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# A BILL FOR AN ACT

RELATING TO HAWAII SURFING RESERVES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that designating Hawaii  
2 surfing reserves would recognize important surf sites and  
3 acknowledge their environmental, cultural, sports, and historic  
4 significance in Hawaii. Designation of Hawaii surfing reserves  
5 would raise awareness about the importance of protecting,  
6 nourishing, and developing Hawaii's world famous surf sites.  
7 Designation of Hawaii surfing reserves would not limit enjoyment  
8 of the designated area, particularly with respect to existing  
9 recreational and other uses.

10           A Hawaii surfing reserve designation achieves three  
11 purposes:

- 12           (1) Formal worldwide recognition of the designated surfing  
13 site as an area that has quality surf and significant  
14 cultural, historical, recreational, and competitive  
15 sports value;
- 16           (2) Recognition of the close relationship between surfers  
17 and the ocean; and



1 (3) Promotion of the long-term preservation of Hawaii  
2 surfing reserves for recreation and competitive  
3 surfing.

4 To date, Australia has designated several areas as surfing  
5 reserves, and New Zealand has considered taking similar action  
6 to protect its coastal environment.

7 The purpose of this Act is to designate the surf breaks:

8 (1) From the Ala Wai to the Waikiki War Memorial  
9 Natatorium on the island of Oahu;

10 (2) From Haleiwa to Sunset beach on the island of Oahu;  
11 and

12 (3) Makaha Bay at Kapuhi Point on the island of Oahu,  
13 as Hawaii surfing reserves.

14 SECTION 2. Chapter 6E, Hawaii Revised Statutes, is amended  
15 by adding a new section to be appropriately designated and to  
16 read as follows:

17 "§6E- Hawaii surfing reserves. (a) There is  
18 established:

19 (1) The Waikiki Hawaii surfing reserve, which shall  
20 include all surf breaks off the area of Oahu bounded  
21 by the Ala Wai and the Waikiki War Memorial  
22 Natatorium;



1           (2) The north shore Hawaii surfing reserve, which shall  
2           include all surf breaks off the area of Oahu from Alii  
3           beach in Haleiwa to Sunset beach; and

4           (3) The Makaha Bay Hawaii surfing reserve, from Kapuhi  
5           Point to Makaha beach.

6           Each Hawaii surfing reserve shall extend from the high water  
7           mark and include all surf breaks within the defined reserve.

8           (b) In connection with Hawaii surfing reserves, the  
9           department may:

10           (1) Recognize that surfing in all its forms is an asset to  
11           the state of Hawaii;

12           (2) Assist in placing appropriate signs or markers  
13           provided by the surfing community, other  
14           organizations, or individuals that are designed to  
15           commemorate and identify the respective Hawaii surfing  
16           reserves; and

17           (3) Assist in promoting federal, state, and county  
18           collaboration in nourishing and protecting Hawaii  
19           surfing reserves.

20           (c) For the purposes of this section:

21           "Hawaii surfing reserve" means a part of the coastal  
22           environment recognized by the community for the cultural and



1 historical quality and consistency of its surf and its long-term  
2 and ongoing relationship between the surf and surfers. A Hawaii  
3 surfing reserve includes the beach and adjacent surf zone from  
4 the high water mark and may include features of the marine and  
5 coastal zone that intrinsically enhance aspects of the surfing  
6 experience.

7 "Surfer" means any person who interacts physically with the  
8 surf for recreation, including activities such as bodysurfing,  
9 bodyboarding, surfing, surfskiing, surfboating, stand-up paddle  
10 boarding and all forms of surf lifesaving and lifeguarding,  
11 including tow-in surfing; provided that riding waves on machines  
12 shall be excluded."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2010.

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**Report Title:**

Hawaii Surfing Reserves; Waikiki; North Shore; Makaha

**Description:**

Designates three Hawaii surfing reserves, comprising surf breaks off Waikiki from Ala Wai to the War Memorial Natatorium, the north shore of Oahu from Alii beach in Haleiwa to Sunset beach, and Makaha Bay from Kapuhi Point to Makaha beach. (CD1)

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