

## STAFF SUMMARY FOR OCTOBER 9-10, 2019

**19. MALIBU OYSTER COMPANY STATE WATER BOTTOM LEASE – PUBLIC INTEREST****Today's Item**Information Action 

Determine whether a new state water bottom lease applied for by Malibu Oyster Company offshore Malibu would be in the public interest.

**Summary of Previous/Future Actions**

- |  |                                      |
|--|--------------------------------------|
| • Receive new lease application                    | Jun 12-13, 2019; Redding             |
| • <b>Today's potential public interest finding</b> | <b>Oct 9-10, 2019; Valley Center</b> |
| • Consider approving lease                         | TBD                                  |

**Background**

FGC has the authority to lease state water bottoms to any person for aquaculture (Section 15400, Fish and Game Code). Requirements for new lease applications and their consideration by FGC are specified in Section 15403 et seq. of the Fish and Game Code.

***New Lease Application***

At its Jun 2019 meeting, FGC received an application from J.P. Garofalo and Nick Mercer of Malibu Oyster Company (the applicant) to lease a new area covering 100 acres of state water bottom off the Malibu coast. As detailed in the lease application, the proposed lease area is located approximately one-half to one mile offshore from Malibu Pier in Malibu and its proposed siting was selected by the applicant to avoid commercial shipping lanes, marine protected areas, California halibut trawl grounds, areas of special biological significance, and leasable kelp beds, to avoid competing uses (Exhibit 1).

The potential lease site would be used to culture shellfish and certain seaweed species. The applicant proposes to culture seven species, of which the final four have not yet been commercially cultivated in California state waters: Pacific oyster, Olympia oyster, Kumamoto oyster, giant rock scallop, red sea urchin, giant kelp, and sugar kelp.

***Public Interest Determination***

Fish and Game Code sections 15400(a) and 15404 require that, prior to considering a new lease application, FGC must find that the lease area applied for is available (i.e., not otherwise leased or encumbered for other uses) and that the lease would be in the public interest.

To assist FGC in determining if the lease would be in the public interest, DFW has completed a review of the application, has consulted with the California State Lands Commission to determine that the area applied for is available, and has considered other potential uses for the area in its review. DFW's analysis and findings are provided in Exhibit 2.

Should FGC find that the lease would be in the public interest, staff will publish notice that FGC is considering the lease as prescribed in Fish and Game Code Section 15404, DFW will initiate tribal outreach and interagency coordination, and environmental review will be conducted by the applicant prior to final FGC consideration of the lease application and public input (Exhibit 2).

## STAFF SUMMARY FOR OCTOBER 9-10, 2019

**Significant Public Comments**

1. A local restaurant seafood distributor submitted a letter in support of the applicant and its application for a state water bottom lease, citing that the applicant will increase opportunity for access to locally raised products for distribution (Exhibit 4).
2. A commenter expressed concern that the proposed lease area is sited within Malibu's swell corridor, which is listed in the National Register of Historic Places, and thus poses an incompatible use, is not in the public interest, and should not be considered in the proposed area. Commenter offers to work with the applicant to find an alternative location (Exhibit 4).

**Recommendation**

**FGC staff:** Approve DFW's recommendation and direct staff to ensure that concerns expressed over the siting of the lease area are explored through the CEQA and public review processes.

**DFW:** Based on the reasons identified within Exhibit 2, find that the area of the proposed new state water bottom lease for shellfish and seaweed aquaculture is available for leasing and that the lease would be in the public interest; and proceed with the next steps in public notice, tribal outreach, interagency coordination, and environmental review.

**Exhibits**

1. [Malibu Oyster Company application for new lease, received Apr 22, 2019](#)
2. [DFW memo, received Sep 16, 2019](#)
3. [Email from Randy Lovell, transmitting comment letter dated Aug 2, 2019 from Michael King, King Seafood Company, as attachment, received Sep 10, 2019](#)
4. [Email from Michael Blum, Sea of Clouds, with attachment, received Sep 26, 2019](#)

**Motion/Direction**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission finds the state water bottom lease area applied for by Malibu Oyster Company, for the purposes of shellfish and seaweed aquaculture, is available for lease, and that the lease would be in the public interest. Further, the Commission directs staff to initiate public notice pursuant to Section 15404 of the Fish and Game Code, and schedule for consideration the lease application following tribal outreach and interagency review, and environmental review conducted by the applicant.

**OR**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission finds the state water bottom lease area applied for by Malibu Oyster Company, for the purposes of shellfish and seaweed aquaculture, is available for lease but leasing the area is not in the public interest.

RECEIVED  
CALIFORNIA  
FISH AND GAME  
COMMISSION

2019 APR 22 PM 1:30

# Malibu Oyster Company

April 17<sup>th</sup> 2019  
California Fish and Game Commission

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

**Dear Fish and Game Commission:**

Please find enclosed two copies of Malibu Oyster Companies application for lease of State water bottoms and a check for the \$500 application fee.

Thank you for your consideration of our application! We look forward to hearing from you.

Signature: \_\_\_\_\_



Signature: \_\_\_\_\_



**J.P. Garofalo & Nick Mercer**  
Co – Founders Malibu Oyster Company

[Redacted]

Date 4/17/2019

**PAY to the**  
Order of

California Fish and Game Commission

\$ 500.00

Five Hundred <sup>xx</sup>/100

Dollars

 Security Features Details on Back

[Redacted]

For

State Water Bottomland App

[Redacted]

MP

Date 4/17/2019

**PAY to the**  
Order of

California Fish and Game Commission

\$ 500.00

Five Hundred <sup>x/100</sup>

Dollars

 Security Features Details on Back

For State Water Bottomland App

MP

DEPARTMENT OF FISH AND WILDLIFE

DEPARTMENT OF FISH AND WILDLIFE

Valeriya Kuyuchkov  
4/22/19



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Project Proposal & Business Plan

Prepared by J.P. Garofalo & Nick Mercer  
April 2019

FORM A

**State of California Fish and Game Commission Application for Lease of State Water Bottoms  
for Aquaculture**

**Applicant Name:** Malibu Oyster Company

**Phone:** (203) 856-1275 / (310) 339-9114

**Address:** 902 Washington Avenue, Unit C, Santa Monica, CA 90403

**Aquaculture Registration No.** To Be Determined

**Expiration Date:** To Be Determined

**Species of plant or animals to be cultured:**

- Crassostrea gigas ("Pacific oyster") (Triploid seed only)
- Ostrea lurida ("Olympia oyster")
- Laminaria saccharina ("Sugar kelp")
- Crassostrea sikamea ("Kumamoto oyster")
- Crassadoma gigantea ("Giant rock scallop")
- Macrocystis pyrifera ("Giant kelp")
- Mesocentrotus franciscanus ("Red Sea Urchin")

Application is hereby made to the Fish and Game Commission of the State of California for a lease of State water bottoms in the area described in the attached exhibit entitled "Exhibit A-Legal Description," and as shown on the map attached hereto marked "Exhibit B." Each exhibit bears the name of this applicant. Such lease will be for the purpose of aquaculture involving the species designated above. In support of this application, the applicant hereby submits the following explanation of the type of operation and cultural practices to be employed:

- A. Purpose of operation - Production
- B. Plan of development and proposed production schedule – 5-year plan
- C. Type of cultural method(s) to be employed: long line with buoyed habitats, etc.
- D. Department of Health Services growing water classification: Unclassified

(Please see additional sheets for detailed explanation)

Date: 4/17/2019

Print Name: J.P. Garofalo and Nick Mercer on behalf of Malibu Oyster Company

Signed: J.P. Garofalo Nick Mercer

## **Introduction & Background**

### **Company Introduction:**

The Malibu Oyster Company (“The Company” or “MOC”), a Delaware Corporation, was formed in June of 2018 with the intent of pursuing a California state bottom lease for growing premium oysters for the half shell market, as well as fresh kelp for consumption. The Company plans to provide locally-sourced and sustainably farmed products directly to the sprawling Greater Los Angeles area. Locally cultivated seafood will not only help meet growing demand in the market, but also serve as a source of economic opportunity and employment for the community. Additionally, MOC is a mission-driven company dedicated to promoting a sustainable aquaculture industry in Southern California that supports a regenerative symbiotic relationship with the ocean.

### **Applicant(s):**

J.P. Garofalo



J.P. Garofalo, co-founder of Malibu Oyster Company, grew up in the western part of Connecticut where oyster farming was a constant feature of the landscape. In his teenage years, he spent the summers working on a local oyster farm during its infancy and facilitated the development of their early cultivation methodologies and record-keeping policies. Following graduation from Middlebury College, Mr. Garofalo has worked in the financial services industry. After working in New York for 5 years, he moved to Los Angeles where he works at Ares Management, a leading global private equity firm. His passion for aquaculture and sustainable farming has persisted since his days on the Long Island Sound. With his background in oyster farming and cultivation, Mr. Garofalo will be primarily responsible for the Company’s farming operations.

Nick Mercer



Nick Mercer, co-founder of Malibu Oyster Company, is a native Californian and grew up just a few miles from the proposed farm location. He graduated from Connecticut College in 2010 with a degree in Anthropology and moved to NYC to pursue a career in the media industry. Nick moved back to Los Angeles 3 years ago to run west coast sales for Parse.ly, a media analytics company, and has had the privilege to work with Disney, the NFL and Amazon. As an avid aquaculture enthusiast and environmentalist, Nick has always been personally interested in the sustainability of seafood. With a strong sales and marketing background Nick will oversee distribution for MOC.

The Malibu Oyster Company is working alongside GreenWave, a pioneering nonprofit organization dedicated to building a new blue-green economy that creates jobs, mitigates climate change and grows healthy food for local communities. As a farmer and fisherman run organization, GreenWave provides expertise, training and guidance for new farmers in their regenerative polyculture farming program. MOC is working in partnership with GreenWave and thus far has worked with Karen Gray, the California Reef Manager, to advance our site selection and bottom lease process in California. Through this strong working relationship, MOC will leverage access to industry experts across the country and within the state of California to gain insights into best management practices, operations, cultural methodologies and technical implementation. The Company will plan to appoint members of the GreenWave team to a Board of Advisors along with other local specialists, industry cohorts, and local University academics and research specialists.

**Project Summary:**

The Malibu Oyster Company will launch a commercial offshore aquaculture operation based in Los Angeles County. The site will be located in California state waters approximately one mile offshore of Malibu Lagoon and will encompass ~100 acres. Production will primarily consist of Pacific oysters and Sugar kelp and will be landed in the Marina del Rey Harbor. Cultivation methods will be via surface-level floating cages secured on longlines and anchored to the ocean floor. Kelp will be cultivated on the longlines connecting each floating cage with approximately 8-10 feet between each cage and 10 cages to a longline.

MOC plans to predominately purchase triploid oyster seed or “spat” at 12mm and deploy them in 6mm mesh bags within floating cages. As available, triploid seed will be sourced from San Diego Bay Aquaculture, Northern California as available from Hog Island Oyster Company, Hawaii via the Taylor Shellfish Facility or Goose Point Oysters facilities, and/or Washington State hatcheries such as Whiskey Creek. Any spat sourced will be certified and approved by the California Department of Fish and Wildlife (“CDFW”). In the first 1-2 years of operation, kelp seed will be supplied in partnership with GreenWave as a member of their support network. The Company will seek to source seed from other local sources within California, such as PharmerSea, as well as begin our own small-scale kelp hatchery.

Sorting and tumbling of oysters will occur every 6 – 8 weeks as necessary and dependent on growing conditions. Due to the distance to port, oysters will be hauled onboard the working vessel and tumbled and sorted onsite. Oysters of market size will be culled, graded, cleaned and bagged for harvest and distribution. Kelp will be planted annually in the fall and harvested in the spring. Notably, kelp will only be cut and harvested if it is directly attached to the longlines. Any other marine algae not directly attached to the longline as initially planted will be considered biofoul and will be released accordingly.

## **Operation and Cultural Practices**

### **Purpose of Operation:**

Malibu Oyster Company's primary purpose of operation is for the production, cultivation, harvest, distribution and direct sale of Pacific oysters (*Crassostrea gigas*) and Sugar kelp (*Laminaria saccharina*). In doing so, the Company will be providing a much-needed source of locally-grown seafood to a large economic community through sustainable and regenerative aquaculture practices in Los Angeles County.

### **Site Selection, Plan of Development and Proposed Production Schedule:**

#### **Site Selection:**

The proposed site (please see Exhibit A) is approximately 100 acres in size, is in California state waters, is not located in commercial shipping lanes, a marine reserve or conservation area, Halibut Trawling Grounds or an Area of Special Biological Significance, and is within a closed Kelp Bed Boundary with precedent for obtaining a bottom lease and does not conflict with aquaculture activity on state leased parcels.

Further to the Company's site selection process, the proposed site is a judicious and iterative choice given the legal limitations outlined by the California Department of Fish and Wildlife, California Coastal Commission as well as guidance provided by the California Department of Health and considerations regarding recreation within the greater Los Angeles area. To the north in areas serviceable from Ventura Harbor, proposed site locations conflict with existing Halibut Trawling Grounds. From Laguna Point/Point Mugu to Point Dume, the area is zoned as a leasable Kelp Bed Boundary. Upon consultation with CDFW, they determined that the Company, as an owner of an aquaculture lease, would be in conflict with any potential lessee of the Kelp Bed Boundary. Within the western portion of Malibu, state waters consist of the Point Dume State Marine Reserve and Conservation area, as well as another leasable Kelp Bed Boundary (zone 16) [Exhibit C]. Looking to the south of the proposed location towards the Santa Monica Basin, the project would begin to conflict with greater volumes of recreational boaters and fisherman out of Marina del Rey and Redondo harbors. Moreover, storm drains and runoff located directly within the Santa Monica basin provide further concern for consistently diminished water quality. In contrast, the proposed site, as illustrated in Exhibit C, is within 8 miles of the nearest port, thus limiting the natural volume of recreational boaters that would conflict with the site. The proposed site is not within a California Department of Public Health Growing Water Classification area, further testing and ongoing sampling will need to be undergone to classify the area as a "conditionally approved" shellfish growing site. The Malibu Oyster Company has engaged with officials at California Department of Public Health, Eric Trevena and Joe Christen, who indicated that the site will likely not have any major issues after hearing a description of the proposed site. While MOC will have to undergo the process outlined by the CDPH, they expect it will obtain the "conditionally approved" certificate considering the site description, as well as its proximity to Santa Barbara Mariculture (SBMC) and the existing certificate therein.

In regards to growing conditions for the proposed site, we believe depth, wave, currents, temperature and available nutrients have the potential to make this a highly productive area. Within the proposed site, depths are under 90 feet with gradually sloping declines throughout making implementation and

installation of longlines advantageous. Point Dume to the northwest provides further protection from wave action within the predominantly benign conditions of the Southern California Bight. Rich nutrient upwelling from the nearby continental shelf and deep Hueneme and Mugu Canyons should provide productive growing conditions for shellfish and macroalgae alike. As the proposed site is within approximately 60 miles of Santa Barbara Mariculture, an existing operation successfully cultivating Mediterranean mussels and Pacific oysters, we believe growing conditions will not be dissimilar and should provide a proxy for conditions experienced at the proposed site. Additionally, SBMC's operation acts as a significant precedent for the project's potential lack of environmental impact. Lastly, the substrate of the region thus far appears to be completely comprised of sand and mud as illustrated in Exhibit B, which also contains an in-depth video of the landscape available through the USGS website. The USGS survey provided runs directly through the proposed site (see Exhibit B). The substrate shown here is not only beneficial for the anchoring of our site, but also proves that it will not conflict with any existing natural kelp or other cnidarian reefs.

Malibu Oyster Company's site is indicated by points MOC-NW, MOC-SW, MOC-NE and MOC-SE.

**Figure 1**



Latitude	Longitude	Position	Depth*
34.0258	-118.67280	MOC – NW	74 ft
34.0232	-118.67099	MOC – SW	100 ft
34.0304	-118.66207	MOC – NE	68 ft
34.0275	-118.65971	MOC – SE	86 ft

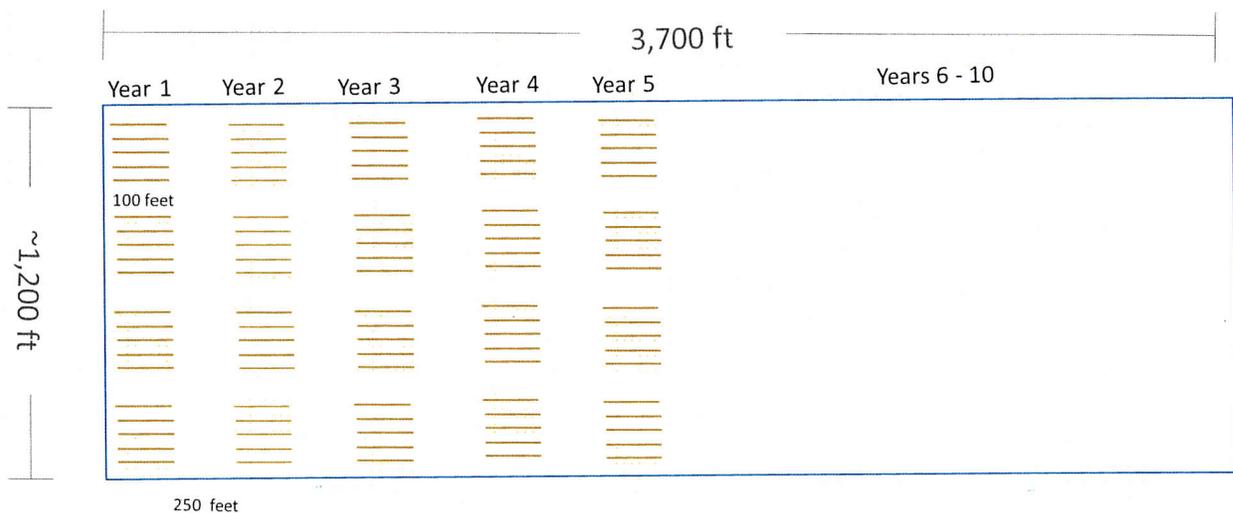
\*Depths are approximated based on USGS survey data as illustrated in Exhibit B.

**Plan of Development & Cultural Methods:**

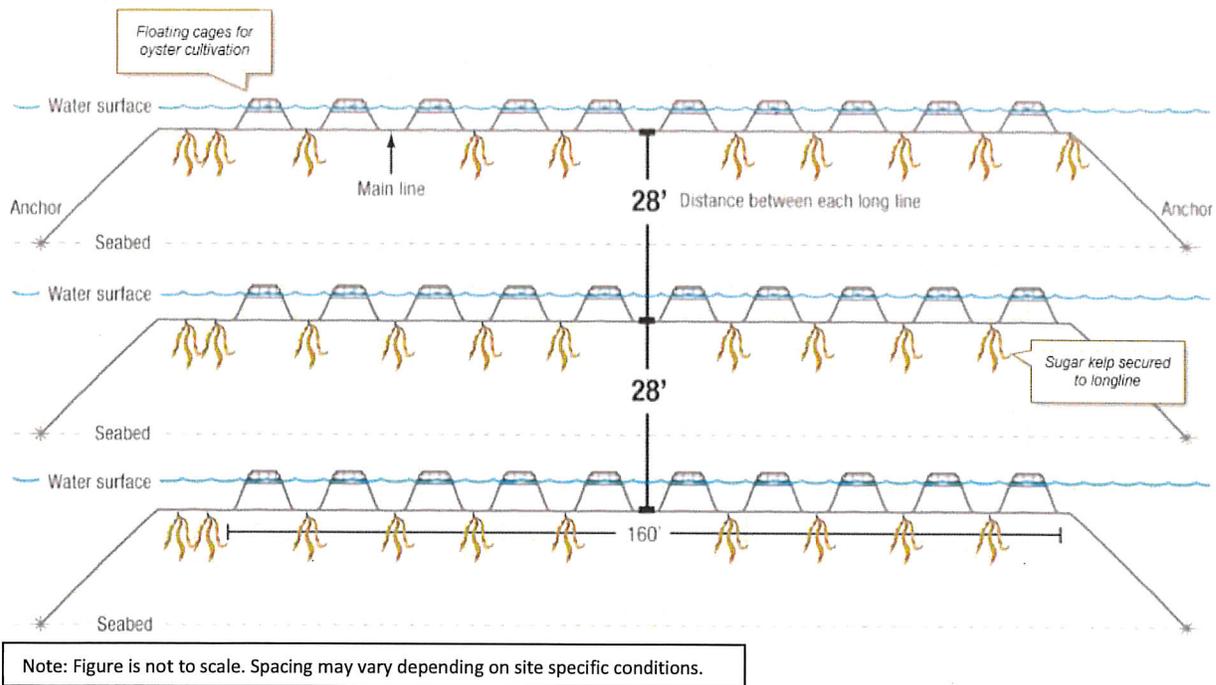
As noted above, the proposed site will occupy approximately 100 acres in eastern Malibu. The farm measures approximately 1,200 feet wide by 3,700 feet long. In accordance with U.S. Coast Guard regulations, site development will commence with the installation of marking buoys on each corner of the lease and a primary marker possessing radar reflecting capabilities within the center of the lease. This will ensure navigational visibility prior to any other activities on the site.

Deployment of longlines will begin with the installation of anchors. MOC will use 50kg Jeyco Stingray anchors, which are capable of holding 17,600 pounds each. Jeyco anchors, as displayed below in Exhibit D, are capable of holding over 10,000 pounds. With market size oysters, fully stocked floating cages will weigh approximately 100 pounds, which equates to a maximum of 1,500 pounds per longline. Jeyco stingray anchors should provide more than adequate holding power based on these projections even in extreme weather conditions. Alternatively, the farm will explore installing helical screw anchors if commercially viable. If severe hurricane conditions occur, MOC has the ability to sink the floating cages and prevent catastrophic damage to the farm and/or the spreading of marine debris.

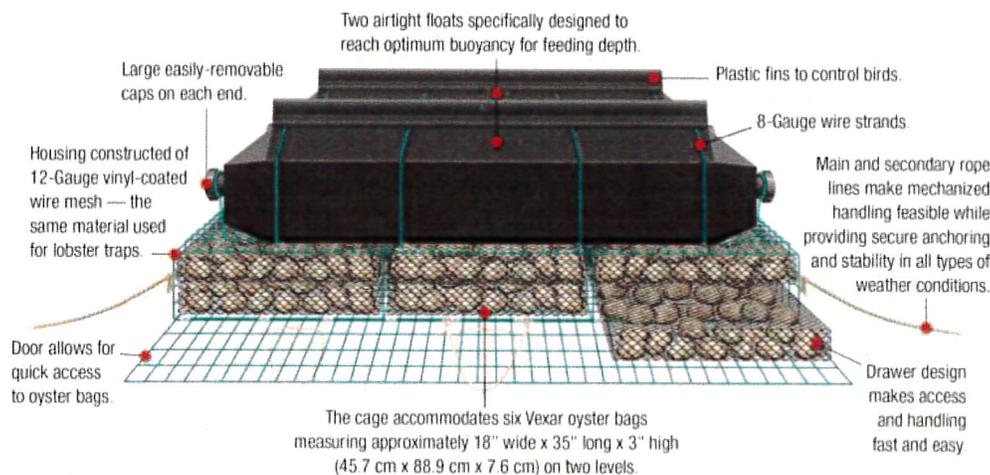
Longlines will be approximately 150 feet long containing 10 floating cages evenly spaced 8/10 feet apart. In addition, longlines will be arranged parallel to each other and facing NW in the direction of prevailing wind patterns in order to minimize impact from wave action. Floating cages will be connected via a ½ inch polyethylene rope, which will be seasonally adorned with Sugar kelp. Spacing between each longline will be between 25 and 30 feet with 5 longlines to a group. Each group will be spaced 100 feet apart to allow ample room for mammals to echolocate these rows and navigate through if necessary. In total, this allows for 4 groupings across the width of the site. Columns will be spaced 250 feet apart. The site will be capable of holding approximately 10 columns. See below for a diagram illustrating the proposed site development, as well as longline construction.



Note: Figure is not to scale. Spacing may vary depending on site specific conditions.



The floating cages will be assembled onshore and deployed as the farm continues to scale. Following conversations with manufacturers (Oystergro & GoDeep, Inc), MOC expects each floating cage to have an expected useful life of approximately 15 years provided they receive proper maintenance. A standard floating cage is equipped to carry six mesh plastic bags housed in a wire cage allowing for ongoing access and maintenance. Mesh bags vary in size and are rotated to maximize water flow for feeding for optimal growth rates. See below a diagram illustrating a common design for a floating cage:



- **Kelp planting & maintenance:** Kelp planting is initiated in October/November as water temperatures begin to drop. Kelp is seeded on cotton spools and wrapped around the ½ polyethylene line that connects each floating cage. Lines are moderately weighted to reach optimal depths (approximately 2 feet for growing conditions). As kelp grows throughout the season, it develops positive buoyancy due to the maturing of stipe hollows and fills with gas. When this is observed, lines will be weighted further to re-position the lines and maintain optimal depths. Kelp requires little other maintenance except from ensuring lines are not crossed or entangled, which will already be undertaken with the maintenance of the farm for oyster culture.
- **Oyster tumbling & grading:** In order to sort oysters by size, MOC will utilize an onsite portable tumbler. Oyster tumblers are generally 4-5 feet long metal tubes with two different sets of sorting sizes. Tumbling and sorting will likely be performed every 6-8 weeks due to the fast-growing conditions typically seen at the top of the water column where algae is more plentiful. Moreover, frequent tumbling of oysters chips the oyster mantle, creating a deeper cup and a higher quality oyster for the half-shell market. If oysters are deemed to be of market size, they will be taken to port at Marina del Rey where they will be graded according to quality.
- **Cage flipping and maintenance:** Floating cages offer a unique and beneficial maintenance method by which cages are periodically (generally bimonthly depending on area productivity) flipped resulting in the floats becoming fully submerged and thus exposing the mesh bags. Cage flipping can be for the immediate removal of biofouling but is also engaged for periods of up to 24-48 hours. Prolonging cage flipping removes *all* biofouling, as well as strengthens oyster adductor muscles promoting a longer post-harvest shelf life.
- **Harvesting (oysters & kelp):** Once oysters are deemed of market size and properly graded, they will be washed with a high pressure seawater hose to clean the shells of debris. The oysters will then be placed in mesh bags and moved to a temporary cold storage facility and promptly delivered fresh to local buyers in accordance with the Shellfish Handling and Marketing Certificate outlined and provided by the California Department of Public Health. Floating cages are flipped on the line for drying and removal of biofouling. They will be inspected, and if additional maintenance is deemed necessary, they will be removed from the longline and brought onshore for further upkeep. Harvesting of kelp occurs in the spring months (March/April) as the water becomes materially warmer. As a result, organisms (primarily algal in nature) begin to grow on the kelp and degrade the quality. When this growth is first observed on a blade, the kelp will be cut at the stipe, removed from the longline and immediately placed in a cooler for harvest.

Proposed Production Schedule:

Production Schedule	Year 1	Year 2	Year 3	Year 4	Year 5
New Lines Installed	20	20	20	20	20
Total Lines Operating	20	40	60	80	100
Outstanding Floating Cages	200	400	500	750	1000
Oysters Harvested (Singles)	0	250,000	500,000	750,000	1,000,000
Kelp Harvested (Tons)	10	20	30	40	50
Acres developed	5	15	25	35	50

**Other Notes Regarding Best Management Practices, Community Involvement and Restoration Efforts:**

Marine Debris Reduction and Management. MOC shall carry out operations consistent with the following marine debris reduction and management practices:

- Storm Damage and Debris.** In the event that its shellfish culture gear or equipment becomes displaced or dislodged from culture lines, it shall be MOC's responsibility to retrieve the material from the shoreline, open water, or submerged bottom with minimal damage to the resources affected. Once located, such material shall be removed as soon as feasible and properly disposed of, recycled, or returned to use. As soon as safely and reasonably possible following storm or severe wind or weather events, MOC shall patrol all of its active cultivation areas for escaped or damaged aquaculture equipment. All equipment that cannot be repaired and placed back into service shall be properly recycled or properly disposed of at a certified onshore waste disposal facility. In addition, MOC shall retrieve or repair any escaped or damaged aquaculture equipment that it encounters while conducting routine daily and/or monthly maintenance activities associated with shellfish culture. If the escaped gear cannot be repaired and replaced on the shellfish bed, it shall be properly recycled or disposed of at a certified onshore waste disposal facility.
- Gear Marking:** MOC shall mark shellfish culture bags (floating cages/bags) identifiable manner with identification information including its company name. Markings shall be securely attached and robust enough to remain attached and legible after an extended period in the marine environment (e.g. heat transfer, hot stamp, etching, etc.).
- Marine Debris Reduction Training:** Upon receipt of their permit, MOC shall conduct an employee training regarding marine debris issues ,including covering how to identify culture gear or associated materials (longlines, label tags, clasps, etc.) that are loose or at risk of becoming loose, proper gear repair methods, and how to completely remove gear from out-of-production areas. Particular focus shall be placed on management and maintenance practices to

reduce the loss of any gear type that is frequently lost or consistently found during beach cleanup and inspection activities. These trainings shall be repeated on an annual basis throughout the term of the permit. During trainings, MOC's employees shall be encouraged to consider and implement field and management practices that reduce the amount of small plastic gear (such as zip-ties, tags and fasteners) and non-biodegradable materials used in its operations.

- **Cleanup Events:** MOC shall implement quarterly cleanup events in Malibu, Santa Monica and the South Bay in coordination with other interested parties or organizations (Heal the Bay, Oceanic Global etc.) Cleanup events shall include walking different portions of these beaches and shorelines to pick up escaped shellfish gear and other trash (regardless of whether it is generated by the project). The volume and type of shellfish gear collected and the cleanup location (marked on a map) and duration of cleanup activity shall be recorded and documented in the annual report submitted to the Executive Director of the Commission. If persistent discoveries of certain gear types are made, MOC shall evaluate (and if feasible, implement use of) alternative gear types or practices that would reduce these persistent sources of debris.
- **Excessive Gear Loss or Maintenance Failures:** If is evident that MOC is responsible for excessive loss of aquaculture equipment (long equipment, floating cages or cultivation mesh bags) into the marine environment or is consistently failing to maintain its equipment in an intact and serviceable condition, MOC shall, modify its cultivation equipment and/or operational practices to address the issue, or cease operations within a 90 day period.

#### **Conclusion and other Notes on Methods:**

As a small-scale farm, we believe floating cages are advantageous for manually flipping and servicing crop in comparison to longlines normally utilized for mussel farming—particularly as it relates to needing a vessel equipped with the ability to lift a heavy backbone line. Notably, we believe floating cages also mitigate issues related to mammalian entanglement. With only floating cages at the surface and ½ inch polyethylene line 6 -12 inches below surface, we believe this greatly lessens the risk for mammalian and/or sea turtle entanglements. Longline systems typically used for growing mussels employ a top floating line of buoys/floats (similar in scale to floating cages), a backbone line 15-20 feet below the surface with another 15-20 feet of cultured ropes hanging below the backbone. While the probability of mammalian entanglement is very low with mussel longlines, we believe the floating cage method employed here will further reduce that probability. In addition, in the case of a large storm or hurricane event, the cages can be sunk and stored on the ocean floor (this is typically done throughout the winter for farmers in northern regions where the water ices over). This not only protects the farm from catastrophic loss, but also ensures that gear and other equipment are not lost and become pollutive to neighboring areas and beaches.

**EXHIBIT A**

Legal description of the proposed water bottom lease for cultivation of Pacific oysters (*Crassostrea gigas*), Olympia oysters (*Ostrea lurida*), Kumamoto Oysters (*Crassostrea sikamea*) and Sugar kelp (*Laminaria saccharina*), *Crassadoma gigantea* (“Giant rock scallop”), *Macrocystis pyrifera* (“Giant kelp”), *Mesocentrotus franciscanus* (“Red Sea Urchin”) by The Malibu Oyster Company.

**LOCATION**

The area lying offshore of Malibu, California defined by a four-sided rectangle formed by lines connecting the following waypoints (shown in decimal degrees):



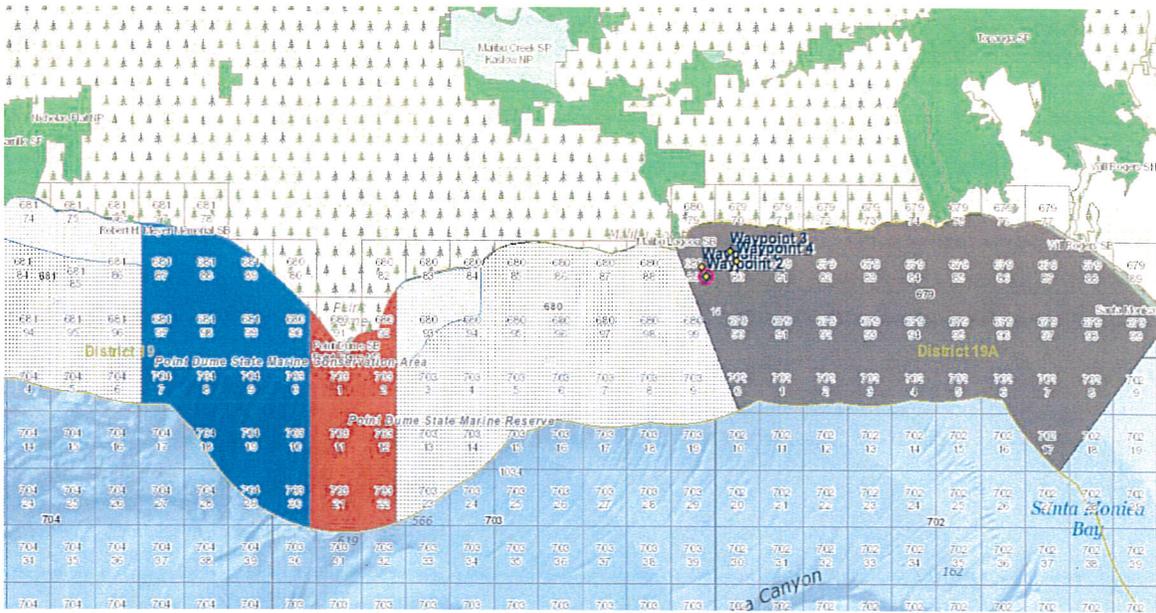
<b>Latitude</b>	<b>Longitude</b>	<b>Position</b>
34.0258	-118.67280	MOC – NW
34.0232	-118.67099	MOC – SW
34.0304	-118.66207	MOC – NE
34.0275	-118.65971	MOC – SE

## Exhibit B

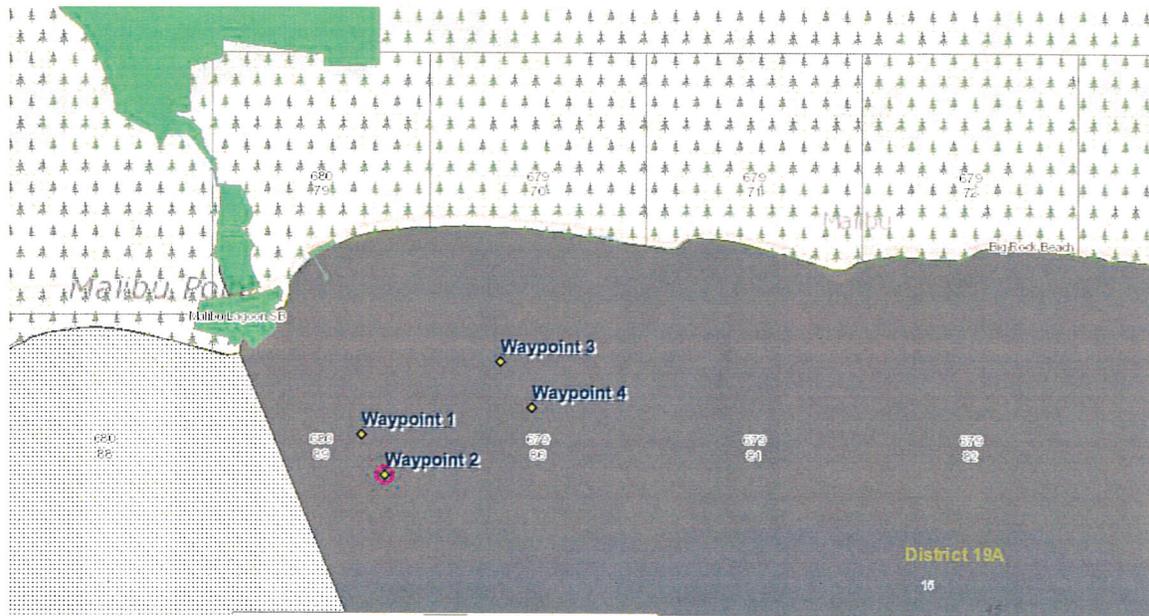


Source: USGS Coastal and Marine Geology Program. Note, the red lines denote areas where the seafloor has been mapped by the USGS. The frame in the bottom left is the view provided by the substrate rover, which provides depth levels as well.

### Exhibit C



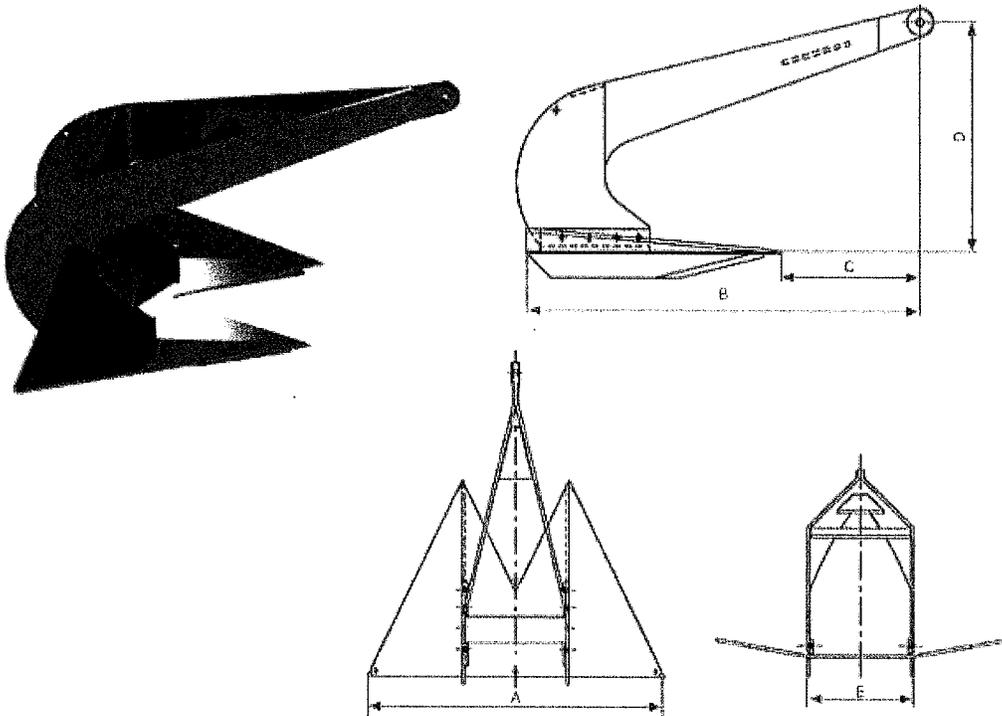
- State Marine Reserve (SMR)
  - State Marine Conservation Area SMCA (No-Take)
  - State Marine Conservation Area (SMCA)
  - State Marine Park (SMP)
  - State Marine Recreational Management Area (SMRMA)
  - Special Closure
- Kelp Administrative Bed Boundaries
  - Go
- STATUS
- Closed
  - Lease Only
  - Leasable
  - Leased
  - Open



Source: California Department of Fish and Wildlife. Note, areas in Marine Reserves and leasable kelp bed boundaries are restricted for aquaculture lease.

**Exhibit D**

**Stingray High Performance Anchors**



Weight (kg)	Holding Power			Weight (kg)	Dimensions						
	Sand (tonnes)	Medium Clay (tonnes)	Silt (tonnes)		Color	A	B	C	D	E	F
10	2.99	1.85	1.34	50	Green	1013	1023	347	598	368	54
25	4.95	3.83	2.77	75	Yellow	1060	1070	363	625	385	58
50	8.59	6.65	4.80	100	Blue	1171	1182	401	691	426	64
75	12.03	9.09	6.57	150	Green	1268	1271	432	742	458	69
100	14.91	11.54	8.34	250	Yellow	1515	1530	519	895	556	83
150	20.58	15.93	11.51	375	Blue	1748	1765	599	1031	635	96
175	23.28	18.01	13.01	500	Green	2024	2045	694	1190	736	111
250	30.89	23.92	17.27	750	Yellow	2222	2243	761	1311	808	122
375	42.64	33.01	23.84	1000	Yellow	2491	2516	854	1470	905	136
500	53.60	41.50	29.97	2000	Yellow	3078	3109	1055	1817	1119	168
750	73.99	57.28	41.37	3000	Yellow	3638	3719	1312	2160	1311	197
1000	93.00	72.00	52.00	5000	Yellow	4248	4291	1456	2504	1544	232
1500	128.37	99.39	71.78								
2000	161.38	124.93	90.22								
3000	222.74	172.44	124.54								
4000	279.98	216.76	158.55								
5000	334.32	258.83	186.93								

## Memorandum

**Date:** Sept 16, 2019

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Wildlife Commission

**From:** Charlton H. Bonham  
Director

**Subject:** Request to consider the new state water bottom lease application received from J.P Garofalo and Nick Mercer, doing business as Malibu Oyster Company, for an approximately 100-acre parcel in offshore waters near Malibu, CA.

The Department of Fish and Wildlife (Department) requests that pursuant to Fish and Game Code § 15404, the Fish and Game Commission (Commission) finds that the area of the proposed new state water bottom lease for shellfish aquaculture, received from J.P. Garofalo and Nick Mercer, doing business as Malibu Oyster Company (MOC), is available, finds that the lease would be in the public interest, and direct staff to proceed with next steps in preparation for consideration of the lease (including the posting of public notices, tribal outreach, environmental review, and interagency coordination).

### Background

The Commission received an application for a new state water bottom lease for shellfish and seaweed aquaculture at its June 12-13, 2019 meeting under Public Comment. The applicant proposes to establish a commercial offshore bivalve shellfish and seaweed aquaculture operation with Pacific oysters (*Crassostrea gigas*) and Sugar kelp (*Laminaria saccharina*) being the primary products. The proposed lease area is approximately 100 acres located about one-half mile offshore from Malibu Pier (Malibu, CA). The cultivation gear proposed would consist of a submerged longline system, with attached floating cages for the shellfish and directly seeded longlines for the seaweed. Harvested product would be landed at Marina del Rey Harbor.

Public Resources Code declares it in the public interest to expand aquaculture activity<sup>1</sup>, as does Fish and Game Code in statutory policy that, among other things, encourages the development of commercial aquaculture<sup>2</sup>. These policies apply in a broader sense, but the public interest consideration may be further informed by site-specific considerations that may be immediately apparent, such as previous encumbrances of the location by other leases issued or recorded by the State Lands Commission, or prohibitions on sanitary or public health grounds

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<sup>1</sup> The Aquaculture Development Act (Pub. Resources Code, § [826](#)).

<sup>2</sup> Fish & G. Code, § [1700](#).

Melissa Miller-Henson, Executive Director  
Fish and Game Commission  
Sept 16, 2019  
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as managed by the Department of Public Health. The public hearing and CEQA processes of the Commission are meant to provide for more in-depth environmental considerations and stakeholder input before approving new leases, so support for recommending this 'public interest' determination should take the form of preliminary site-specific considerations.

Pursuant to California Code of Regulations, Title 14, Section 237(b)(3), Department staff requested certification from the California State Lands Commission (SLC) that the state water bottom area proposed by Malibu Oyster Company is unencumbered. In a letter dated July 16, 2019 (Ref # 1217) certification was received from SLC affirming the absence of conflicting leases within the proposed aquaculture area.

In addition, preliminary evaluation of recreational and commercial fishing data did not immediately indicate the proposed project conflicts with these uses.

The applicants have also been coordinating with the CA Department of Public Health (CDPH) to determine whether their proposed site will likely achieve certification as a growing area from a public health perspective. A proposed site Sanitary Survey and certification will be conducted once the applicant has standing with a Commission-approved state water bottom lease. CDPH preliminary review has provided no indication to preclude further consideration of the proposed site in advance of a complete Sanitary Survey.

Coastal Commission staff has pointed out the potential for perceived conflict with a nearby designated surfing reserve (Malibu World Surfing Reserve). The attached map reflects the approximate relative locations of the reserve and proposed lease site, separated by approximately 1600 feet beyond the outermost boundary of the reserve (which itself extends about 1640 feet from shore).

In addition, the proposed project is larger-scale and has numerous novel components, which should be carefully evaluated through the CEQA process. The proposed lease size of 100 acres is larger than any offshore aquaculture facility currently operating in California state waters. Potentially significant site-specific impacts to habitat and species of concern (e.g., marine mammal entanglement) of this proposal should be evaluated. In addition, four of the seven species proposed for culture have not yet been commercially cultivated in California state waters. The resource implications of commercially cultivating novel species, including Sugar kelp (*Laminaria saccharina*), Giant rock scallop (*Crassadoma gigantea*), Giant kelp (*Macrocystis pyrifera*), and Red sea urchin (*Mesocentrotus franciscanus*) should be carefully evaluated. Similarly, the applicants propose to cultivate shellfish and kelp species using methods that have not yet been employed in the offshore environment of California state waters. The potential impact of these types of novel methods to marine resources should be assessed.

Melissa Miller-Henson, Executive Director  
Fish and Game Commission  
Sept 16, 2019  
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Future Commission hearings and the CEQA environmental review and disclosure processes will provide additional opportunity for applicant and stakeholder input regarding this proposed new operation and potential further siting refinements.

Based on these initial evaluations, the Department recommends the Malibu Oyster Company application is in the public interest, and seeks Commission direction to proceed with next steps in preparation for consideration of the lease, including the posting of public notices, tribal outreach, environmental review, and interagency coordination.

Please direct further questions to Randy Lovell, State Aquaculture Coordinator at (916) 445-2008 or [aquaculturecoord@wildlife.ca.gov](mailto:aquaculturecoord@wildlife.ca.gov).

Attachment

ec: Stafford Lehr, Deputy Director  
Wildlife and Fisheries Division  
[Stafford.Lehr@Wildlife.ca.gov](mailto:Stafford.Lehr@Wildlife.ca.gov)

Craig Shuman, D. Env. Regional Manager  
Marine Region  
[Craig.Shuman@Wildlife.ca.gov](mailto:Craig.Shuman@Wildlife.ca.gov)

Randy Lovell, State Aquaculture Coordinator  
Wildlife and Fisheries Division  
[Randy.Lovell@Wildlife.ca.gov](mailto:Randy.Lovell@Wildlife.ca.gov)

Kirsten Ramey, Program Manager  
Marine Region  
[Kirsten.Ramey@Wildlife.ca.gov](mailto:Kirsten.Ramey@Wildlife.ca.gov)

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**Subject:** FW: Malibu Oyster Co. FGC App - Additional Letter of Support  
**Attachments:** Malibu Oyster Company Letter of Support.pdf

**From:** Lovell, Randy@Wildlife <Randy.Lovell@wildlife.ca.gov>  
**Sent:** Tuesday, September 10, 2019 5:22 PM  
**To:** FGC <FGC@fgc.ca.gov>; Pope, Elizabeth@FGC <elizabeth.pope@fgc.ca.gov>  
**Cc:** Nick Mercer [REDACTED]; Laoyan, Renee@Wildlife <Renee.Laoyan@wildlife.ca.gov>; J.P. Garofalo [REDACTED]  
**Subject:** RE: Malibu Oyster Co. FGC App - Additional Letter of Support

Hi Elizabeth -

Please include this additional comment letter in the Oct binder under Malibu Oyster Co's lease application item.

Thank you,

Randy.

RANDY LOVELL  
STATE AQUACULTURE COORDINATOR  
CA DEPT FISH & WILDLIFE  
SACRAMENTO CA  
916-445-2008  
[RANDY.LOVELL@WILDLIFE.CA.GOV](mailto:RANDY.LOVELL@WILDLIFE.CA.GOV)  
[WWW.AQUACULTUREMATTERS.CA.GOV](http://WWW.AQUACULTUREMATTERS.CA.GOV)

**From:** J.P. Garofalo [REDACTED]  
**Sent:** Monday, September 09, 2019 10:55 PM  
**To:** Lovell, Randy@Wildlife <[Randy.Lovell@wildlife.ca.gov](mailto:Randy.Lovell@wildlife.ca.gov)>  
**Cc:** Nick Mercer [REDACTED]; Laoyan, Renee@Wildlife <[Renee.Laoyan@wildlife.ca.gov](mailto:Renee.Laoyan@wildlife.ca.gov)>  
**Subject:** Malibu Oyster Co. FGC App - Additional Letter of Support

Hi Randy,

I hope all is well and you had a great summer. Hard to believe it's already September!

With the October Commission meeting 1 month away, we wanted to provide an official additional letter of support we received from Michael King at King's Seafood. Could you please include this in the application as well? Is there anything else we need to do to get on the agenda at this juncture? Please let us know when you get a moment. Thanks and looking forward to connecting with you soon.

Sincerely,

JP & Nick  
Malibu Oyster Co.



To: California Fish and Game Commission

Date: August 2, 2019

I am writing this letter in support of Malibu Oyster Company and their application for a California State Water bottom lease located off the coast of Malibu, California. With support from the Fish and Game Commission, alongside the Department of Fish and Wildlife, Malibu Oyster Company will be able to provide local product to one of the world's largest markets and be a leader in the burgeoning aquaculture industry here in California.

King's Seafood Company is now in its 75th year of business in Southern California, and the continual development of the seafood culture in this region is very important to us. As a local restaurant company with 22 restaurants, we are excited to offer great local products that we can share with our Guests. As a seafood distributor, we look forward to seeing another great California product on the market. And, perhaps most importantly, as a participant in the ongoing dialogue of seafood sustainability we are excited about Malibu Oyster Company showcasing that Southern California can be a leader in the aquaculture industry.

As a pioneering aquaculture farm in Southern California, we believe Malibu Oyster Company presents a unique opportunity to advance a sustainable form of local production in Southern California.

Thank you for your time and the consideration.

Sincerely,

A handwritten signature in black ink that reads 'Michael King'. The signature is fluid and cursive, with the first name 'Michael' being larger and more prominent than the last name 'King'.

Michael King  
King's Seafood Company

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**Subject:** FW: AGENDA #19: MALIBU OYSTER COMPANY APPLICATION FOR STATE WATER BOTTOM LEASE  
**Attachments:** Malibu Historic District - map.pdf; SeaOfClouds - FGC Agenda 19 - 20190926.pdf

**From:** Michael Blum <[theseaofcloudsproject@gmail.com](mailto:theseaofcloudsproject@gmail.com)>

**Sent:** Thursday, September 26, 2019 04:34 PM

**To:** FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>

**Subject:** AGENDA #19: MALIBU OYSTER COMPANY APPLICATION FOR STATE WATER BOTTOM LEASE

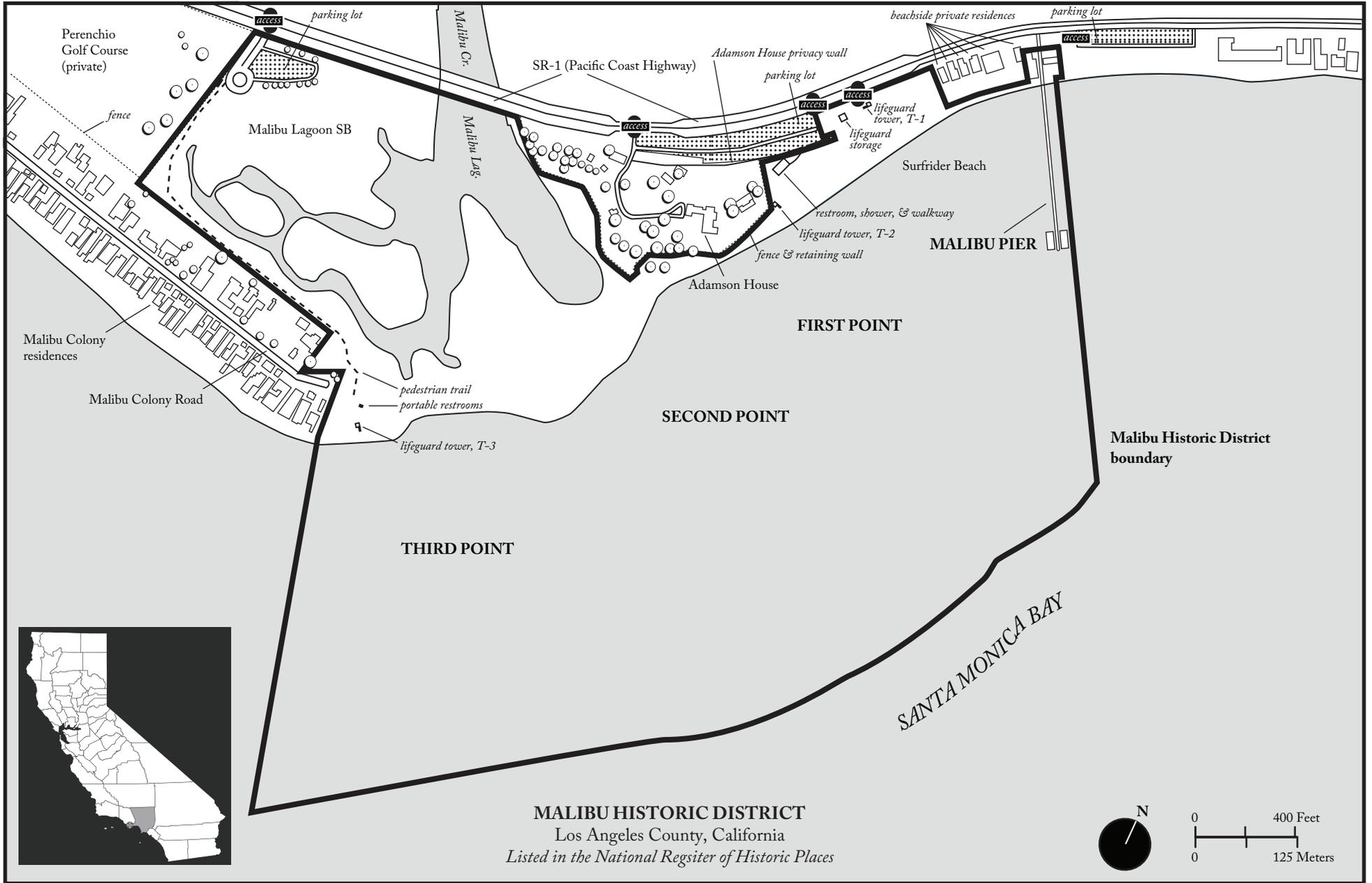
Dear President Sklar,

Good day. Attached please find our comment letter on Agenda #19 of the upcoming Calif. Fish and Game Commission meeting: Malibu Oyster Company Application for State Water Bottom Lease.

Also, please find attached a map of the nearby Malibu Historic District, a listing in the National Register of Historic Places, which recognizes the area's worldwide contributions to the sport of surfing.

Thank you for your consideration of our comments. I'm available at your convenience to respond to any questions.

Regards,  
Michael Blum  
Executive Director  
Sea of Clouds



**MALIBU HISTORIC DISTRICT**  
 Los Angeles County, California  
*Listed in the National Register of Historic Places*



## SEA of CLOUDS

September 26, 2019

California Fish and Game Commission  
ATTN: Erik Sklar, President  
P.O. Box 944209  
Sacramento, California 94244-2090  
SENT VIA EMAIL

RE: AGENDA #19: MALIBU OYSTER COMPANY APPLICATION FOR STATE WATER BOTTOM LEASE

Dear President Sklar,

We are a multi-disciplinary nonprofit practice engaged in recognizing and protecting America's special coastal places. A recent project (2018) listed the iconic Malibu surfing area (designated as the Malibu Historic District; generally Malibu Pier, Malibu Surfrider Beach, Malibu Lagoon, and the area's three famous surf breaks) in the National Register of Historic Places, recognizing its significant worldwide contributions to the sport.[1] This is the first National Register listing centered on surfing history; fitting of Malibu's significant recreational value.

As Mr. Skylar Peak, a current City of Malibu Councilmember and former Mayor, said of Malibu's importance:

"[Malibu] has long been a destination for beach goers and surfers alike while acting as the catalyst destination for the Southern California surfing community in shaping its surf and beach culture seen on the worldwide stage. This beautiful beach and cobble point-break with the back drop of the Malibu Pier creates a perfect wave when the south swell is up and hosts millions of visitors on an annual basis. The district honors a generation who created surfing history here and whose legacy you see today surfing at First Point. I'm excited to celebrate the listing with our residents, other Angelenos, and the world community of surfing, Aloha!" [2]

It is within this context that we express concern whether the application before your commission for a 100-acre aquaculture facility sited 1 mile offshore is in the public interest. Malibu's surfable waves constitutively depend upon uninterrupted wave energy passing through the

proposed facility site as it approaches the shore. These "swell corridors" -- offshore regions where ocean swells travel (sometimes over great distance) and eventually transform into surfable waves -- are recognized elsewhere in coastal zone management policy. [3] We urge you to consider Malibu's characteristic swell corridor in your application review. We contend that the proposed facility, sited within the Malibu swell corridor and so close to the area which has otherwise been protected, is an incompatible use. We also register some concern that materials dislodged from the facility may represent a hazard to surfers at Malibu, one of Los Angeles' most crowded beaches.

In our comments below, we provide an overview of wave forecasting, Malibu's surfing geography, and how swell corridors are considered in New Zealand coastal policy. Finally, we provide an appendix listing Malibu's surfing honors and designations demonstrating its significant recreational value.

#### WAVE FORECASTING

With its pronounced south-facing exposure, Malibu usually receives surfable waves during the spring through fall months either from storms formed in the southern Pacific basin or from equatorial hurricane (cyclonic) activity. Waves at Malibu are almost always smaller than north-facing California beaches that receive greater intensity, wintertime, storm swells. Additionally, Malibu generally receives less swell energy than other, more exposed, areas in Southern California due to "shadowing" from offshore islands, i.e., large, geologic features that dissipate wave energy before reaching the coast. At Malibu, the primary swell corridors through which wave energy passes uninterrupted are from a) the south to southwest (170-205 degrees) and b) from the southwest to west-southwest (225-260 degrees). Between 200-225 degrees, shadowing occurs from the offshore San Nicholas and Santa Barbara Islands, from the south-southwest (190-200 degrees) from the Cortes Bank, and from less than 175 degrees the Santa Catalina and San Clemente Islands.[4]

#### WAVE FORMATION

Surfing is site-specific; coastal and nearshore physical features determine specific wave typologies. Coral reefs, submarine canyons, and nearshore sandbars are features associated with specific types of surf breaks and a range of surfable wave heights. Point break surfing areas are a wave type influenced by river or creek outflows. Incoming wave energy focuses around a point of land and refracts (bathymetric defocusing) as it breaks toward a cove. Although defocused wave energy at a point break reduces overall wave size, it produces long and well-formed waves. Malibu, like several of California's premier surfing areas, is a point break. While the contribution of nearby Malibu Creek's material outflow to Malibu's wave quality is not exactly known, the consensus is that the nearshore cobblestone reef and seasonal sand nourishment of Malibu through Malibu Lagoon are important components. To a lesser extent,

material transport into Malibu also occurs parallel to shore, part of a closed, larger-scale conveyance known as a littoral cell. Malibu is part of the Santa Monica Littoral Cell, extending from Point Dume in the City of Malibu southward to the Palos Verdes peninsula. Estimated annual sediment drift rates for the Santa Monica Littoral Cell vary between 5.3 and 10.6 million cubic feet.[5]

#### SURFING AT MALIBU

Surfing is an interaction between incoming wave energy and a specific, complex, biophysical environment. Like many forms of outdoor recreation, surfing is site-specific -- possessing an identifiable combination of quality and character. Different surfing styles or performance standards are associated with specific surf breaks. Surfing is also site-dependent, requiring an explicit, and often contested, set of coastal resources. Site-specific and site-dependent surfing resources incorporate a) beaches and nearshore areas where waves collapse--or "break"--in shallow water and in consistent patterns as to support surfing, b) larger surfing areas--as a complex of proximate surf breaks, and c) other physical and associative features that collectively make a site unique. The long, well-formed, and consistent waves of Malibu are characteristic of surfing point breaks and make it, along with its associative features, one of the world's most recognizable surfing areas. To recognize its importance as a high-quality surfing area, Malibu is the only beach in Los Angeles County designated as "no swimming," i.e., surfing only.[6] There are three surf breaks that form the Malibu surfing area.

#### SWELL CORRIDORS

Swell corridors are offshore areas through which wave energy travels and transforms into surfable waves.[7] They are constitutive parts of a surfing resource, describing not where surfing waves originate but where wave energy travels through ultimately to a surfing site. The 2010 New Zealand Coastal Policy Statement (NZCPS) -- the national policy which guides local authorities in day-to-day management of the coastal environment recognizes both: a) surf breaks of national significance, and b) swell corridors requiring protection. New Zealand resource managers have considered a portfolio of offshore projects, including: energy infrastructure, dredge spoil disposal, and aquaculture for their effects on swell corridors. Stevens et al. (2008) demonstrate effects of long line shellfish aquaculture on swell corridor wave energy; effects depend upon wave period, proximity to the shoreline, and facility scale.[8]

We repeat our contention that the proposed facility, sited within the Malibu swell corridor and so close to an area which has otherwise been protected, is an incompatible use. Coastal recreation resources, including surfing resources, are public goods to be recognized, celebrated, properly managed, and protected. Protecting Malibu, an exceptional surfing resource of international renown, is in the public

interest and should be included in your review of the application. More generally, it is likely more important for resource managers to consider avoiding harmful or negative effects on surf breaks as it is to consider mitigation or post-facto remediation, since the latter efforts have proven to be difficult, impractical, and/or largely unsuccessful.

We recognize and appreciate that this is a preliminary review of the proposed facility. Still, we do not believe the facility should be considered for this location. We recommend that you require applicants to find an alternative facility site. We applaud the applicants for their commitment to sustainably grown, locally-harvested shellfish and we support their interest in developing such facilities within Santa Monica Bay. We welcome the opportunity to work with applicants and other interested parties to find a suitable, alternative site location.

Thank you for your consideration and your work to preserve California's wildlife heritage. I'm available at your convenience to respond to any questions.

Kind regards,

Michael Blum  
Executive Director

Attachment

- 
1. NRHP Ref No. 100002022.
  2. Sea of Clouds, 2018. Iconic Malibu Surfing Area Added to National Register of Historic Places  
<[seaofclouds.org/resources/news/20180202-malibu-historic-district.html](http://seaofclouds.org/resources/news/20180202-malibu-historic-district.html)> (accessed 9/25/2019)
  3. New Zealand Coastal Policy Statement (2010) - a national policy guiding local authorities in the management of the coastal environment. <[doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/](http://doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/)>
  4. Sean Collins, "The Mechanics of Malibu," Surflife.com, accessed November 1, 2015. [http://www.surflife.com/surf-news/malibu-surf-mechanics\\_55498](http://www.surflife.com/surf-news/malibu-surf-mechanics_55498).
  5. Kiki Patsch and Gary Giggs, Development of Sand Budgets for California's Major Littoral Cells (University of California Santa Cruz, January 2007).
  6. Los Angeles, California, County Code § 17.12.510.

7. See the Auckland, NZ swell corridor visualization tool at [<dumpark.com/swellCorridor/>](http://dumpark.com/swellCorridor/)

8. Stevens, C., D. Plew, N. Hartstein and D. Fredriksson, 2008. The Physics of Open-Water Shellfish Aquaculture. Aquacultural Engineering, 38(3): 145-160.

APPENDIX A.1 - MALIBU'S SURFING DESIGNATIONS / RECOGNITIONS

- . World Surfing Reserve (2010)  
<[savethewaves.org/programs/world-surfing-reserves/reserves/malibu/](http://savethewaves.org/programs/world-surfing-reserves/reserves/malibu/)> (accessed 9/25/2019)
- . National Register of Historic Places (2018)  
<[nps.gov/places/malibu-historic-district.htm](http://nps.gov/places/malibu-historic-district.htm)> (accessed 9/25/2019)
- . Referenced in state bill (AB 1782) establishing surfing as California's official state sport  
<[leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB1782](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1782)> (accessed 9/25/2019)
- . Rated up to "9" on 10-point scale of wave quality by Surfline / Wavetrak "Perfect-O-Meter"  
<[surfline.com/surfddata/report\\_breakdata.cfm?id=4209&sef=true](http://surfline.com/surfddata/report_breakdata.cfm?id=4209&sef=true)> (accessed 9/25/2019)
- . Site of professional surfing competitions, including: (Surf Relik (2019, 2018); Rip Curl Pro (2006); Body Glove Hawaiian Airlines Pro (1995); Oxbow World Longboard Championships (1994); Acura Integra Malibu Pro (1993); Sunkist U.S. Pro (1979); U.S. Pro Invitational (1981); Hang Ten Women's International Pro Surfing Championships (1975))
- . Site of annual club-level surfing competitions, such as the Malibu Surfing Association's MSA Classic Invitational

APPENDIX A.2 - MALIBU FIRSTS

- . In surfing, longboards are referred to as "Mals" – short for "Malibu board" – by Australian and UK surfers.[1] Similarly, longboard-based surfing clubs in Australia and the UK are named "Malibu Clubs", e.g., Noosa Malibu Club (Queensland, AU)
- . Malibu Surfrider Beach is the only beach in Los Angeles County to be designated "no swimming," i.e., surfing only.[2]
- . Malibu has been featured in over 100 surfing films, including: *The Endless Summer* (1966), *Cosmic Children* (1970), *Legends of Malibu* (1987), *The Seedling* (1999), *One California Day* (2007), and *Mind Over Malibu* (2012) [3]
- . In 1984, a group of area surfers founded the Surfrider Foundation in response to Malibu Point's longstanding water quality impairments. Today, Surfrider Foundation is the surfing community's largest environmental

nonprofit, maintaining over 250,000 members across 84 chapters in the United States and with affiliates in over 20 countries worldwide.[4]

APPENDIX A.3 - MALIBU ON 'BEST OF' SURFING LISTS (accessed 9/16/2019)

- . 8 Best Surf Spots in Southern California, Wavehuggers.com  
<[wavehuggers.com/general/10-best-surf-spots-southern-california/](http://wavehuggers.com/general/10-best-surf-spots-southern-california/)>
- . 11 Awesome Surf Spots, Visit California  
<[visitcalifornia.com/attraction/11-awesome-surfing-spots/](http://visitcalifornia.com/attraction/11-awesome-surfing-spots/)>
- . California's Most Stunning Surf Spots, Los Angeles Magazine  
<[lamag.com/culturefiles/surfing-california-official-sport/](http://lamag.com/culturefiles/surfing-california-official-sport/)>
- . California's Seven Best Surf Spots, Mr. Porter  
<[mrporter.com/en-us/journal/on-the-road/californias-seven-best-surf-spots/2075/](http://mrporter.com/en-us/journal/on-the-road/californias-seven-best-surf-spots/2075/)>
- . California Surf and Travel Guide, Surfline  
<[surfline.com/travel/united-states/california-surfing-and-beaches/5332921/](http://surfline.com/travel/united-states/california-surfing-and-beaches/5332921/)>
- . Longboard Surfing in California, USA Today  
<[traveltips.usatoday.com/longboard-surfing-california-101697.html](http://traveltips.usatoday.com/longboard-surfing-california-101697.html)>
- . Ride the Waves at the Top 10 Surf Spots in California, US Coachways  
<[uscoachways.com/blog/ride-the-waves-at-the-top-10-surf-spots-in-california/](http://uscoachways.com/blog/ride-the-waves-at-the-top-10-surf-spots-in-california/)>
- . Surfing in California: Your Guide to the Best Waves, Tripaneer  
<[booksurfcamps.com/news/surf-spots-california/](http://booksurfcamps.com/news/surf-spots-california/)>
- . Surf's Up: Great Surf Spots in Southern California, KCET  
<[kcet.org/shows/socal-wanderer/surfs-up-great-surf-spots-in-southern-california/](http://kcet.org/shows/socal-wanderer/surfs-up-great-surf-spots-in-southern-california/)>
- . The Best Southern California Surf Spots, Surfer Today  
<[surfertoday.com/surfing/the-best-southern-california-surf-spots/](http://surfertoday.com/surfing/the-best-southern-california-surf-spots/)>
- . The Best Surf Spots in Southern California, Columbia  
<[blog.columbia.com/best-surf-spots-southern-california/](http://blog.columbia.com/best-surf-spots-southern-california/)>
- . The Best Surfing Beaches in California, California Beaches  
<[californiabeaches.com/the-best-surfing-beaches-in-california/](http://californiabeaches.com/the-best-surfing-beaches-in-california/)>
- . Where to Surf in Los Angeles, Discover Los Angeles  
<[discoverlosangeles.com/things-to-do/where-to-surf-in-los-angeles/](http://discoverlosangeles.com/things-to-do/where-to-surf-in-los-angeles/)>

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1. "Objects Through Time: 1949 Malibu Surfboard." *Migration Heritage Center of New South Wales*. Accessed November 1, 2015.

[migrationheritage.nsw.gov.au/exhibition/objectsthroughtime/surfboard](http://migrationheritage.nsw.gov.au/exhibition/objectsthroughtime/surfboard)

2. Los Angeles, California, County Code § 17.12.510.

3. Warshaw, Matt. *The Encyclopedia of Surfing*, edited by Matt Warshaw, Orlando, FL: Harcourt, Inc., 2003.

4. [surfrider.org](http://surfrider.org).