



## RESOLUTION

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URGING THE CITY DEPARTMENT OF PARKS AND RECREATION AND THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT NEW RULES RELATING TO CITY AND STATE PERMITS ISSUED TO SURFING CONTEST PROMOTERS TO ENSURE GENDER EQUITY FOR ALL COMPETITIVE SURFING EVENTS HELD ON THE NORTH SHORE OF OAHU.

WHEREAS, female competitive surfers face discrimination at certain professional surfing contests and events in terms of inclusion in competitions, access to venues and facilities, resources, competition time, and pay; and

WHEREAS, groups like the Committee for Equity in Women's Surfing have recently made great strides in generating interest and fueling growing media coverage for women's surfing; and

WHEREAS, evidence of recent progress towards gender equity in professional surfing includes the following:

- In August 2016, the International Olympic Committee ("IOC") officially confirmed the inclusion of surfing in the Tokyo 2020 sports program, incorporating gender equity as a required goal, which is reflected in the IOC Gender Equality Review Project;
- In November 2016, the World Surf League held the first-ever women's division in the big-wave contest at Jaws, a legendary big-wave surf break off of Maui, though with a far smaller first-place prize than for men;
- In September 2018, the World Surf League announced that it would become the first global United States-based sports league ever to offer equal prize money for men and women across all events in all disciplines worldwide, and other surfing organizations are also moving to embrace equity in women's surfing events; and
- In November 2018, big-wave surfer Keala Kennelly, a catalyst for women's surfing and big wave surfing, became the first female invitee in the decades-long history of the Eddie Aikau Invitational at Waimea Bay, for the 2018-2019 season; and

WHEREAS, unfortunately, despite this progress, gender discrimination still persists in professional surfing contests and events, including those that hold competitions on public land or otherwise utilize public venues or public resources; and



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WHEREAS, for example, the failure of promoters and leagues to mandate that a women's division be included in all events on the World Championship Tour, effectively creates a loophole to equal pay achievements; and

WHEREAS, Hawaii and the North Shore of the island of Oahu ("North Shore") are surfing and cultural meccas for surfers around the world; and

WHEREAS, professional surfing contests such as the Vans Triple Crown of Surfing and the Eddie Aikau Invitational are iconic events on the North Shore; and

WHEREAS, the professional surfing contests and events on the North Shore are held on public lands and in public waters, which are subject to State of Hawaii ("State") and City and County of Honolulu ("City") permits; and

WHEREAS, the City Department of Parks and Recreation has adopted rules ("Rules"; Title 19, Chapter 4) relating to shore water events, which means any organized water sport events, including North Shore surf events; and

WHEREAS, among other provisions, these Rules:

- Apply to the use of City beach parks and other beach properties under the control of the Department of Parks and Recreation to provide access to conduct shore water events;
- Require a City-issued park use permit to events using a park or other beach property to hold a shore water event or use a park in conjunction with a shore water event held in State shore waters, which means any shore or water between the three nautical mile limit of U.S. jurisdiction and the mean tide mark on the shores of the islands of the State;
- Require any applicant, prior to obtaining a park use permit, to provide a current copy of the marine event permit issued by the State Department of Land and Natural Resource's Division of Boating and Ocean Recreation ("DOBOR"), which authorizes use of a particular area of the shore waters of the State for a specific time period; and
- Prohibit the issuance of a park use permit if the issuance will result in a violation of federal, State, or City laws, rules, or regulations, which logically include federal, State, or City laws prohibiting discrimination on the basis of gender in public accommodations, as well as in other relevant areas and situations; and



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WHEREAS, the DOBOR has adopted State rules (Title 13, Chapter 256, Hawaii Administrative Rules) regarding ocean recreation management rules and areas that do not appear to address discrimination on the basis of gender; and

WHEREAS, the City Council ("Council") finds that examples of other government agencies taking action to ensure gender equality include the following:

- The California Coastal Commission made access to the competition for female athletes a required condition upon which it would issue a permit for the Maverick's Challenge, an invitation-only big-wave surf competition in San Mateo County, California; and
- The California State Lands Commission, which controls the narrow strip of coast between the median high- and low-tide lines, added provisions to the lease for the Maverick's Challenge to require equal benefits, opportunities, and prize money for all participants regardless of gender as a condition of the temporary but exclusive use of the public trust lands on which the competition is held; and

WHEREAS, the Council further finds that supporting gender equity in the field of professional surfing aligns with the Council's support for gender equity in all sports, as well as in other aspects of our island life, including employment, housing, and public accommodations; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it urges the City Department of Parks and Recreation and the State Department of Land and Natural Resources to adopt new rules relating to City and State permits issued to surfing contest promoters to ensure gender equity for all competitive surfing events held on the North Shore of Oahu; and

BE IT FURTHER RESOLVED by the Council that it requests the City Department of Parks and Recreation to work with the City Administration to incorporate the following provisions in the new rules to be adopted:

- Beginning with the 2020 North Shore surf season, ensure that the Mayor's Surf Advisory Committee is composed of an equal number of women and men, with equitable terms for committee members;
- Effective as soon as possible, ensure that access for female surfers via a women's division is a required condition for the issuance of a park use permit for North Shore surfing events or contests; and



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- Effective immediately, ensure that: 1) all rules comply with federal and state civil rights laws, and 2) the permitting and conflict resolution processes are transparent and guided by the principle of equal access; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources is also asked to ensure that: 1) all State rules comply with federal and Hawaii State civil rights laws, and 2) the State permitting conflict resolution processes are transparent and guided by the principle of equal access; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, the Director of Parks and Recreation, and the State Chairperson of the Board of Land and Natural Resources.

INTRODUCED BY:

Hilda Tsumagari

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DATE OF INTRODUCTION:

JAN 15 2020  
Honolulu, Hawaii

Councilmembers