

NSNB Surf Committee

Recommendations for Rules Governing North Shore Surfing Events

This committee finds that, in general, the 1991 Amended Rules governing shore water events balance the use of our prime North Shore surf spots between the competing interests of exclusive surf contests and public access and enjoyment. However, the current rules lack an objective conflict resolution procedure, which has created uncertainty and concern for all parties.

In 2007, the Department of Parks and Recreation circulated a draft proposal to update the administrative rules governing surf contests on the North Shore. The draft rules have many good elements, but several proposed rules are completely unacceptable to our community.

Earlier this year, the North Shore Neighborhood Board created a Surf Committee to review the existing and draft rules and make recommendations that will likely meet approval in the community. This committee recommends the following elements be incorporated into any new rules.

IMPORTANT DEFINITIONS AND RULES

- CONTEST YEAR is September 1 through August 31.
- WAITING PERIODS shall not be less than 9 days, nor longer than 14 days, except when a Holiday falls within the waiting period, in which case the waiting period may last between 9 and 15 calendar days.
- No competition shall be allowed on HOLIDAYS, which are considered to be the actual State Holiday rather than the observed holiday. (e.g. When Christmas falls on a Sunday, no competition allowed on Sunday, but allowed on Monday, the observed holiday.)
- No two waiting periods may overlap or be scheduled simultaneously.
- Competition shall not begin before 8:00 a.m., nor continue past 4:30 p.m.
- COMPETITION DAYS shall not exceed eight continuous hours.
- PARTIAL DAYS shall not exceed six continuous hours.
- One Partial Day will be allowed for each two Competition Days permitted. (i.e. A contest permitted four Competition Days may run on no more than six separate days; three Competition Day events shall not run on more than four separate days; two Competitions Day events shall not run on more than three days; and one day events may run on only one day.)
- No more than 16 Competition Days may be permitted per beach per year. Unused Competition Days cannot be re-permitted.
- Permitted Competition Days issued for all of the North Shore shall not exceed 54 in total.
- CONFLICT RESOLUTION COMMITTEE shall produce an advisory report to the Director of Parks and Recreation. This Committee will be comprised of three persons and will include: 1) a representative appointed by the North Shore Neighborhood Board, not necessarily a Board Member; 2) the Haleiwa Ocean Recreation Specialist; 3) one additional Parks Employee from the Windward District.

- Permit applicants shall provide proof of sponsorship, if sponsorship is relevant to the application. A letter of intent from the sponsor, subject only to permit approval, shall satisfy this requirement.
- Each contest site shall provide for at least one amateur event and at least one community event per year.
- A COMMUNITY EVENT is a surf contest with open enrollment and not affiliated with any surf contest circuit.
- Permits may not be sold, transferred or used for any purpose other than that which they were permitted.

PERMIT PROCESS

- Permit Applications will be submitted between September 1 and September 30 for the following Contest Year. North Shore Neighborhood Board should designate its Conflict Resolution Committee representative by its September meeting.
- Conflict Resolution Committee is convened, if necessary, in October.
- Director approves and City announces the schedule of permitted events for the next Contest Year not later than October 31. The Conflict Resolution Committee report is available for public review at this time and any permit denied shall be done in writing with the reasons for denial.
- Permit Applicants may submit a written appeal to the City by November 14. The appeal must be based on factual errors in the Conflict Resolution Committee report and deference will be given to a reasonable decision making process.
- Final Determination of the Schedule of Permitted Events for the next Contest Year will be announced by the Director no later than November 30.

PENALTIES

A Permit shall not be granted to any applicant who ran a Competition or Partial Day on a Holiday, or who ran an event on more days than permitted, in the previous year. Permits shall be revoked if they have already been approved for the next Contest Year after the Contest Year in which these violations occurred.

SPECIFIC DRAFT RULES CHANGES

19-4-2 Application

These rules should apply to surfing events, or wave riding events, not shore water events.

19-4-11 Conflict Resolution Procedure

This section should allow point deductions for poor compliance in previous years. Perhaps section (b)(1) and (2) should be changed to award 50 and 20 points to all application and then points could be deducted as appropriate.

Section (b)(3)(c) and (d) should be deleted and replaced with into one item worth 20 points granted to events that have participation by at least 50 percent Hawaii residents.

Section (b)(4)(A) should be eliminated.

Submitted by Mike Takahashi

Chair of the North Shore Neighborhood Board Surf Committee