



# City of Malibu

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February 21, 2012

Sent via email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

State Water Resources Control Board Members  
and Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



RE: City of Malibu's Comment Letter – ASBS Special Protections


Dear Board Members:

The City of Malibu applauds the State Water Resources Control Board (State Water Board) for considering the Ocean Plan Exception and Special Protections for the Areas of Special Biological Significance (ASBS) and is thankful for the opportunity to comment on the revised February 3, 2012 draft Special Protections. Malibu staff has collaborated with State Water Board staff for several years on this issue in an attempt to assist in the creation of a workable statewide Exception program. Overall, the City is pleased with the results of this effort and looks forward to working with the State and Regional Water Boards in implementing this innovative program.

While the City supported staff's recommendation to the State Water Board to adopt the Exception at the October 18, 2011 meeting, Malibu is appreciative of staff's efforts to consider the comments from stakeholders and the efforts to revise the Special Protections in Attachment B to accommodate some of those concerns. In the end, the Exception and Special Protections are a fair and reasonable method of balancing the need to protect the ASBS in a flexible manner that accounts for the special circumstances of the applicants. City staff will continue to work with State staff and provide minor comments regarding the final Special Protections.

The City continues to support the immediate adoption of this Exception and urges the State Water Board to approve staff's recommendation on March 6, 2012.

Sincerely,



Jim Thorsen  
City Manager

cc: Vic Peterson, Environmental Sustainability Director  
Robert L. Brager, Public Works Director  
Jennifer Brown, Senior Environmental Programs Coordinator  
Christi Hogin, City Attorney