



**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

1/10/2022

SUBJECT:

Surf Camp/School Permitting Policy Recommendations

RECOMMENDED ACTION:

Adopt the Surf Camp/School Permitting Policy Recommendations

STAFF CONTACT:

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BACKGROUND:

Following recommendations by the Beach Subcommittee, on May 9, 2005, City Council approved implementation of a surf camp/school policy to be regulated by the Parks, Beaches and Recreation Department (direction for this is addressed in ordinance No. 692-C.S., Section 4-10.116). The policy set a limit of three surf camp/schools, two large (25-student limit) and one small (12 student limit) and allowed for local surf shops to continue the practice of teaching small groups (max of 5 students). The policy was amended in 2013 to allow one local surf shop to apply annually for a permit to increase the number of students that were currently allowed (for surf shops) from 5 to 12 at the small surf camp rate.

At the June 8, 2020 City Council meeting approximately 30 emails/letters and 13 speakers addressed concern over the surf camp permitting process. In particular, many wrote or stated that they were concerned about racial equity relating to beach access, and that the permitting process makes it difficult for non-profits, like Brown Girl Surf, City Surf Project, or others to apply for a surf camp permit.

In addition, several commenters shared personal anecdotes relating to the importance of equitable beach access, their experiences at the beach and surfing, as well as volunteering with non-profits that work with diverse communities. Many of the speakers advocated reforming the surf camp permitting process.

The 2021 price for an annual permit is \$1,080 for small camps and \$1,300 for large camps. Currently there are four permitted surf camps, two large - Adventure Out and Surf Camp Pacifica, one small - University of Surfing and one local shop - Nor Cal Surf Shop. These camps have been permitted to operate for many years. When an inquiry is received, groups are added to a list and told they will be contacted should a spot open. Since the policy limits the number of permitted camps, and each year the camps have chosen to renew their permits, new camp operators, whether non-profits or not, have not been able to apply.

At the June 22, 2020 City Council Meeting, upon the City Manager's recommendation, Council referred this work item to the Parks, Beaches and Recreation (PB&R) Commission to evaluate the Pacifica Surf Camp/School Policy to determine if/how the program could be amended to allow more surf camps to operate, or to revise the permit renewal process to support non-profits that work with diverse communities.

On July 22, 2020, and August 5, 2020, the PB&R Commission held study sessions to discuss the existing surf camp policy, and equitable access relating to the beach and permit holders. Input from the public was taken and a proposal from two non-profits for a Community Access Partner Permit (CAPP) program was received. On August 26, 2020, the PB&R Commission approved changes to the Surf Camp/School Policy to include two CAPP participants for a six-month pilot program (which was eventually extended to include 2021 as phase 1).

DISCUSSION

At the December 16, 2020, meeting, the PB&R Commission approved the creation of a task force to consider and make recommendations regarding the City of Pacifica Surf Camp/School Policy. Soon after a website was created to make information available on the Task Force purpose, members, meeting dates as well as any supportive documents which included past staff reports, meeting agendas, and submitted proposals.

The Surf Camp/School Policy Advisory Task Force met monthly from February through August 2021, skipping September and meeting in October to review the report. The first meeting established the purpose, outcome, and expectations while giving the group background on the policy. In subsequent meetings, several presentations and discussions covering the current surf policy and CAPP proposal were considered. A “Current Policy Snapshot” was regularly included in the task force packet and meeting topics were outlined in a “Meeting Roadmap” which was updated as needed along the way. The Task Force recommendations were presented to the PB&R Commission on November 17, 2021 where it was available for public input and was recommended for adoption by the Commission.

As mentioned earlier, in June of 2020, members of the public from across the greater bay area brought to the attention of the City of Pacifica a need to re-review and expand the current Surf Camp/School Policy. While current commercial surf camp/school providers have been providing high quality opportunities for the community, the public comments brought forward and highlighted an area of nonprofit programming that has been growing in recent years. With new awareness, the Parks, Beaches and Recreation Commission and the Surf Camp/School Task Force undertook a thorough review process to update the policies with a focus on equity and inclusion.

The recommended changes and additions to the surf camp/school policy (attached) include:

- Purpose statement for the program.
- Changes and additions to the overall application qualification review.
- Changes and additions to the guidelines and rules to incorporate additional criteria for the CAPP program, minor changes to the existing guidelines.
- Support for both nonprofits through a Community Access Partner Permit program, as well as support for Commercial Schools.
- Use of the concept of “load” - the number of participants a permittee bring on the beach, how often and when - for allocating CAPP permits and scheduling.
- Creation of an application process, implementing an RFP system and engaging in ongoing program evaluation and review.

Though many municipalities in California have surf camp/school permitting programs, none specifically address the need to ensure a diverse mix of inclusive programs that will expand equity in surf camp/schools. With the implementation of the Task Force recommendations, Pacifica will be at the forefront of providing these opportunities.

PB&R staff were contacted by the California Coastal Commission (CCC) staff In May of 2018 wanting to understand how the permit system fit within the larger context of Pacifica’s Local Coastal Program and the Coastal Act. PB&R staff provided details on the history and creation of the City’s surf camp/school program. Staff cited the following items:

- The authority pertaining to this activity, in order to protect public health, safety and welfare, is Ordinance no. 692-C-S, Pacifica Municipal Code Section 4-10.116, and the policies that have been adopted pursuant to it.
- The Pacifica State Beach Operating Agreement between the City of Pacifica and the California State Parks allows the City to control the use of Pacifica State Beach and to “adopt rules and regulations for the use and enjoyment” of the beach.
- In Coastal Commission staff reports for City permits associated with the paid parking program, the Operating Agreement is discussed as follows: “the City is required to operate the State Beach for the purposes of the State Park System and may establish rules and regulations for the use and enjoyment thereof by the public.

The Coastal Commission staff reached out in July of 2020, acknowledging their understanding of our current permit program and stated strong support for the development of a formal permitting system which would align with public access, recreation and environmental justice policies in the City’s certified LCP, the Coastal Act, the Coastal Commission’s adopted Environmental Justice Policy, and the proposed draft LCLUP update, as submitted to the Coastal Commission for review and certification. The Coastal Commission staff were included on the email list for Task Force and surf camp/school related meetings.

In August of 2021, the Coastal Commission staff contacted and met with City staff to discuss a permitting process and Coastal Development (CDP) permit requirements for the program.

At the last Task Force meeting in October, as well as the following PB&R Commission meeting, staff shared that the Coastal Commission will be requiring a permit for the program and that the Coastal Commission staff does not believe the City has the authority to regulate who operates the surf schools on Pacifica State Beach. Although the City disagrees with CCC staff’s assessment based on the above-mentioned authorities, City staff has been working with CCC staff and submitted a Coastal Development application to the Coastal Commission in December of 2021 for the Pacifica Surf Camp/School program recommendations.

NEXT STEPS

The Coastal Commission is expected to respond to the City’s application, which was submitted in December, within 30 days of receipt. Once the application is considered complete, their staff will submit the item for placement on an upcoming Coastal Commission agenda. City staff anticipate a two-to-three-month timeline for this.

The Task Force recommended a phased-in approach for permits to be established and announced by the PB&R Commission. The timeline will be adjusted as appropriate based on approval process and completion of each task. These dates are tentative.

The CAPP program RFP development, as well as the recruitment for the CAPP Application Review Body (CARB), should take two to three months and could be completed by April and May respectively. Application due date would be June 2022, leaving July and August for the review period. An announcement of permits would be scheduled for early fall 2022 and the program would begin at a date TBD in 2023.

A similar timeline for the commercial program would include an RFP due date and application

review in the summer of 2022, with an announcement of permits in September for the program to begin in early 2023.

There will be additional administrative tasks and support activities related to the scheduling and implementation of the system, ongoing detailed review of the program with the PB&R Commission, as well as general administrative support for all the above related tasks and deadlines.

RELATION TO CITY COUNCIL GOALS AND WORK PLAN:

This action helps to support youth services, which is a component of **A Healthy and Compassionate Community**. It also promotes **An Engaged Community**, taking actions to restore trust in city government, expanding communication and building community.

FISCAL IMPACT:

Although there is no direct fiscal impact from this program, it will impact staff resources. Initially, the increase in work required for this program will require focusing existing staff time and resources on its implementation and execution, which will require reprioritizing staff time from other projects and tasks.

Once the initial program is in place, the annual execution of permitting the surf camps should be absorbed by staff time in the normal course of their duties. However, the review of applicants, program evaluation and coordination with the PB&R Commission will require additional time throughout the year and especially when RFPs are due.

ORIGINATED BY:

Parks, Beaches & Recreation Department

ATTACHMENT LIST:

Surf Camp Recommendation Packet (PDF)