



SURF EQUITY

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Wednesday, August 23, 2023

Chair Augie Tulba
Committee on Park, Enterprise Services, and Culture and the Arts
Honolulu City Council
530 South King Street
Honolulu, HI 96813

Re: Agenda Item 10 — Permits & Rules Governing Surfing Events

Dear Chair Tulba and Committee Members,

To date, the response to addressing concerns about gender discrimination have been insufficient. It is imperative that effective measures be taken to avert continued harm to women athletes.

The suggested revisions to the Shore Water Events Rules, put forth by the Department of Parks and Recreation, unfortunately, deviate from the unanimously approved provisions outlined in City Council Resolution 20-12.

Rather than correcting gender-based disparities, the proposed regulations by Parks and Rec **codify and institutionalize gender discrimination** by introducing an inequitable point system that perpetuates exclusionary practices and upholds the storied history of harm inflicted upon women and girls engaged in surfing.

Additionally, it's important to note that the scope of the proposed Shore Water Events Rules is limited in its application, addressing only a subset of surf competitions and events. Consequently, we strongly advocate for the inclusion of gender equity and equality requirements within the framework of all local and state permits mandatory for surfing events and competitions. In other words, the only way to ensure equity and equality is to put the requirements in the permits as indicated in Resolution 20-12.

FIVE REQUIREMENTS = GENDER EQUITY

Please include the following five requirements within all City/County Permits for Surf Comps and Events and City/County Parks & Rec Shore Water Events Rules:

1. An explicit non-discrimination requirement that is consistent with Article I, Section 5 of the [Hawaii Constitution](#).
2. A requirement that mandates a women's division and a men's division with an identical number of participants in each gendered category for all events and competitions that award ranking points used for Olympic qualifications.
3. A requirement that mandates gendered divisions and slot utilization in surf events and competitions that do not award ranking points used for Olympic qualifications. We propose the introduction of a mandatory provision that designates separate women's and men's divisions for all surf events and competitions. Furthermore, a defined timeframe for gender-

specific registrations should be established, allowing participants ample time to enroll in the event. If a specific gender's slots remain vacant by the stipulated deadline, those openings would then become accessible to competitors of the opposite gender who are on an alternate registration waiting list. This inclusive approach guarantees the optimization of all available opportunities and effectively prevents any slots from going unused.

4. A requirement that mandates equal prize compensation (including prize purse and awards such as watches, surfboards, etc.), at each participant level in all gendered divisions.
5. A requirement that mandates identical playing time/heat time for each gendered category/division.

RECOMMENDATIONS FOR PARITY

Please include the following recommendations within all City/County Permits for Surf Comps and Events and City/County Parks & Rec Shore Water Events Rules:

- All surf events and competitions must prioritize achieving gender equality by ensuring an equal representation of both women and men judges and announcers. The goal is to maintain a balanced and fair composition in all aspects of the event.
- In pursuit of equal and unbiased representation, it is essential to provide equitable broadcast coverage for every gender division. This includes comprehensive coverage across various media channels such as press releases, television, print, podcasts, radio, social media, websites, live streams, and online platforms.
- Moreover, a commitment to balanced media coverage for each gender division is imperative. This encompasses equal attention across all media formats, including press releases, television broadcasts, print media, podcasts, radio shows, social media posts, websites, live streaming, and online platforms, thus ensuring that every category receives equitable exposure.

RESOLUTION 20-12 — CITY & COUNTY OF HONOLULU

Honolulu City Council Resolution 20-12 highlighted the absence of gender-based discrimination provisions within state and local permits and regulations concerning park, beach, tidewaters, and ocean recreation management. This pertains to the oversight of activities and events by the City and County of Honolulu Department of Parks and Recreation as well as the Hawaii Division of Boating and Ocean Recreation.

In response, the resolution urges both agencies to embrace transformative measures by incorporating new regulations that require gender equity within surf competitions. To achieve this objective, the resolution states the following provisions:

- Ensure an equal number of women and men on the Mayor's Surf Advisory Committee.
- Require gender equity for all competitive surfing events.
- Make access for female surfers via a women's division a requirement for park use permits for North Shore surfing events.
- Ensure all rules comply with federal and state civil rights laws.
- Make the permitting and conflict resolution processes transparent and guided by the principle of equal access.

The resolution also asks the Department of Land and Natural Resources to ensure that State rules/permits align with federal and state civil rights laws and maintain transparent permitting and conflict resolution processes.

Overall, the resolution highlights the importance of gender equity in the field of professional surfing and recommends concrete steps to ensure that women have equal opportunities and access in surfing competitions held on Oahu. It concludes by requesting that copies of the resolution be shared with relevant officials and departments effective Jan 15, 2020.

CONFLICT OF INTREST

We are concerned about the appearance of impartiality and special benefits included in the August 7, 2023 draft of the Honolulu Department of Parks & Recreation Shore Water Rules.

A conflict of interest occurs when a public agency, which is entrusted to make decisions in the best interest of the public, creates policies/rules that provide special advantages or benefits to a specific business entity. This situation raises concerns about fairness, transparency, and the integrity of the decision-making process. Such policies might give an unfair competitive edge to the favored business, potentially disadvantaging competitors and limiting options for consumers. This conflict undermines the agency's primary duty to serve the public interest and erodes trust in its impartiality. Addressing conflicts of interest is crucial for maintaining a level playing field, ensuring ethical governance, and upholding the principles of accountability and equal opportunity.

Please remove conflict of interest from the following sections:

§19-25-11 Regulations governing surf events held on the north shore. (Page 23 & 24)

(I) Scheduling of overlapping waiting periods is prohibited. However, the director may approve up to one big wave event, in addition to the **Eddie**, and one or both may big wave events have a waiting period of 24 up to a maximum of ninety days which may overlap the waiting periods of other surf events. In the event a second big wave event is approved, the two big wave events may have waiting periods that have consecutive days without a cooling off period in-between. On leap years, the waiting period may be up to a maximum of ninety-one days.

(J) Applicant(s) for the **Eddie** shall be given precedence as a big wave event, provided the applicant meets the community impact mitigation criteria and submits a complete application. The director may authorize no more than one additional big wave event, for the purpose of meeting the diversity criteria and supporting the growth of big wave surfers previously not included in such events due to their gender.

§19-25-12 Regulations governing surfing events held on the south shore. (Page 27 & 28)

(I) No surfing event shall be permitted more than four competition days, except for the **Duke's OceanFest** watersport festival.

(L) For scheduling on the south shore calendar, scheduling of the **Duke's OceanFest** watersport festival shall be given priority over other applicants requesting permits to conduct surfing events on the south shore, provided the applicants meet the community impact mitigation criteria and file a complete application.

HUMAN RIGHTS

On Aug 26, 2019, Surf Equity began the process of requesting an end to gender discrimination in surf competitions held on Oahu. That day, as cofounder of the Committee for Equity in Women's Surfing, I attended the annual North Shore Big Wave Contest Meeting held in a Parks and Rec conference room. During the meeting, I was not given an opportunity to speak, I interrupted and read this section from the [Hawai'i Constitution](#), "no person shall be denied the enjoyment of civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry."

In a significant development this year, women participated in the **Eddie** for the first time. The lack of a women's division in the big wave event deviated from the established norms of professional surfing. This exclusion denied women the chance to compete for victory and left them unrecognized during the award ceremony.

There is more work ahead, we hope you will help.

Thank you,



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Laura H.E. Kaakua, First Deputy Director, State of Hawai'i, Dept of Land & Natural Resources