

CALIFORNIA COASTAL COMMISSION

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DATE: January 13, 2010

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director

SUBJECT: RESOLUTION TO SUPPORT DESIGNATION OF WORLD SURFING RESERVES

I. BACKGROUND

This proposed resolution was brought to the Commission's attention by Save The Waves Coalition, a 501(c) 3 non-profit organization dedicated to the preservation of surfing places along coastlines around the world and the marine environment. Save The Waves is a dedicated group of surfers, scientists, and activists sharing a common vision that unspoiled surf spots everywhere are unique, rare legacy lands and waters important for their ecosystem services, recreational, aesthetic, educational and economic values. Because these precious places are vulnerable and easily destroyed they need protection for the benefit of current and future generations.

II. RECREATIONAL CONCERNS

The 1,100-mile California coastline is home to a wide variety of surf breaks. There are multiple factors that affect a wave profile and determine whether or not it is suitable for surfing. These factors include speed, fetch and direction of ocean swells, wind and seafloor topography. History has shown that humans have the ability to influence the latter, seafloor topography, through modification of the coastline.

The local topography of the seafloor is impacted when the amount of sediment is changed in some way. A change in the amount, location, or duration of sediment in place will have an effect on a wave profile. In some cases a new surf break can be formed, while in others a surf break can be destroyed. Examples of man-made structures that change the amount of sediment within a particular locale include: groins, jetties, breakwaters, seawalls, harbors, and artificial reefs.

The California Coastal Commission (Commission) has experience with a new groin it permitted that subsequently destroyed a surf break. In 1984, the Commission approved a permit for Chevron to construct the El Segundo Groin to protect its marine terminal and underwater pipelines at its facility in El Segundo. The Commission required Chevron to pay for mitigation, in the form of an artificial reef, if the surf break was negatively impacted by construction of the groin. The surf break was negatively impacted and Chevron, with additional money from the California Coastal Conservancy, constructed the first artificial surf reef in the United States to

compensate for the loss of the surfing resource. Pratte's Reef, as it was named, ultimately failed due to a variety of factors. As a result mitigation for the lost recreational surfing resource was never accomplished. Pratte's Reef is a vivid example of the difficulty in replacing a lost natural surf break with an artificial one. While artificial surfing reef technology has advanced significantly in the last 20 years, reliable, practical and cost-effective solutions are still challenging due to the extremely dynamic nature of a natural surf break that is unique in many respects.

Other examples of surf breaks destroyed by human intervention in California include:

- *Corona del Mar*. In the late 1920s, Corona del Mar was home to a very large and popular surf break that existed adjacent to the Newport Harbor jetty. California's first surfing organization and surf competition both started here. In 1935, harbor officials began dredging the harbor to increase its depth and consequently destroyed the surf break.¹
- *Stanley's Diner*. In Ventura County, in 1971, the expansion of Highway 101 destroyed another surf break known as Stanley's Diner. An elevated off ramp was constructed through the small town of Sea Cliff, which impacted the sediment flow to the beach and permanently altered the surf break. Today, the surf break, Stanley's Diner no longer exists.²
- *Killer Dana*. The most memorable surf break destruction and enduring example for the call to action by surfers, was Killer Dana. This break was destroyed in 1966 by the construction of Dana Point Harbor and its accompanying marinas and 1.5-mile jetty. Today, the once powerful break is merely a remnant of what it was. Now called Doheny, it only breaks with a south swell and produces a very small and gentle wave suitable only for beginners. The destruction of Killer Dana deeply affected the surfing community, as it was an epicenter of the local southern California surf scene from the 1930s until its demise.³

III. WORLD SURFING RESERVES

The examples above served to motivate surfers at the grassroots level to call for action to protect local surf breaks for the benefit of current and future generations of water wave rider enthusiasts. Natural surf breaks are important public recreational resources deserving protection and preservation. Save The Waves maintains a list of surf breaks around the world that are threatened by potential physical development. They also have launched a public awareness and environmental stewardship program, called World Surfing Reserves (WSRs), to highlight the tremendous universal value of outstanding surf breaks and their surrounding environments throughout the world.

WSRs are loosely based on the UNESCO World Heritage Sites concept as well as the Australian National Surfing Reserves (ANSR) program. World Heritage Sites are designated to

¹ See Save The Waves, *Extinct Wave: Corona del Mar, Newport Beach*, <http://www.savethewaves.org/extinct/view/62/1> (last visited on December 8, 2009).

² See Stanley's Story, *Stanley's Diner*, <http://surfcrazy.com/stanleys/> (last visited on December 8, 2009).

³ See Surfline, *Killer Dana*, http://www.surfline.com/surfing-a-to-z/killer-dana-history_844/ (last visited on December 8, 2009).

protect legacy lands constituting a vital part of the world's cultural and natural heritage.⁴ Similarly, WSRs will be identified, designated and memorialized with the goal of protecting the world's remaining outstanding waves and wave places, and their surf zones. Australian NSRs recognize the environmental, cultural, historical, and recreational significance of Australian surf culture.⁵ WSRs will be designated based on similar criteria that include consideration of: the quality and consistency of the wave or surf zone, unique environmental characteristics of the area, surf culture and history in the surf place, and local community support for the designation. Surf breaks that rank very high in all of these categories will be selected for designation as a WSR.

WSR is first and foremost an education and public awareness program—a way to communicate the value of a surf break to the local community and the world. WSR is also a stewardship program as it will engage and empower the local community to help protect and steward the site on an ongoing basis. Based on a concept included in ANSRs, a local steering committee will be founded to actively participate in all aspects of WSR designation and maintenance. This includes planning the enshrinement ceremony, designing a public brochure that will trace the surf history and culture of the surf break, the installation of a commemorative piece of artwork for permanent display and the creation of a management plan. While the local steering committee has no actual management authority, the purpose of the management plan will be to provide guidance to decision-makers, and document and monitor the resources and values of the surf break.

Although WSRs are based upon the concepts embodied in World Heritage Sites and ANSRs, they are primarily symbolic in nature. While World Heritage Sites are implemented by international treaty and enforced by State Parties⁶ and ANSRs are implemented and enforced by regional governments in Australia, WSRs currently enjoy no such regulatory authority. WSRs are not legally defined, mandated, or enforced by any international, federal or California state agency. Although WSRs are in essence only “paper parks,” an increase in public awareness of the benefits of a WSR may translate into citizen action to extend its formal legal protection in the future.

Save The Waves has partnered with the International Surfing Association and its affiliated National Governing Bodies to educate surfers and the public about WSRs and solicit nominations. The 2009 nomination process closed on September 30th after 124 entries had been received. A partnership with Google Earth allows members of the public to see the exact locations and information about the nominations using the Google Earth application. Within the United States, nine surf breaks were nominated including six within California: Santa Cruz (Santa Cruz County), Mavericks (San Mateo County), Blacks Beach (San Diego County), Malibu (Los Angeles County), Rincon (Ventura County) and Trestles (Orange County). Save The Waves anticipates the designation and enshrinement of its first three WSRs in 2010.

⁴ See United National Educational, Scientific and Cultural Organization (UNESCO), *World Heritage*, <http://whc.unesco.org/en/about/> (last visited on December 8, 2009).

⁵ Farmer, B., Short, A.D. (2007) Australian National Surfing Reserves – rationale and process for recognizing iconic surfing locations. *Journal of Coastal Research*, Special Issue 50, 99-103.

⁶ United National Educational, Scientific and Cultural Organization (UNESCO). *World Heritage. Operational Guidelines for the Implementation of the World Heritage Convention*, January 2008 at 25.

IV. COMPATIBILITY WITH EXISTING MANDATES

WSRs will not interfere with nor confound the efforts of either the state of California or the federal government as these agencies designate and organize the state's network and nation's system of marine protected areas (MPAs). Since WSRs have no legal mandate and are a conceptual construct only, there is no opportunity for overlapping or confused mandates, interagency miscommunication, or jurisdictional conflicts since WSRs have no legal status.

The state of California is currently engaged in a process of designating a network of MPAs along the California coast within state waters (from the shore out to 3 nautical miles) pursuant to the 1999 California Marine Life Protection Act. Designation has been formally codified for only certain areas of the state, with other areas pending and still other areas not yet designated. The entire process is anticipated to be completed within the next few years. An important component of this network is its adaptive management strategy, meaning that MPAs will be monitored and boundaries modified as needed over time. New MPAs can continue to be proposed as well.⁷ If a WSR is designated in an area that overlaps with or is adjacent to an MPA, the only effect would be a reciprocal positive one whereby both the MPA and the WSR are bolstered by the designation of the other.

The federal government is currently engaged in a process of developing a National System of MPAs throughout federal waters (from 3 nautical miles seaward to 200 nautical miles) pursuant to the 2000 Marine Protected Areas Executive Order 13158. An official inventory of all MPAs that have been included in the National System thus far is available, while the National MPA Center continues to accept new nominations.⁸ It is highly unlikely that a WSR will be designated in an area that overlaps with or is adjacent to an MPA within the National System because WSRs are near shore places while federal MPAs do not exist landward of three nautical miles.

On June 12, 2009 President Obama issued a Presidential Memorandum creating an Interagency Ocean Policy Task Force to develop a national policy for the oceans, our coasts, and the Great Lakes. One of its charges is to develop, within 180 days, a recommended framework for effective coastal and marine spatial planning.⁹ Designation of WSRs may assist in marine and spatial planning as they will identify and define specific and outstanding surf breaks around coastal America.

V. RECOMMENDED ACTION

As evidenced by the failure of Pratte's Reef, successful replacement of lost natural surf breaks has not yet been demonstrated in California or the United States. The California Coastal Act (Coastal Act) requires that coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas, such as surfing, shall be protected and that lower cost visitor and recreational facilities, such as a surf break, shall be protected.¹⁰ Adoption

⁷ See California Department of Fish and Game, *Marine Life Protection Act Initiative*, <http://www.dfg.ca.gov/mlpa/> (last visited on December 8, 2009).

⁸ See Marine Protected Areas of the United States, *National MPA Center*, <http://mpa.gov/> (last visited on December 8, 2009).

⁹ See The White House Council on Environmental Quality, *The Interagency Ocean Policy Task Force*, <http://www.whitehouse.gov/administration/eop/ceq/initiatives/oceans> (last visited on December 8, 2009.)

¹⁰ California Public Resources Code §30220 states, "Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses." and §30213 states, "Lower

of the attached resolution will demonstrate support for the concept that surf breaks are a valuable natural resource to the state of California that must be protected consistent with the Coastal Act. WSRs are a proactive approach to the identification of outstanding coastal recreational places. WSR designation may function to assist the Commission in future decision-making relative to the protection of unique wave rider places along the California coast.

cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.”

RESOLUTION BY THE
CALIFORNIA COASTAL COMMISSION
IN SUPPORT OF WORLD SURFING RESERVES

Whereas: The California Coastal Commission was established by the People of California through initiative statute in 1972 and made permanent in 1976 by the California Legislature as the state's principal coastal management agency with diverse responsibilities including but not limited to, "... protect(ing) regional, state and national interests in ensuring the maintenance of the long-term productivity and economic vitality of coastal resources necessary for the well-being of the people of the state..." and

Whereas: The California Coastal Act further provides that in order "...to avoid long-term costs to the public and a diminished quality of life resulting from the misuse of coastal resources, to coordinate and integrate the activities of the many agencies whose activities impact the coastal zone, and to supplement their activities in matters not properly within the jurisdiction of any existing agency, it is necessary to provide for continued state coastal planning and management through a state coastal commission;" and

Whereas: The California Coastal Act mandates that maximum public access and recreational opportunities shall be provided for all people and section 30220 specifically provides that "*Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses*"; and

Whereas: Wave rider places, also known as surf breaks, are unique and provide lower cost visitor recreational opportunities and California's coastal waters contain surf breaks of great variety, public value, and popularity; and

Whereas: Surfing is a recreational activity that cannot readily be provided at inland water areas; and

Whereas: Surf breaks encompass significant marine ecological resources and values of immeasurable benefit to the people of California; and

Whereas: Many wave rider places are historically important as story sites for a growing surfing culture whose birthplace is California on the mainland of the United States, as exemplified by efforts of the State Historic Preservation Officer to register Trestles, a surf break at San Onofre State Beach near San Clemente, on the National Register of Historic Places; and

Whereas: Surf breaks are significant drivers of local economies as shown in studies at Trestles and Mavericks, a surf break in Half Moon Bay, that estimate their total economic impact and "non-market" economic value to be between \$8- \$13 million and \$24 million respectively; and

Whereas: California has several unfortunate examples of surf break destruction and loss of surfing opportunities due to construction of structures within the surf zone, such as occurred at Corona del Mar, Stanley’s Diner and Killer Dana.

Whereas: A previous attempt by the California Coastal Commission to compensate for loss of a natural surf break in El Segundo with construction of an artificial reef, known as Pratte’s Reef, failed.

Whereas: The government of Australia recognizes the environmental, cultural, recreational, and historical significance of Australian surf culture and designates National Surfing Reserves to protect and celebrate surf breaks.

Therefore be it Resolved: That the California Coastal Commission recognizes that surf breaks provide the people of California with numerous benefits including public access to and low cost recreation opportunities along the coast and hereby expresses its commitment to and support for the protection of California’s surf breaks in perpetuity for the benefit of current and futures generations; and

Be it Further Resolved: That the California Coastal Commission, a world leader in effective coastal management for nearly four decades, supports a proactive approach to the identification, designation, and meaningful stewardship of wave rider places as envisioned and provided by the World Surfing Reserves program; and

Be it Further Resolved: That the California Coastal Commission supports designation of World Surfing Reserves within California, other coastal states, and coastal countries around the world, as such designations will focus public attention on and highlight their immeasurable universal value as world legacy sites.

Bonnie Neely, Chair
California Coastal Commission

Mary Shallenberger, Vice-Chair
California Coastal Commission

Date

Date