photography of minors other than your own requires express consent from their parent or legal guardian.
- iv) Commercial photography or recording requires prior written permission.

## CHARTER TOUR RULES AND CONDUCT POLICY

- v) Altos Pacific reserves the right to restrict photography in specific locations or circumstances.
- d) **Animals and Service Animal Restrictions**
  - i) Emotional support animals, pets, or non-essential animals are not permitted aboard under any circumstances.
  - ii) Service animals trained to perform specific tasks for individuals with disabilities may be considered with advance notice. Requests must be submitted before booking. Due to vessel design, boarding procedures, and safety restrictions, we may not be able to accommodate service animals in all cases.
  - iii) Our vessels have textured fiberglass decks and narrow walkways designed for marine performance, not animal use. Dog claws provide poor traction on these surfaces, increasing the risk of slipping or injury to the animal and others. Claw contact may also cause permanent damage to the flooring and other surfaces. For these reasons, animals—including service animals—cannot be safely or reasonably accommodated onboard.
  - iv) Passengers who arrive with an unapproved animal will be denied boarding without refund.
- e) **Physical Limitations and Boarding Constraints**
  - i) Our vessels require passengers to **step over the gunwale and move along narrow walkways** with limited handholds. There are no ramps or ADA-compliant boarding options. Participants must be able to board and disembark independently or with minimal assistance from their own party.
  - ii) Due to safety and performance factors, we may not be able to accommodate individuals with significant mobility impairments, unstable footing, or other physical limitations that prevent safe vessel access or movement onboard. Please **contact us in advance** if you have any questions about your ability to safely participate.
  - iii) We reserve the right to deny boarding if, in the captain's judgment, a participant cannot safely board or move about the vessel. No refund will be issued if boarding is denied due to physical limitations not disclosed in advance.
  - iv) Walkers, canes, or other mobility devices cannot be accommodated or safely stowed aboard our performance-oriented vessels. The vessel's narrow walkways, open layout, and lack of interior storage make it impractical and unsafe to bring such items onboard. Participants who rely on these devices for stability should not attempt to board without contacting us in advance.

## 9) CONSEQUENCES OF POLICY VIOLATION

- a) **Captain's Authority**
  - i) The captain has absolute authority regarding the enforcement of these rules.
  - ii) The captain may take any action necessary to ensure the safety of passengers, crew, and vessel.
  - iii) The captain's interpretation of these rules is final.
  - iv) The captain may modify these rules based on conditions, regulatory requirements, or unforeseen circumstances.

## CHARTER TOUR RULES AND CONDUCT POLICY

- v) All crew members act with the captain's delegated authority.
- b) **Policy Enforcement**
  - i) First violation: Verbal warning
  - ii) Second violation: Final warning with potential restriction of activities
  - iii) Third violation or any serious safety violation: Immediate termination of tour for all participants, without refund
  - iv) Violations creating imminent danger may result in immediate removal without prior warning
  - v) Participants removed from the tour are responsible for their own transportation arrangements and costs
- c) **Legal Consequences**
  - i) Violations of maritime law or Coast Guard regulations may result in reporting to authorities.
  - ii) Violations causing damage to the vessel, equipment, or harm to others may result in financial liability.
  - iii) Intentional violations resulting in emergency response may be subject to cost recovery.
  - iv) Criminal behavior will be reported to law enforcement.
  - v) All terms of the Charter Tour Participant Waiver and Release Agreement remain in full effect regardless of policy violations.

### 10) **ACKNOWLEDGMENT**

By participating in this charter tour, you acknowledge that you have read, understood, and agree to comply with all aspects of this policy. You understand that this Policy is incorporated by reference into the Charter Tour Participant Waiver and Release Agreement you have signed, and violations may result in termination of participation, financial liability, and other consequences as described herein.

*This Charter Tour Rules and Conduct Policy is established for your safety and the enjoyment of all participants. Altos Pacific, LLC appreciates your cooperation in maintaining a safe and enjoyable experience.*