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California Coastal Commission

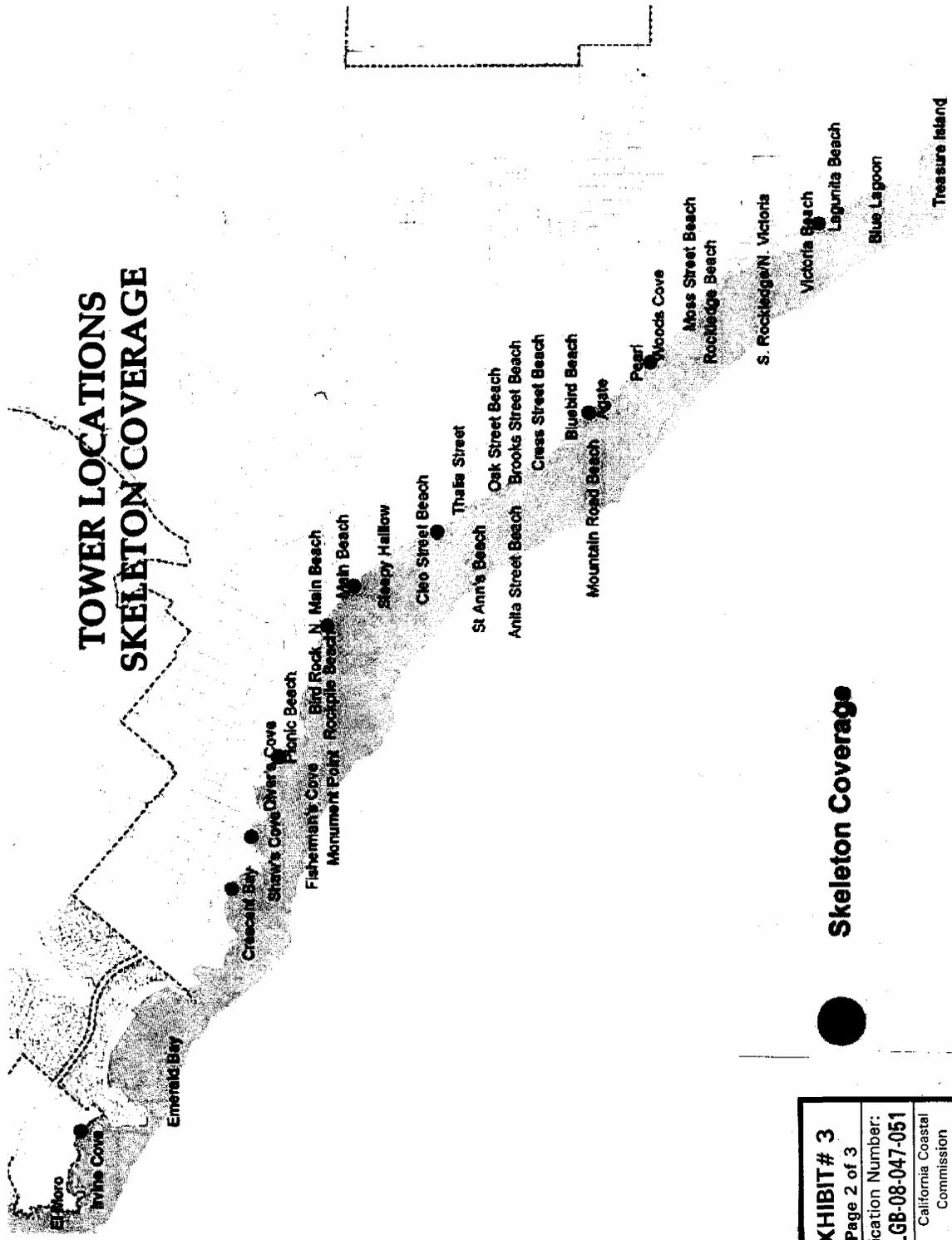
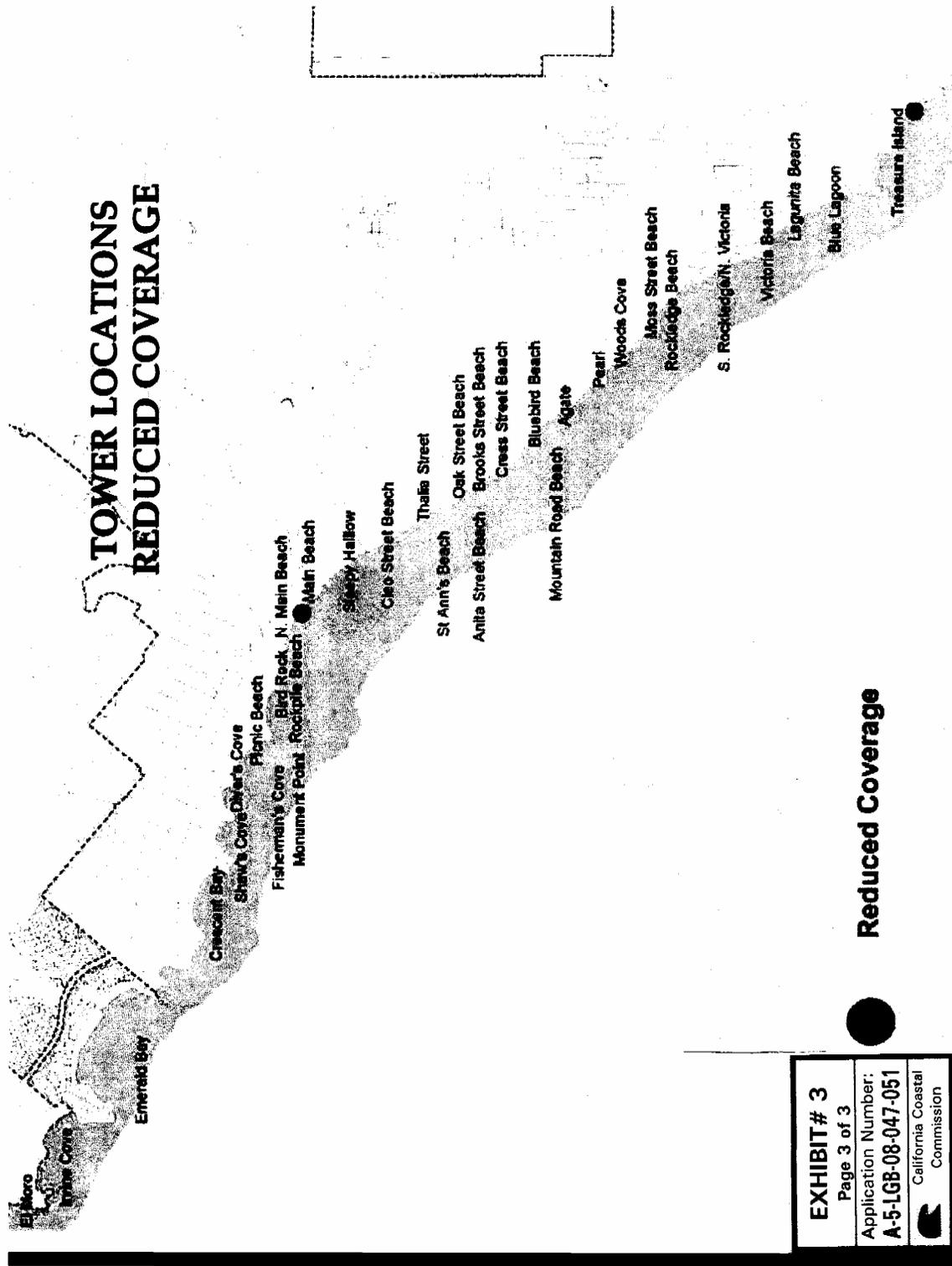
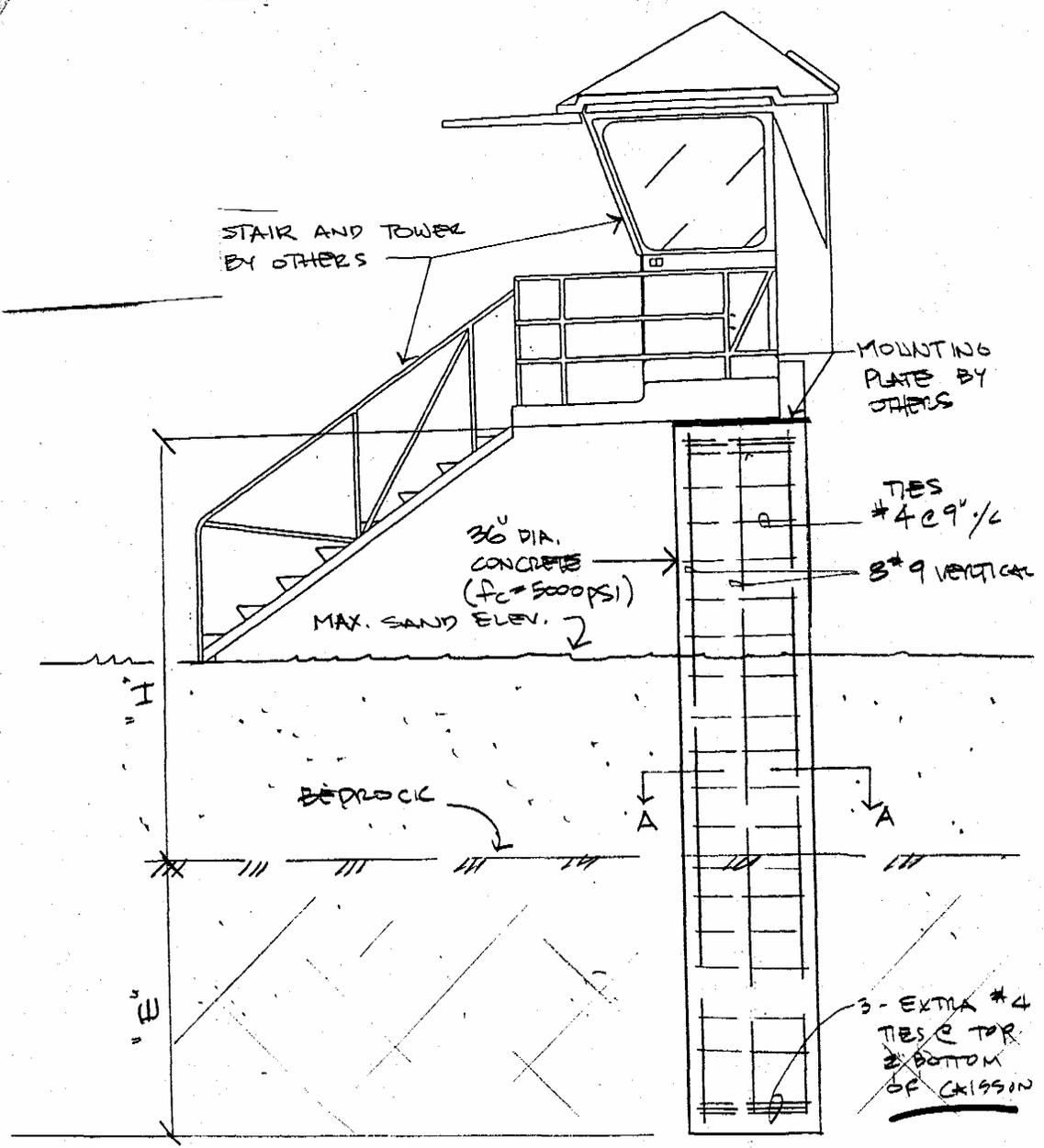


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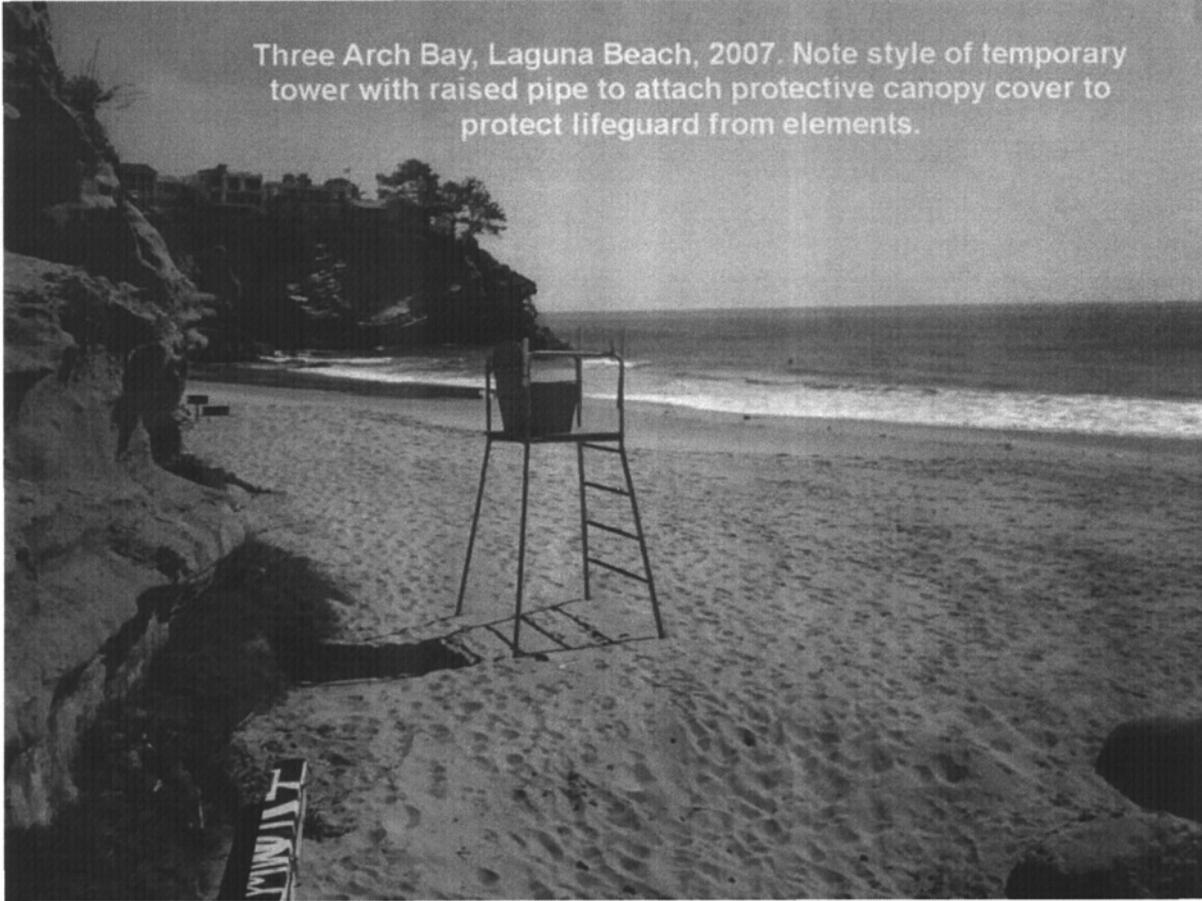
LIFEGUARD TOWERS

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H = DISTANCE FROM BEDROCK CONTACT TO PIER MOUNTING PLATE
E = MINIMUM BEDROCK EMBEDMENT TO BE FIELD VERIFIED BY GEOLOGIST

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Existing Temporary Tower

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Existing Temporary Tower

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Picnic Beach – Existing Conditions

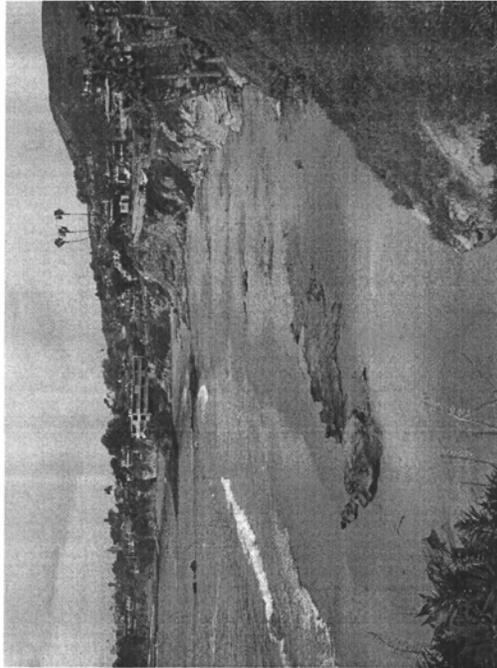
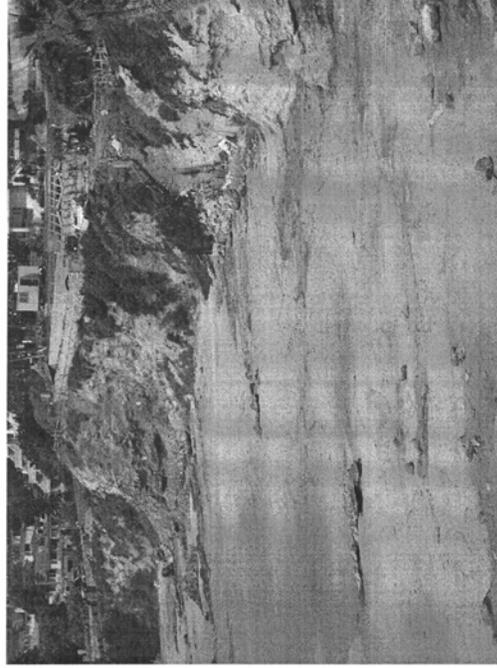


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Figure 4. Picnic Beach permanent tower view graphic.

Permanent Tower – Visual Simulation

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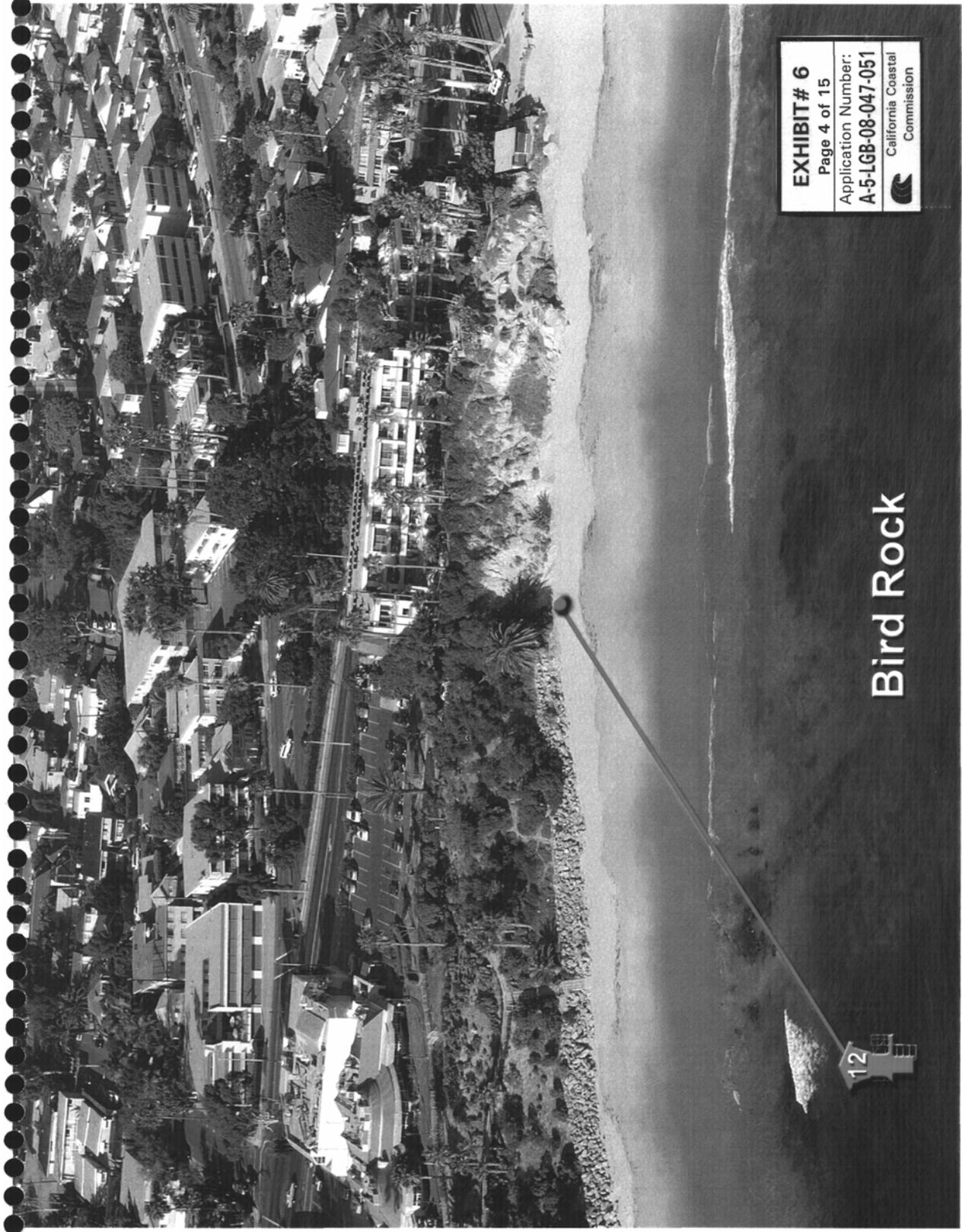


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Bird Rock

Bird Rock Beach – Existing Conditions

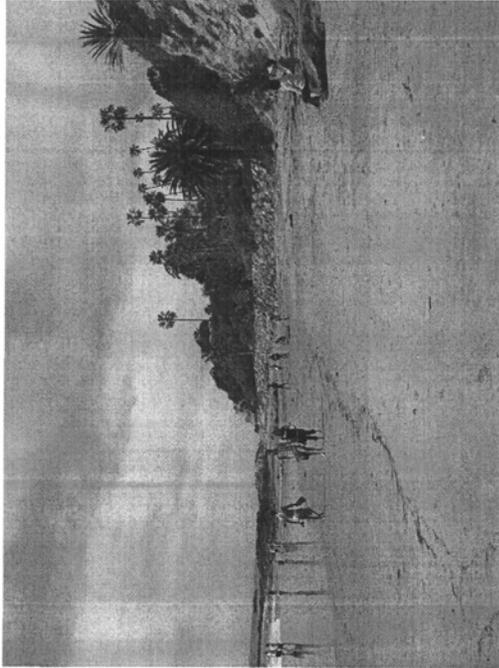
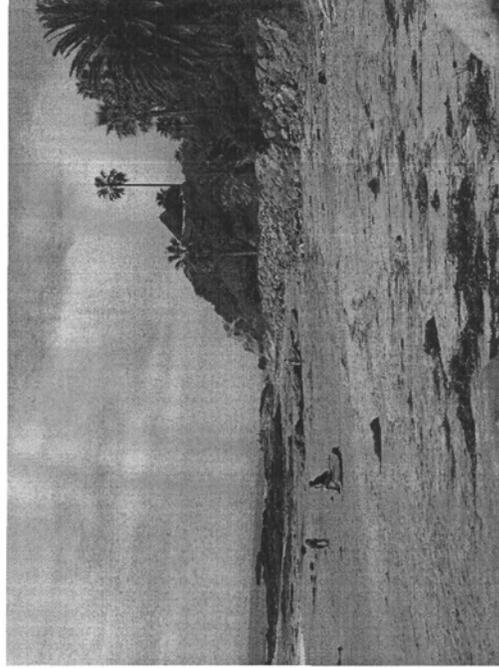


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Figure 5. Bird Rock permanent tower view graphic.

Permanent Tower – Visual Simulation

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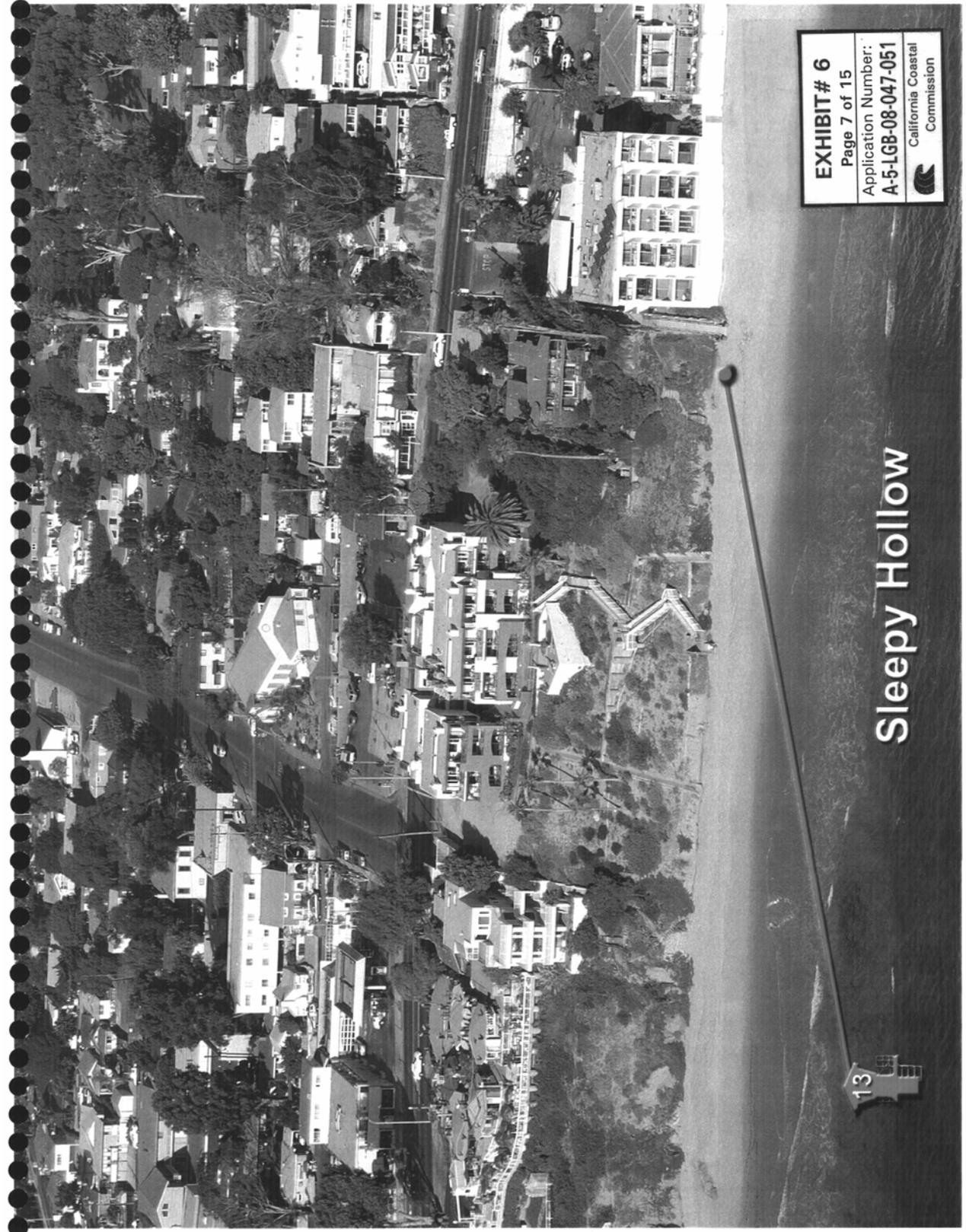


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Sleepy Hollow

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Sleepy Hollow Beach – Existing Conditions

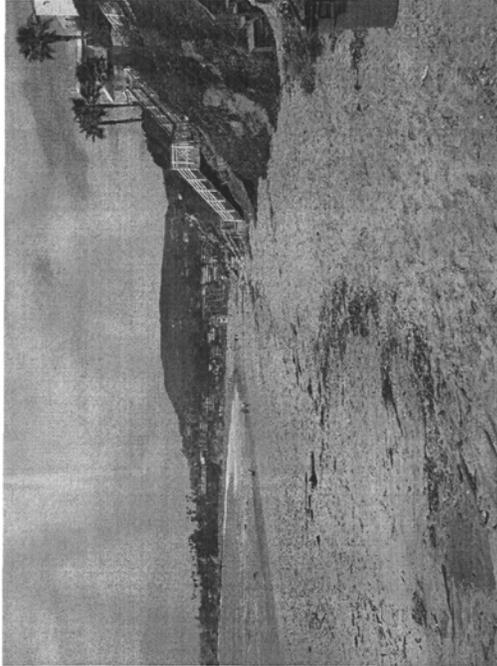
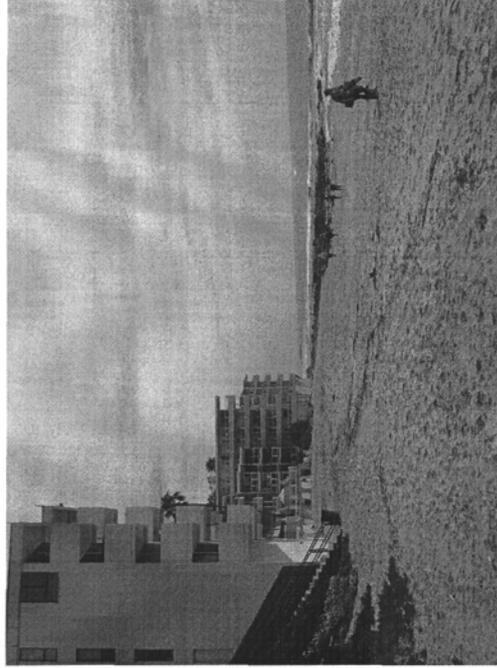


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GeoSoils Inc.

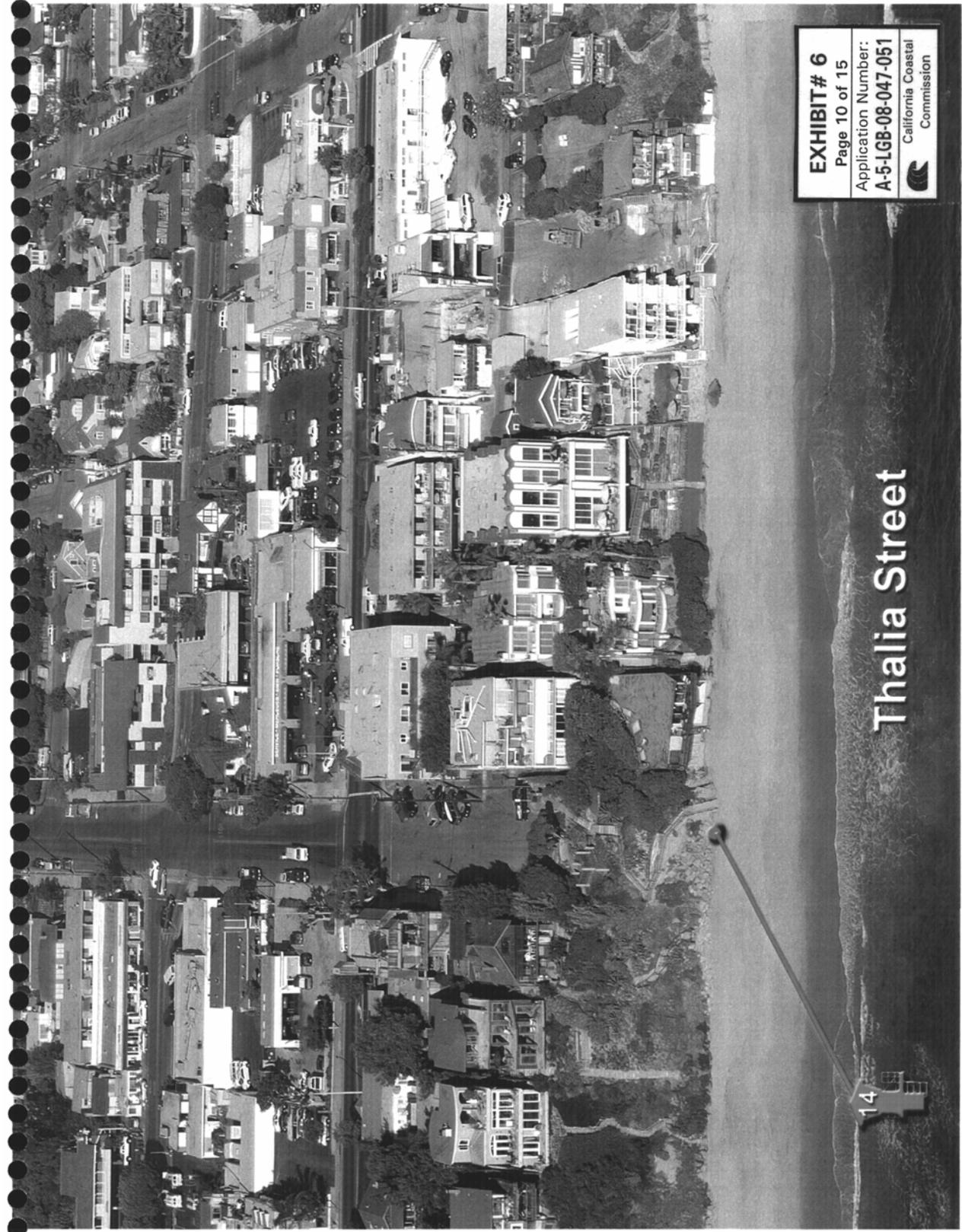
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Figure 6. Sleepy Hollow permanent tower view graphic.

Permanent Tower – Visual Simulation

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Thalia Street

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Thalia Street Beach – Existing Conditions

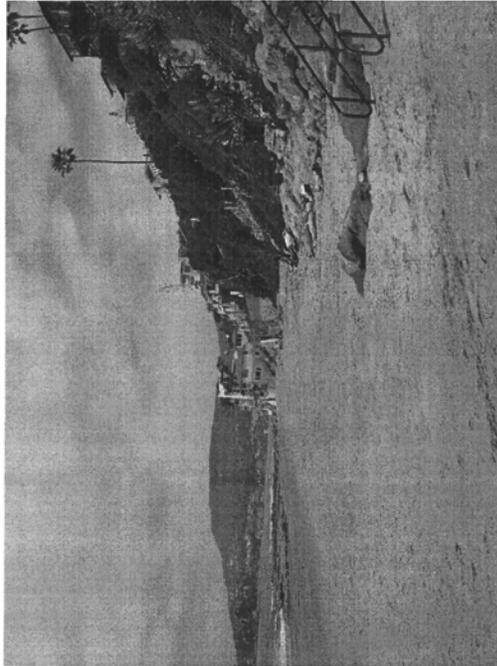
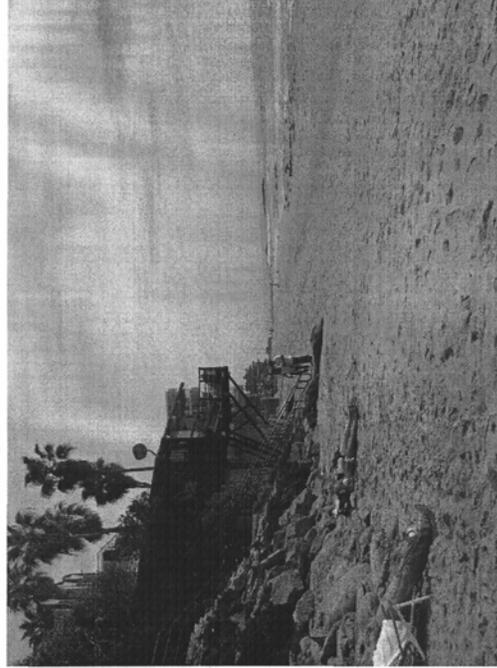


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Figure 7. Thalia Street permanent tower view graphic.

Permanent Tower – Visual Simulation

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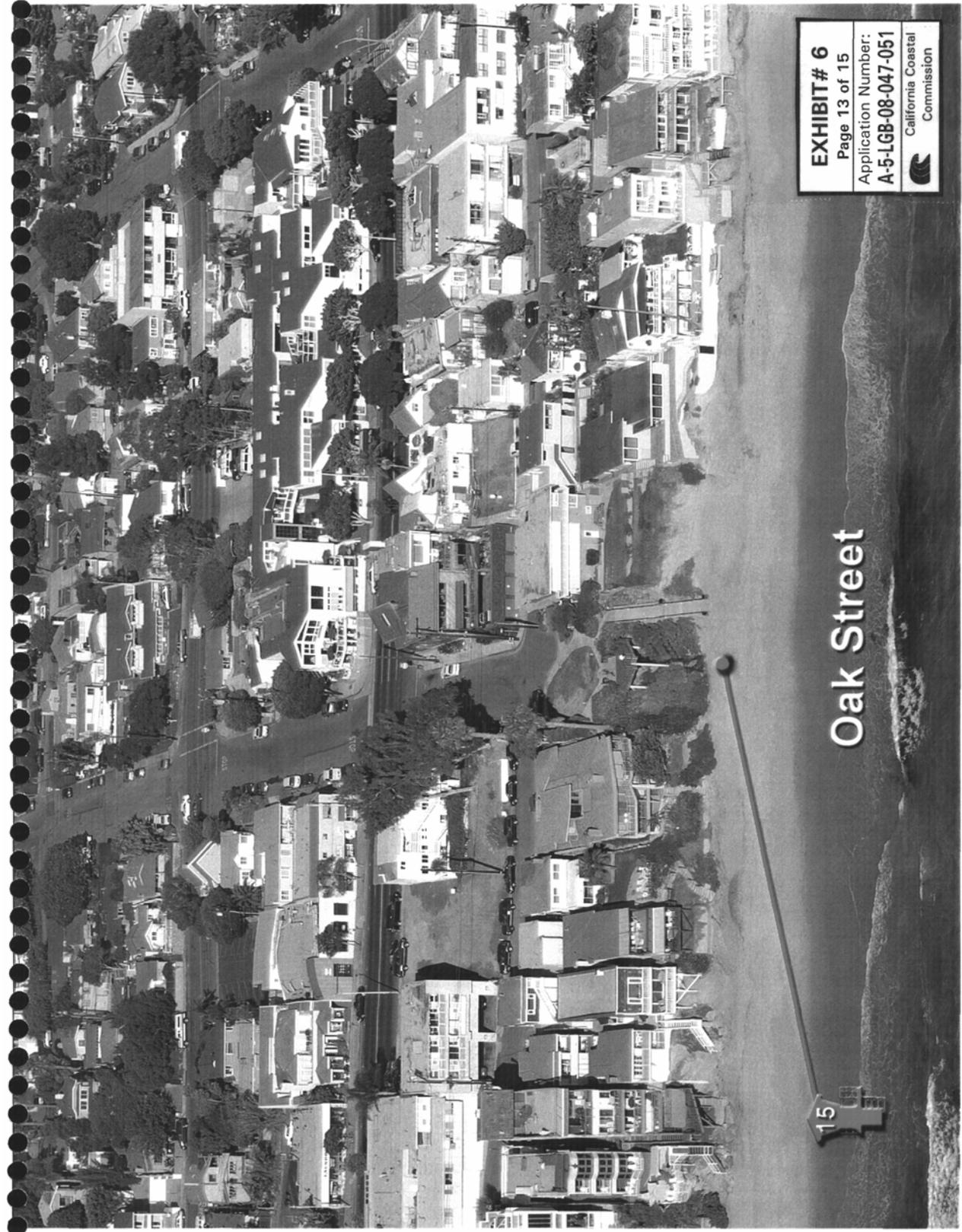


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Oak Street Beach – Existing Conditions

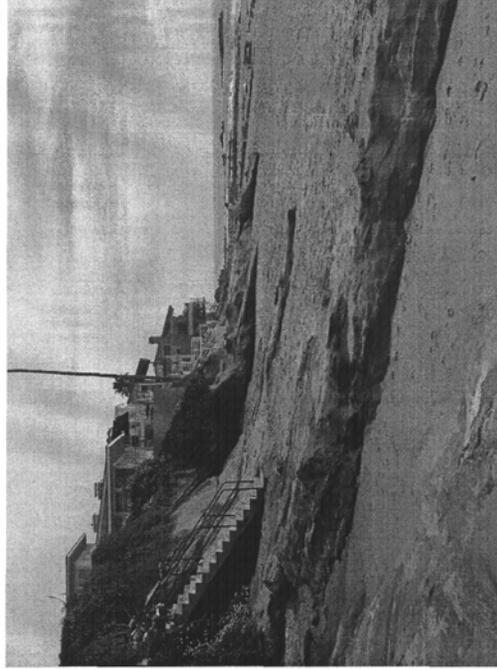
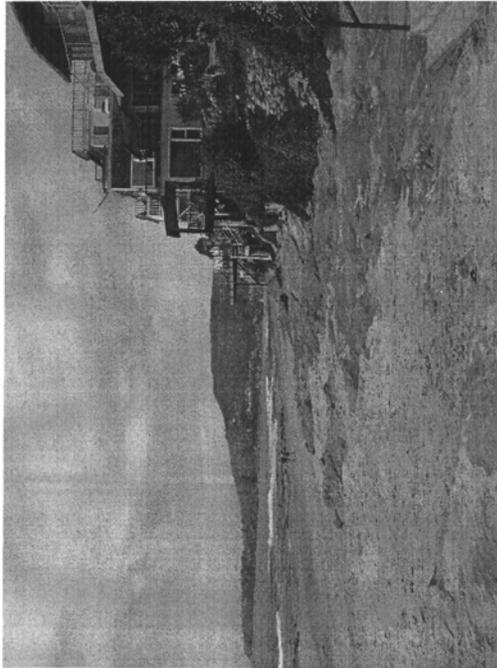


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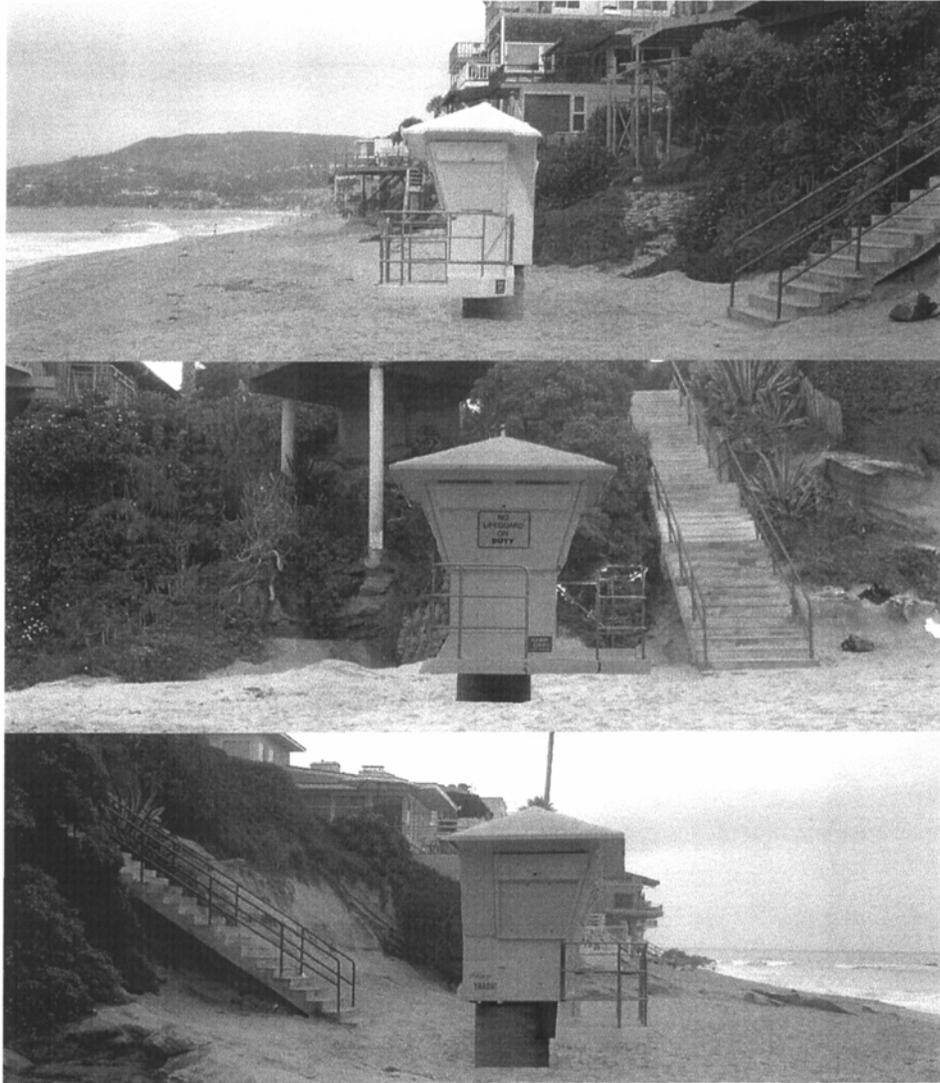


Figure 8. Oak Street permanent tower view graphic.

Permanent Tower – Visual Simulation

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Current Storage of Lifeguard Towers on Sleds

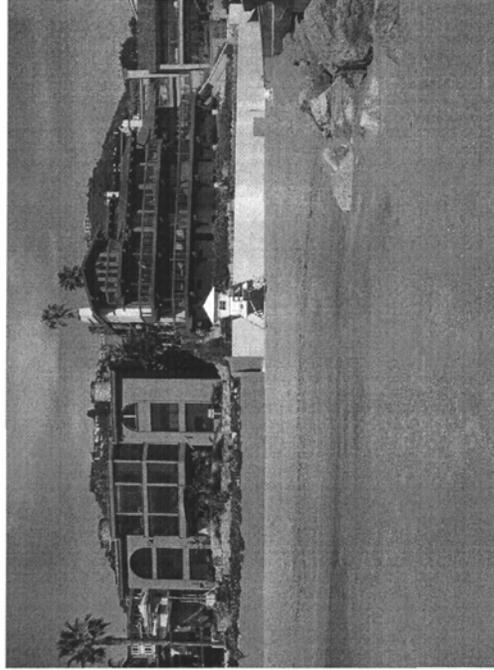
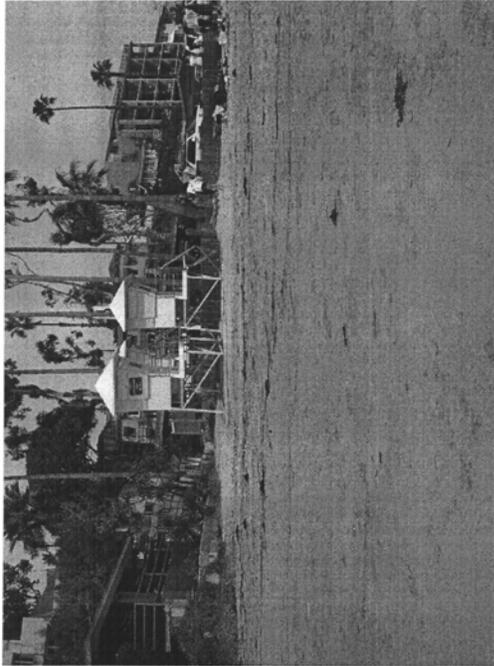


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RECEIVED
South Coast Region

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA COASTAL COMMISSION

FEB 25 2008

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4416
VOICE (562) 590-5071 FAX (562) 591-5084



**CALIFORNIA
COASTAL COMMISSION**

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Sandra Siani

Mailing Address: 279 Dolphin Way

City: Laguna Beach

Zip Code: 92651

Phone: 949-500-7626

SECTION II. Decision Being Appealed

1. Name of local/port government:

Laguna Beach Board of Adjustment/Design Review Board

2. Brief description of development being appealed:

Installation of permanent lifeguard towers on five beaches/coves in Laguna Beach, some of which are very fragile in nature with respect to proximity to MHTL, tidepools/intertidal life and native habitat.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

Picnic Beach (Myrtle Street), Bird Rock Beach, Sleepy Hollow Beach, Thalia Street Beach, Oak Street Beach

4. Description of decision being appealed (check one.):

- Approval; no special conditions
- Approval with special conditions:
- Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:	
APPEAL NO:	A5-LGB-08-047
DATE FILED:	2/25/08
DISTRICT:	Long Beach/south coast

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
 City Council/Board of Supervisors
 Planning Commission
 Other

6. Date of local government's decision: January 17, 2008

7. Local government's file number (if any): CDP 07-72, 73, 74, 75, 76

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

City of Laguna Beach
Board of Adjustment/Design Review Board
505 Forest Ave.
Laguna Beach, CA 92651

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Craig de Pfyffer
P.O. Box 247
Laguna Beach, CA 92652

(2) George Heed
631 Cliff Drive #B1
Laguna Beach, CA 92651

(3) Charlotte Masarik
761 Oak Street
Laguna Beach, CA 92651

(4) Penny Elia
30632 Marilyn Drive
Laguna Beach, CA 92651
PLEASE SEE ATTACHED LIST



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

This appeal stems from a January 17, 2008 action by the City of Laguna Beach approving five related coastal development permits for the construction of permanent lifeguard structures on the public beach. This timely appeal is brought pursuant to Public Resources Code §30603(a)(1). The standard of review for this appeal as set forth in Public Resources Code §30603(b)(1) is both the public access provisions of the Coastal Act (Public Resources Code §30210-30214) and the City of Laguna Beach certified Local Coastal Program "LCP" (certified January 13, 1993 and amended July 20, 2004). This is the second appeal filed on a related application for seven related coastal development permits for the construction of permanent lifeguard structures on the public beach that was denied by the Commission on May 10, 2007. This new appeal will make reference to the previous appeal in portions of this document and related, supporting documentation.

The project under appeal violates several provisions of the certified LCP including: 1) maximizing public views of the Pacific Ocean; 2) proper environmental mitigation including limiting development on the sandy beach; and 3) maintaining and protecting wildlife habitat. The Laguna Beach LCP also include Chapter 25 (Zoning Ordinance) of the Laguna Beach Municipal Code wherein the project applicants failed to: 4) provide required early neighbor communications; 5) providing required visual staking; and 6) providing required public notice of the Design Review Hearing. Furthermore, the Commission has a right to original jurisdiction under Public Resources Code §30519(b) due to the project's location on public trust tidal lands. An analysis Pursuant to Chapter 3 of the Coastal Act fails due to failure to protect biological and visual resources. Furthermore, after repeated attempts to work with the City of Laguna Beach on less impactful designs/alternatives, the City has refused to take any input or provide any alternatives based on the fact that the Marine Life Safety Division has already purchased the towers they wish to have permitted on an after-the-fact basis. A separate listing is being provided that includes numerous alternatives that can easily be found online. Please bear in mind that the Marine Safety Department submitted only ONE design to the Design Review Board. In the words of Design Review Board member, Ilse Lenschow, "some websites clearly show the vast variety to choose from." It is very clear that one of the main reasons the Marine Safety Department is unwilling to present alternatives is due to the fact that they have already purchased the towers. Please see attached Exhibit A: City of Laguna Beach Claim Voucher and Capital Outlay.

1. The proposed project results in unnecessary, avoidable and significant visual impacts.

Land Use Element Policy 12-B Require building design which is compatible to and integrated with natural topographic features and preserve public views on the ocean and horizon by maintaining the low profile character of structures seaward of Pacific Coast Highway.

Land Use Element Policy 12-C Require the use of landscaping, special architect



siting consideration for projects visible from major highways and arterial streets.

Land Use Element Policy 12-G Future land use planning shall be compatible with the goal of providing visual access. As a consequence, all new and ancillary facilities shall be located to protect the public viewshed. Where this is not feasible, new development shall be sited to maximize views from public location (i.e. roads, bluff top trails, visitor-serving facilities, etc.)

Open Space / Conservation Element Policy 7A Preserve to the maximum extent feasible the quality of public views from the hillsides and along the City's shoreline

Open Space / Conservation Element Policy 7M New development along Pacific Coast Highway shall preserve existing views where feasible and, where topography allows, new development shall be terraced below the grade of Pacific Coast Highway.

The proposed project seeks to replace unobtrusive yet adequate seasonal lifeguard facilities with permanent structures. The applicant has failed to design the towers to limit their visibility and to limit the visual interruption of ocean views. The applicant has ignored the obvious alternative of seasonal towers, which create visual interruption only when in place during the summer months. The applicant has not proposed to increase off-peak season lifeguard coverage but rather to place permanent structures on the sandy beach for seasonal use. The applicant has undergone no siting analysis to find the locations with the least visual impacts and has repeatedly ignored public requests and suggestions for less visually obtrusive alternatives. Please see attached Exhibit B that lists numerous online sites that provide more than adequate resources for alternatives that are less impactful.

2. The proposed project fails to provide adequate environmental analysis to protect the Sandy Beach.

Open Space / Conservation Element Policy 1E Prohibit the construction of buildings and other man-made structures on the sandy portion of the beach unless for the public health and safety.

The applicant has failed to establish evidence that the proposed project is necessary for public health and safety. In fact the evidence in record shows that the proposed structures will be located near where seasonal structures are located each year, without placing permanent cement footings in the sand and without the wintertime visual disturbance. A project that is more intrusive than an existing alternative to accomplish the same public health and safety goals is not a necessary project.

3. The proposed project fails to protect critical habitat and wildlife.

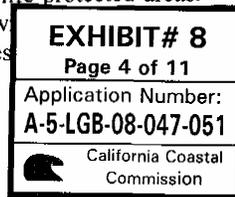
Open Space / Conservation Element Policy 2D As part of the City's resource management program, include provisions for monitoring of tidepools to ensure a proper balance between public beach access and the preservation of marine resources.

Open Space / Conservation Element Policy 8C Identify and maintain wildlife habitat areas in their natural state as necessary for the preservation of the species.

Open Space / Conservation Element Policy 8M When new development proposals are situated in areas adjacent to "Environmentally Sensitive Areas" as designated on the Coastal ESA Map and where these are confirmed by subsequent onsite assessment, require that development be designed and sited to prevent impacts which would degrade such areas.

Open Space / Conservation Element Policy 8O Preserve and protect fish and/or wildlife species for future generations.

Some of the proposed structures are located near critical tide pools and/or marine life protected areas. This is of concern for not only construction and operational impacts on fish and w tide pools, but also the ongoing impacts of a permanent facility. Lifeguard vehicles



and near tide pools creating significant habitat destruction during the summer months.

4. The proposed project failed to provide required early neighbor communication.

Municipal Code Section 25.05.040(C)(1) Early Neighborhood Communication. The applicant shall take verifiable, reasonable steps as established by the city to communicate with owners of property within three hundred feet of the applicant's property.

In fact the applicant, the City of Laguna Beach, did not follow its own code. It did not provide early notification to adjacent property owners, nor did it provide early notice to individuals who previously expressed interest and requested notice of beach development projects, specifically these lifeguard towers. This is the SECOND time the City has not followed its own code.

5. The proposed project failed to provide required visual staking.

Municipal Code Section 25.05.040(C)(2) Staking Requirements (a) A staking plan shall be prepared as specified on the most current zoning and design review submittal checklist. Staking poles and connecting ribbons, which accurately represent the full extent of the proposed structure, including decks and eaves, shall be constructed at least twenty-eight calendar days prior to the first public hearing.

Again the applicant, the City of Laguna Beach, did not follow its own code. This is the SECOND time the City did not follow its own code. Staking has NEVER been performed for the proposed project. No variance from the staking plan was issued. The applicant simply asserted that the requirement was impractical, a claim not supported by any study or evidence in the record. We repeat, this is the second time staking has NOT been done even after multiple requests by citizens in the community both during the first and second application process and at the first and second DRB hearing.

6. The proposed project failed to provide required public notice.

Municipal Code Section 25.05.040(E) Public Notice. Public notice shall be mailed to the property owners within three hundred feet of the subject property at least forty calendar days prior to the first public hearing and is subject to the provisions of Section 25.05.065(B) and (C), except that the requirements for newspaper advertising shall not be required, and the public notice for coastal development permits must be in accordance with Section 25.07.014 of this title.

Municipal Code Section 25.07.014(B) Noticing for Appealable Developments. Within ten calendar days of accepting an application for an appealable coastal development permit or at least ten calendar days prior to the first public hearing on a development proposal, the city shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested such notice, to all property owners within one hundred feet of the proposed project, to all residents within one hundred feet of the proposed project and to the coastal commission.

Yet again the applicant, the City of Laguna Beach, did not follow its own code. Persons who requested notice of the coastal development permit application did not receive such notice.

7. The proposed project has inadequate engineering plans/studies available for review.

8. The proposed project would set unwanted precedent



Based upon a review of many cities up and down the California coast, there is no evidence that permanent concrete based lifeguard towers are located anywhere else in the state. Laguna Beach would be setting an unwanted precedent with the placement of over 25 permanent towers with concrete bases. Multiple conversations with staff regarding permanent lifeguard towers on Encinitas beaches have allowed us to determine that there were NEVER any permits issued for these towers. Multiple calls, emails and personal visits to the City of Encinitas Building and Permit Division, City's Parks and Beach Supervisors and the City's Planning Division have revealed that CDPs for their structures were never obtained, thus there is no permitted precedent for permanent lifeguard towers on a beach in the state of California.

9. The proposed project has not taken appropriate construction BMPs or water quality issues into account based upon a review of available files at Laguna Beach City Hall. Following the first appeal, it was assumed that the City/Marine Safety Department would bolster their construction mitigations plans and appropriate BMPs. The following recommendations are submitted for staff review and consideration:

Storage and Staging Areas/Access Corridors

- a) No overnight storage of equipment or materials shall occur on sandy beach or public parking spaces.
- b) Access corridors shall be located in a manner that has the least impact on public access
- c) No work shall occur on the beach between Memorial Day weekend and Labor Day of any year.
- d) The applicant shall submit evidence that the approved plans/notes have been incorporated into construction bid documents. The staging site shall be removed and/or restored immediately following completion of the development.
- e) The applicant has indicated that very large cranes will be utilized to install these towers. How will this impact the (1) biological resources (2) public access (3) public views?

We have been unable to find any documentation on file at the City of Laguna Beach addressing these points of concern.

Protection of Water Quality - During Construction

Construction Best Management Practices Plan for the project site, prepared by a licensed professional, shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts to receiving waters associated with construction. Construction Best Management Practices Plan on the project site prior to and concurrent with the project staging, demolition and construction operations are requested. The BMPs shall be maintained throughout the development process.

A. Said plan shall include the following requirements and only some of this required list has been included in the multiple applications:

- (i) No construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- (ii) Any and all refuse and debris resulting from construction and demolition activities shall be removed from the project site within 72 hours of completion of demolition and construction. Construction and demolition debris and sediment shall be removed from or contained and secured within work areas each day that construction or demolition occurs to prevent the accumulation of sediment and other debris that could be discharged into coastal waters. All demolition/ construction debris and other waste materials removed from the project site shall be disposed of or recycled in compliance with all local, state and federal regulations. No debris or other waste materials shall be placed in coastal waters or be allowed to move into coastal waters. If a disposal site is located in the coastal zone, a coastal amendment to this permit shall be required before disposal can take place.

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Lifeguard Towers (City of Laguna Beach)
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(iv) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction and demolition activities. BMPs shall include, but are not limited to:

placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean

(v) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and kept as far away from a storm drain inlet and receiving waters as possible.

B. The required Construction Best Management Practices Plan for the project site shall also include the following BMPs designed to prevent spillage and/or runoff of construction and demolition-related materials, sediment, or contaminants associated with construction activity.

(i) Develop and implement spill prevention and control measures and ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The fueling and maintenance area shall be located as far away from the receiving waters and storm drain inlets as possible and shall not be located on the beach if at all possible. If fueling or maintenance is proposed to be on the beach then the applicant shall submit a plan showing how there is essentially no possibility of contaminating beach materials through those operations.

(ii) Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters, and more than fifty feet away from a storm drain, open ditch or surface waters.

(iii) Provide and maintain adequate disposal facilities for solid waste, including excess concrete, produced during construction.

(iv) Provide and maintain temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence or hay bales, and silt fencing.

(v) Stabilize any stockpiled fill with geofabric covers or other appropriate cover, and close and stabilize open trenches as soon as possible.

(vi) Prior to final inspection of the proposed project the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product was deposited on the beach or at any beach facility. If such residues are discovered, the residues and all contaminated sand shall be reported to the Executive Director in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

Again, these proposed towers are on public beaches in a location where the Commission retains original permit jurisdiction. Therefore, Chapter 3 of the Coastal Act is the standard of review, with the City's certified LCP used as guidance.

Seawall/Shoreline Protective Devices/Hazards. Sections 30235 and 30253 of the Coastal Act are applicable to the subject project and state the following, in part:

Section 30235

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

Section 30253

New development shall:



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(l) Minimize risks to life and property in areas of high geologic, flood, and fire hazard;...

In addition, Section 30255 of the Coastal Act states the following:

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

The new towers raise potential conflicts with the shoreline protection policies of the Coastal Act.

4. Public Views. Section 30251 of the Coastal Act is applicable to the subject project and states, in part: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas,...

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Sections 30230, 30231 and 30232 of the Coastal Act require that marine resources be maintained, enhanced, and restored in a manner that will sustain the biological productivity of all species of marine organisms in coastal waters, and that the biological productivity and water quality of coastal waters be maintained and restored by controlling polluted runoff. These lifeguard towers will be located directly on the beach and near several Marine Life Refuge Areas.

Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

10. Alternatives to permanent structures that will require permanent concrete bases have not been provided by the applicant. Please find following one example alternative, but also find attached Exhibit B that lists multiple online sites with a myriad of available alternatives. This has been mentioned previously in this appeal.



Lifeguard Towers (City of Laguna Beach)
Page 42

Alternative #1 - please see Exhibit B for a listing of other alternatives:

Conil Lifeguard Tower

Type:

A prefabricated, transportable tower treated to withstand harsh weather conditions with the minimum deterioration.

Uses:

Lifeguard or surveillance towers for beaches, woods or similar uses.

Characteristics:

Its physical characteristics have been designed to make loading and transport as easy as possible. It is quick and easy to set up as it is transported fully finished and assembled. This means it is easy to make design modifications or last-minute location changes.

The design is particularly robust and practical, offering users guaranteed solidity and comfort within a compact area. Given its narrowness, stability is ensured by a construction system using a sand-filled ballast box at the base.

The final treatments and finishes give the structure effective protection against the weather and ensure its durability.

Materials used:

Base: treated Scots pine planks. Sand ballast.

Walls: grooved loblolly pine panels.

Structure: treated Scots pine pillars. Bracing with St. Andrew crosses in treated Scots pine staves.

Platform: grid of treated Scots pine planks. Pine plywood. Autoclave-treated Scots pine handrail.

Roof in treated Scots pine planks. Grooved loblolly pine plywood. Asphalt shingles protected with mineral granules.

Carpentry: grooved plywood doors in loblolly pine. Windows and shutters in grooved loblolly pine plywood.

Dimensions:

Platform: 2,500 x 2,500 mm. Cabin: 1,240 x 1,240 mm. Total height: 7,100 mm.

Surface area:

Built: 5.95 m². Usable: 1.53 m².

Treatment:

All the elements have been autoclave-treated. Visible elements finished in open-pore varnish.

11. Cummulative Impacts through piecemeal approach

There are a total of 28 permanent lifeguard towers being proposed for Laguna Beach's fragile coves and beaches. If the Marine Saftety Department is allowed this first five, they have, through multiple meetings conveyed to us that they will be successful in re-addressing the towers that have already been denied by the Commission in 2007. Please allow the following to summarize at least one of the conversations/meetings with Chief Mark Klosterman:

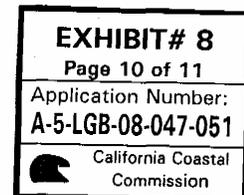


Lifeguard Towers (City of Laguna Beach)
Page 43

"In talking to Chief Mark Klosterman he told me that every July there is the budget approval for the City of Laguna Beach and this is where the monies are being allocated for the proposed permanent lifeguard towers. Ironically, this is being approved 6 months prior to the Design Review Hearing for the same towers. Therefore, it is fair to say that the lifeguard towers are being paid for and built BEFORE the approval at the DRB. Mark told me that the 5 permanent towers that were denied last year were still made and paid for. He said that they were put on skids/sleds. I asked him then why they can not use them in this form as temporary towers and he told me that due to the sand shift that they can not. I asked him that if they can not be used in this form then why are they continuing to make them and pay for them and he said that they will still continue to make and pay for them because he KNOWS that they will pass and then that way he will have them all ready to go to have them permanently installed on the cement caissons. They are also being stored on the north end of Main beach. I brought this to CCC staff's attention since the old style red temporary towers were not allowed to be stored on the beach. He asked for a photo of this which I have emailed."

In conclusion, we request that the Coastal Commission not only review this appeal and address the issues contained herein, but also address the ongoing situation of lifeguards driving their heavy vehicles in, on and around tidepools and in the very fragile intertidal zones located all along the Laguna Beach coastline.

Thank you for your time and consideration of our submittal. Should you require further supporting documentation for any of the issues brought forth in this appeal, please do not hesitate to contact us as we have volumes of both written and photographic documentation.



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Jane S. Piani

Signature of Appellant(s) or Authorized Agent

Date: February 22, 2008

Note: If signed by agent, appellant(s) must also sign below.

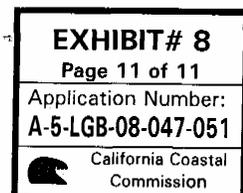
Section VI. Agent Authorization

I/We hereby
authorize

_____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____



RECEIVED
South Coast Region 147

PETITION
NO ADDITIONAL PERMANENT
LIFEGUARD TOWERS
IN
LAGUNA BEACH COVES

FEB 25 2008
CALIFORNIA
COASTAL COMMISSION

By signing this petition we are in opposition to permanent lifeguard towers being installed in the Laguna Beach coves (ex - Divers Cove, Fishermans Cove/Boat Canyon, Shaws Cove, Woods Cove, Etc.... just to name a few). We feel that it is not practical to have lifeguard towers up 12 months out of the year when they are only staffed for a little over 3 months a year. This commercial look obstructs the unique beauty and is disproportional to the size of the coves and the number of off season beach goers. It is understood that other lifeguard departments have these, but Laguna Beach is different in its village atmosphere, and its shape, size and formation of the coves. We understand the safety issues for the Lifeguards (ex -limiting element exposure), and other guidelines(ex -railings and ramp/stairs to enter and exit towers. In successfully keeping Laguna Beach unique and without sacrificing the lifeguard's safety, we propose to have lifeguard towers that are able to be disassembled and removed during the off season. The concrete base is understandable for stability and safety due to sand movement. Therefore the lifeguard's safety will be obtained without destructing the beauty of the coves. We are over 18 years of age.

	PRINT NAME	SIGNATURE	ADDRESS
1.	MARIA SIANI	Maria Siani	631 Cliff Dr. # B-2 Laguna Beach
2.	Craig DePlyffer	Craig DePlyffer	220 San Joaquin St. Laguna Beach 92651
3.	Sandra Siani	Sandra Siani	230 San Joaquin Laguna Beach 92651
4.	Susan Kollmanberger	Susan Kollmanberger	222 San Joaquin St. Laguna Beach 92651
5.	Mark Kollmanberger	Mark Kollmanberger	222 San Joaquin St. Laguna Beach 92651
6.	Jim Thomas	Jim Thomas	1332 Circle Way Laguna Beach 92651
7.	Inda Mortenlander	Inda Mortenlander	872 Cliff Drive LB CA 92651
8.	Scott Wright	Scott Wright	4178 Lillian St. L.B.
9.	Tatie Schmal	Tatie Schmal	22501 Chase #4202
10.	DAVID HARLAN	David Harlan	249 EMERALD BAY Laguna Beach
11.	LUBERT JONES	Lubert Jones	651 Cliff Dr. Laguna Beach
12.	Malia Kim	Malia Kim	1434 Danville Pl
13.	JEAN-PAUL	Jean Paul Lopez	656 NTC Laguna 92651
14.	Barbara Williams Pemberton	Barbara Williams Pemberton	3115 Bonita Laguna Beach 92651
15.	JAMES G. PEMBERTON	James G. Pemberton	3115 Bonita Dr. Laguna Beach, CA 92651
16.	M. Linton	M. Linton	3116 Bonita Dr. L.B. CA 92651
17.	BOB FOES	Bob Foes	235 SAN JOAQUIN ST. LAGUNA BEACH, CA
18.	YONNIE MEDKIFF	YONNIE MEDKIFF	237 SAN JOAQUIN ST. LAGUNA BEACH, CA
19.	H.R. Crommy	H.R. Crommy	240 San Joaquin St. Laguna Beach, CA
20.	Andreas Smith	Andreas Smith	403 Alta Vista Way

 Note: Petition received from appellant containing approximately 500 signatures.

EXHIBIT # 9
Page 1 of 1
Application Number:
A-5-LGB-08-047-051
 California Coastal Commission

From: mkellam05@earthlink.net
To: LagunaSandra@aol.com
Subject: Permanent Life Guard Towers
Date: Wed, 21 Mar 2007 8:32 AM

RECEIVED
South Coast Region

FEB 25 2008

CALIFORNIA
COASTAL COMMISSION

Dear Coastal Commission,

I thought we were obligated to preserve our treasures. The beautiful unspoiled coves of Laguna Beach have for years been a lure for visitors, artists and locals. How is it possible that our municipal powers could even consider such "beach blight" as these awful looking proposed permanent life guard towers. If cost is the motivation then we invite an inspection of the deteriorating examples already installed at main beach.

Why can't we keep the temporary life guard stands and be done with it ?

The Kellam Family; 30 year owner / residents at Divers Cove.



*Jan Shoemaker
455 Agate Street
Laguna Beach, CA
92651
Brightyshoe@aol.com*

March 21, 2007

Dear Coastal Commission,

I am writing in regards to the placement of several oversized, permanent Lifeguard Towers on the coastline of Laguna Beach. All structures in Laguna go through an intensive approval process. Shouldn't towers that are to be a prominent part of our beaches be held to the same standards? We have many talented architects in our area that I'm sure could design towers that are functional as well as aesthetically pleasing.

Sincerely,

Jan Shoemaker



California Coastal Commission

Dear Commissioners:

Orange County has been my home since 1963, and I have called Laguna Beach home since 1974. I have seen a lot of changes. One of the best changes is the Coastal Commission and the process established for the public to give our input to Commission decisions. Being a typical Laguna Environmentalist, I am putting in my thoughts.

I want our excellent lifeguards to have shelter from the sun and wind and to be high enough off the sand to be able to watch the water. To give them what they need is good.

But must it be so ugly?

Laguna has a unique shoreline. I have seen beaches all over both coasts and we have the only scalloped shoreline I have ever seen. There may be others, but not as lovely. An acquaintance of mine lives two blocks from the North Beach in San Clemente and comes here to go to the beach! Given that our beaches are at least half of our attraction to the world and that our city now depends on tourism, shouldn't we be trying to find something equal to the beaches and the city in quality and style?

Those lifeguard stands look like English letterboxes on steroids! Or maybe a street corner loo! Let's find a better solution. It's a good idea to have permanent bases so that the stands don't tilt, but let's make them at least not ugly.

Sincerely,

Barbara Williams-Pemberton



Lifeguard Towers (City of Laguna Beach)
Page 49

From:  Marinopress2@aol.com
To:  Lagunasandra@aol.com
Subject: article
Date: Sun, 4 Feb 2007 3:45 PM

Sandra, thank you for writing your article for the newspaper. It expressed my ideas exactly and was very well written. I think you should run for city office. I hope we don't have permanent towers on our beaches. Martha Marino



Lifeguard Towers (City of Laguna Beach)
Page 50

From: charko@relaypoint.net
To:  lagunasandra@aol.com
Cc: greenp1@cox.net
Subject: RE: Permanent Lifeguard Towers
Date: Sat, 3 Feb 2007 5:52 PM

I think it is important for you to know that much of the LB community that loves their beaches and coves is behind you, so know that many of us are appreciative of your fight and willingness to stand up for your principles. There will be plenty of opportunity for you down the line to call us to arms. There is a better way and you know it.

I hope I can be more helpful later on.

Please let me know what you think.

Warmly, Charlotte



February 2, 2007

To the City of Laguna,

We understand that Laguna is planning to put a number of lifeguard towers on the beach.

It seems to us that the new towers will create the following:

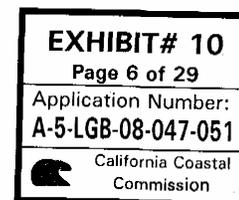
1. A huge "blocky" look as compared to the current towers in use
2. An attractive nuisance regarding graffiti & other visual destruction that will make our beaches look trashy.
3. Year round concern, especially on beaches that get little use "off season" and therefore are not patrolled or supervised on a regular basis.

The current towers fit the landscape, don't stick out as an eyesore, and don't lend themselves to any destruction.

Please reconsider this decision.

Sincerely,

Al and Dorothy Patapoff
631 Cliff Drive - A8
Laguna Beach



Lifeguard Towers (City of Laguna Beach)
Page 52

Page 1 of 1

FROM :Office Furniture Unlimited Adm FAX NO. :714-668-7508

Mar. 14 2007 10:33AM P1

George Heed

631 Cliff Drive # B-1
Laguna Beach CA
92651.

Phone: (949) 494-0535

► **To: California Coastal Commission**
March 12, 2007

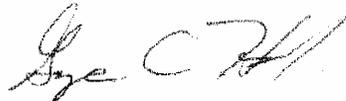
To Whom It May Concern,

My name is George Heed and I reside at 631 Cliff Drive in Laguna Beach. I was recently very surprised to find that several of our city agencies were trying to install permanent concrete and fiberglass structures on Divers Cove and five other coves in Laguna Beach. Please find the attached photo showing the area where at least three of these structures would be placed. These "buildings" resemble a port-a-potty perched on top of a freeway bridge support. They are not in keeping with our California coast or with the surrounding natural beauty.

I would very much appreciate your returning any proposals you may have received to the City of Laguna Beach. We have an intelligent and responsible city council that for some reason has allowed several errors. The requirements for building in Laguna are stringent and well spelled out. The City ignored several of these. Your commission has requirements, rules and standards that I would greatly appreciate being followed. If I may be of any assistance please call me at (714) 545-2004.

Thank You for your attention to this problem and for your continued protection of our treasured California coast.

Sincerely,

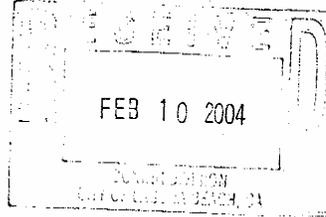


http://service.ringcentral.com/messages/spool/335958599_25.png



February 9, 2004

Laguna Beach Design Review Board
505 Forest Avenue
Laguna Beach, CA 92651



Dear Design Review Members:

I am writing this letter in objection to the proposal to have a permanent lifeguard structure erected at the north end of Crescent Bay Beach. My family has owned a home on Crescent Bay Beach for over 50 years and have appreciated the natural beauty and serenity which is offered through the pristine coastline of Laguna Beach. I have recently observed one of these extremely large lifeguard structures to be erected at the southern end of Crescent Bay Beach. Now I understand that there is a proposal to have an additional structure erected at the north end of this small cove. These structures are obtrusive and contrary to the public policy and the coastal commission guidelines surrounding the environmentally sensitive beach areas.

While most property owners along this cove (unlike myself) have unwillingly deeded their mean high tide rights away to either the Coastal Commission or City in exchange for approval of building plans, I am objecting to the structure being affixed to the northern end as well as the presently existing southern end lifeguard structure. Apparently the City has not comprehended the impact of such a structure on a small cove. Not only does the sand erode away during the winter months at depths of nearly 25 to 30 feet, but the impacting swells could potentially redirect substantial amounts of water causing further erosion and damage to surrounding properties. It would additionally create an unprecedented ability to erect unnecessary structures on public land. The City has always maintained temporary lifeguard structures which have been satisfactory in nature and have survived the test of time over the past forty years.

In closing, I appreciate the sensitivity of the Design Review Committee's commitment towards maintaining the high quality of tranquil and serene environment which our local beaches now maintain. I thank you for your time and consideration in this matter, and I look forward to your denial of the City's request.

Sincerely,

June Sloan
297 Crescent Bay Drive
Laguna Beach, CA 92651

cc: Richard D. Nunis
Attorney at Law



February 1, 2004

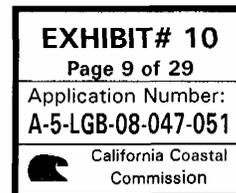
Dear Design Review Board Member,

Upon receiving your notice of intention to make our Crescent Bay lifeguard stand permanent, I request that you consider moving the structure 20 feet to the north at the termination of the beach access road. By moving the structure this short distance, the landscaped trees from above will offer coverage. The older lifeguard stations like the one located below Circle Drive were of lighter construction and not so obtrusive to the natural view. The new station is massive with a dominate roof and has a much heavier structure which mediates the beautiful bay view from my home. I realize how important this station is in maintaining safety, but just 20 feet north would make it so much more desirable for this long term resident.

Thank you for your consideration,



Jackie Jacobson
1259 Cliff Drive
Laguna Beach, Ca. 92651
(949) 494-0665 Home
(949) 497-5771 Business



Laguna Beach Design Review Board
505 Forest Avenue
Laguna Beach, CA 92651

Re: Crescent Bay permanent Guard Structure

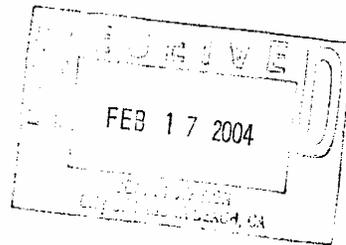
Dear Design Review Members:

I am writing this letter in objection to the proposal to permanent lifeguard structure erected at the north end of Crescent Bay Beach. The structure will be obtrusive and effect the surrounding sensitive beach area. This Permanent structure is unnecessary and the current temporary lifeguard structure has been satisfactory.

Please consider this objection and I look forward to your denial of the city's request.

Sincerely


Mishel Munayyer
287 Crescent Bay Drive



Lifeguard Towers (City of Laguna Beach)
Page 56

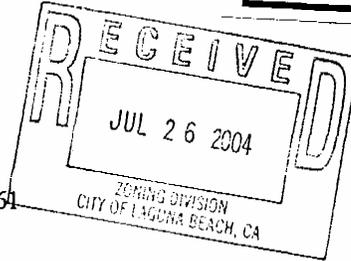
1367 Circle Way
Laguna Beach, CA. 92707
Tel: 714-754-0678 (w)
949-494-9460 (h)



23 July 2004

Design Review Board
City of Laguna Beach

Re: Lifeguard Tower #1- Crescent Bay- DR No. 04-261



Dear Members of the Design Review Board:

This is to express my serious concerns with the current location of the permanent lifeguard tower that is partially constructed at the West end of Crescent Bay.

The previous hearings with regard to this tower were noticed with the specific provision that the permanent towers would simply replace and be located where seasonal towers were before. Unfortunately, following the mailing of notices and the reassurances I received from the lifeguard department, the proposed location was altered to one at which I've never observed a temporary lifeguard stand previously, noting that I originally moved to Crescent Bay in 1954.

The current positioning is dead center of my beach view and also affects the privacy of my property. If there ever was a proverbial "million dollar view" in Laguna Beach, this is it and will diminish the value of that view greatly if this tower is completed.

As it happens, photos exist to show the location of the seasonal towers in 2000 and 2002, both of which are 25-40 feet to the west of the current location. No doubt other photos covering a number of decades can be located to illustrate this point. The enclosed drawing illustrates this, as well as what I call a "No Impinge Zone", an area directly in front of city owned property that I believe to be the only area that a tower should logically be constructed.

The objection that the lifeguard department has raised to this area is the small outflow area onto the sand. The diagram delineates this watercourse as shown on city maps and in fact this apparently has not been a concern in the past and even the current location is within the city's own designated flow path. Furthermore, the outfall is barely active in the months that lifeguards are present on the beach.

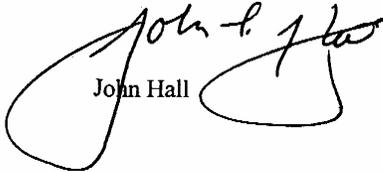
While the lifeguard's responsibility is primarily directed to the water, it is unfortunate that they must also deal with individuals engaged in unsafe, illicit, or illegal activity on the beach itself. This current tower position precludes visibility to a large portion of the

Crescent Bay beach and specifically an area that has perennially been a source of problems. Every foot the tower is located to the west and south will dramatically improve the lifeguard's ability to observe the greatest area of the beach.

We can all agree that marine safety is of paramount importance and that the lifeguard department depends upon the cooperation of all citizens to function at its best. At the same time, consideration must be given to homeowners like ourselves that must share our neighborhood with so many visitors to the city during the summer and holidays, such that we have a serene and attractive place to live during the remainder of the year. For this reason alone, a permanent tower should not be located in an unsightly location as it is now. In this case it appears it is possible to balance safety issues versus view equity by properly locating the tower with the "No Impinge Zone" I've identified.

I sincerely hope that the board does the right thing by sending this matter back to the lifeguard department, even if it takes further hearings, such that a location agreeable to all parties can be ascertained.

With best regards,


John Hall



MARCH 19, 2007

To whom it may concern:

I have recently learned that the city of Laguna intends to install permanent lifeguard houses on our pristine beaches.

I am displeased that this decision was never made public knowledge via the United States Postal Service or front-page coverage in local media.

It is presumptuous for those involved to not notify the community of its intended use of city dollars. Maybe they know it would have raised an eyebrow or two??

These stations are unsightly and I can only imagine the graffiti opportunities this would offer during off-season.

I also believe they will harbor areas for underage drinking and other improper activities.

Why would we not opt for the stations that are transportable and do not ruin the landscape of our beautiful community?

As a soon to be father, I have chosen Laguna Beach to raise my children and do not want to see the environment fall victim to peer pressure.

Thank you for considering the above.

Sincerely,

Marc Tate
949-290-8493



March 11, 2007

To: The Coastal Commission

Re: Laguna Beach Lifeguard Towers

I have recently been made aware of the City of Laguna Beach proposing year round permanent structures for lifeguard towers on the coves and beaches in Laguna. As a resident that lives above Diver's Cove and Fisherman's Cove I am shocked and Concerned. Why was I not notified? I frequent the beautiful coves of Laguna with my family often. I feel that the drilling into the bedrock for the cement base and having a large structure year round will create hazards for our environment. Also, the large, ugly enclosed top with the tall solid base on such small coves will be very obtrusive to public views. Lifeguards only guard the beaches 3 months a year, why would we want these boarded up large UGLY structures year round? For the above mentioned reasons I am adamantly opposed to the permanent lifeguard towers. The lifeguards safety can be maintained in a temporary structure and this will allow our beaches to remain preserved and picturesque.

Sincerely,

Earl Payton
631 Cliff Drive #A-13 and #A-14
Laguna Beach, Ca 92651



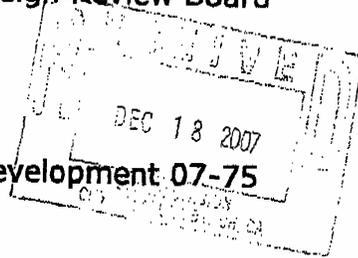
12/12/07

Laguna Beach Board of Adjustment / Design Review Board
505 FOREST ST.
LAGUNA BEACH, CA 92651
South Coast Region

RE: Design Review NO. 07-329 and
FEB 25 2008

Costal Development 07-75

CALIFORNIA
COASTAL COMMISSION



Aloha,

Please do not allow a permanent life guard tower to be established at this proposed location. Not only will it become a **permanent eye-sore**, but it would have to be built as massively as a light house because wave action routinely covers the whole beach.

Indeed there is an excellent chance that this structure could permanently alter the shape of the beach itself by causing sand to leave the area. Its base would become an approved "miniature sea wall."

Temporary towers built entirely of aluminum would resist the weather and rust much more effectively and could be more easily removed during the "off-season" if it was deemed necessary to do so.

Thanks,

Steven Jenison
845 South Coast Blvd
Laguna Beach, CA 92651

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South Coast Region

FEB 25 2008

CALIFORNIA
COASTAL COMMISSION



Lifeguard Towers (City of Laguna Beach)
Page 61

Dear Editor:

- >
- > Yesterday I signed a petition in opposition to the placement of 28 new
- > permanent lifeguard towers in our outlying beaches. There are,
- > currently, 2 of these already in place on Main Beach, and they are
- > quite noticeable. In fact, it brings to mind the beaches of LA,
- > Huntington Beach or Bolsa Chica, all vying for that institutional and
- > impersonal look.
- >
- > OK, Main has become a G-rated and rather blah scene since the "Window
- > to the Sea" became a reality, the tide pools began to die and the
- > water is often polluted to the point of unusability - so why not add
- > these eyesores to the mix.
- >
- > But I'm told that plans for 28 more of these monstrosities have
- > already been approved by our enlightened City Council - at a cost of
- > \$28k a copy... Brilliant!
- >
- > Please consider the aesthetic impact of such a structure at, say,
- > Diver's Cove, How about Moss Beach? Victoria Beach? Any of our
- > beautiful, bucolic coves? One word suffices- HIDEOUS. Do any of our
- > council members even go to the beach? I can't imagine that they do,
- > otherwise they would have more sense than to approve such an ugly,
- > unnecessary waste of resources.
- >
- > Speaking of sense, let's do the math. We're looking at 28 towers, at
- > a cost of \$28k each. This amounts to \$784,000. At first glance. Of
- > course, if you watch municipal projects, you will note that within
- > hours of a deal being struck, costs seem to 'escalate' (see Montage,
- > Bluebird slide, etc., for evidence). I've often wondered how this
- > occurs since, in my experience, once a deal is struck it is honored as
- > such - but this doesn't seem to be the case when Laguna Beach enters
- > into an agreement or contract. Guess I don't know how that particular
- > business world operates. In fact, we have imposed upon ourselves - or
- > at least some of us have - a tax hike to pay for Bluebird - yet we
- > have all this loot to fund this ridiculous fiasco (Ken - can you shed
- > any light on this?).
- >
- > Perhaps the most galling aspect of this debacle is that while the City
- > can come up with (what will probably amount to \$1Million+, but is now)
- > \$784,000 to destroy the aesthetic appeal of our beaches, they whine
- > that there isn't enough money to properly compensate the personnel
- > who will be operating them. Do they think that our lifeguards will be
- > happier with some fancy-shmancy tower than with a well-deserved
- > compensation for their heroic efforts?
- >
- > Finally, I've heard those in opposition to this rape called NIMBYs.
- > In some cases, this may be true, but can you blame them? On the other
- > hand, I'm a 61-year-old native son, and I don't live in a white-sand,
- > ocean-view home, but I do traverse our beaches regularly. In the
- > summer there are transportable towers in evidence, and they are
- > appreciated as a necessity for the safety of our water lovers and
- > visitors - and they're relatively unobtrusive. In the winter, they're
- > gone. These permanent towers are ugly and institutional and will,
- > over time, deteriorate (yes - we do live in a world of impermanence,
- > even if they call them 'permanent') thus incurring more unnecessary
- > expense to the City (us).
- >
- > Please speak out on this issue - I believe you'll be glad you did,
- > when the rubber meets the road (it's not too late!). Progress is one
- > thing, but this is another - something that can preserve or destroy
- > our precious beaches.
- >
- > Jason Wineinger
- > 440 Aster
- > Laguna Beach
- > 494-3826

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South Coast Region

FEB 25 2008

CALIFORNIA
COASTAL COMMISSION

EXHIBIT# 10

Page 16 of 29

Application Number:

A-5-LGB-08-047-051

 California Coastal
Commission

LAW OFFICES OF
PATTI, SGRO & LEWIS
A PROFESSIONAL CORPORATION

DEAN R. PATTI
ANTHONY P. SGRO
STEPHEN K. LEWIS *

720 S. 7TH STREET, 3RD FLOOR
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ERICK M. FERRAN
CHAD N. DENNIE
HENRY S. STONE ***
GREGORY E. COYER
GERALD B. NETZKY **

* Also licensed in Arizona
** Licensed only in Utah
*** Also Licensed in California

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FEB 25 2008

January 19, 2007

CALIFORNIA
COASTAL COMMISSION

Attn: *Members of the Board of Adjustment / Design Review Board*
City of Laguna Beach
505 Forest Avenue
Laguna Beach, CA 92651

**RE: Design Review No. 06-379 and Coastal Development 06-74
(Proposed Permanent Lifeguard Tower at Diver's Cove & Picnic Beach)**

Dear Members of the Board:

It has come to our clients' attention that the Department of Marine Safety for the City of Laguna Beach has requested Design Review and a Coastal Development Permit to replace a temporary, seasonal lifeguard tower on the beach with a permanent tower. This matter is currently set for public hearing on Thursday, January 25, 2007.

This office represents homeowners Darrin D. Badger, Dean R. Patti, and Maria Siani, whose properties will be directly affected by the above-referenced proposal. These homeowners hereby object to the permanent lifeguard stand for the following reasons:

- (1) This area is one of significant natural beauty, which will be significantly negatively impacted by the installation of a permanent lifeguard structure.
- (2) Various artists frequent the area and one of greatest draws is the natural unobstructed view enabling them to paint their works. The ability of these individuals to continue their craft at this location will obviously be impacted by the interference of a permanent structure.
- (3) The beach in this vicinity is very narrow, meaning that any permanent structure will inevitably be overly obtrusive, and significantly restrict enjoyment of this magnificent stretch of coastline.

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- (4) Any permanent lifeguard stand would most likely go unused for nearly nine (9) months out of the year. There is no justification for installing a permanent structure in this area which will essentially sit abandoned for the majority of the year. A temporary structure is more than adequate for the few months each year when such a structure is necessary.

For the reasons stated above, our clients strenuously object to the proposed permanent lifeguard stand in this area. We believe some, if not all, of our clients will attend this public hearing, however we wanted to ensure that a written objection to the proposal is on file.

Very truly yours,

PATTI, SGRO & LEWIS



GREGORY E. COYER, ESQ.



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March 11, 2007

FEB 25 2008

To: The Coastal Commission

Re: Laguna Beach Lifeguard Towers

CALIFORNIA
COASTAL COMMISSION

I have recently been made aware of the City of Laguna Beach proposing year round permanent structures for lifeguard towers on the coves and beaches in Laguna. As a resident that lives above Diver's Cove and Fisherman's Cove I am shocked and Concerned. Why was I not notified? I frequent the beautiful coves of Laguna with my family often. I feel that the drilling into the bedrock for the cement base and having a large structure year round will create hazards for our environment. Also, the large, ugly enclosed top with the tall solid base on such small coves will be very obtrusive to public views. Lifeguards only guard the beaches 3 months a year, why would we want these boarded up large UGLY structures year round? For the above mentioned reasons I am adamantly opposed to the permanent lifeguard towers. The lifeguards safety can be maintained in a temporary structure and this will allow our beaches to remain preserved and picturesque.

Sincerely,

Earl Payton
631 Cliff Drive #A-13 and #A-14
Laguna Beach, Ca 92651



March 25, 2007

To: California Coastal Commission
Subject: Permanent lifeguard towers in Laguna Beach

I was born and raised in Laguna Beach. I have traveled the world and have seen few places that match our spectacular coastline and beaches.

I feel that the existing and proposed additional permanent lifeguard towers are out of character with the environment. The lifeguard staffing is seasonal and the towers should also be seasonal.

I have included photos to illustrate how the permanent tower in photo #1 is out of context and the temporary wooden tower in photo # 2 is in context.

Photo #1 shows native habitat hillside with narrow beach, concrete and fiberglass does not belong. Photo #2 shows a wide open beach with homes in the background and a temporary wooden structure which blends with the surroundings.



Photo 1: Laguna Beach, Ca. March, 2007

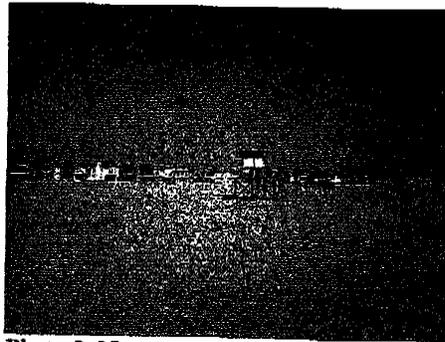


Photo 2: Newport Beach, Ca. March, 2007

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Graphic 3, Treasure Island, Laguna Beach.

I feel that the location selection of the initial installation of the permanent lifeguard towers was done in a manner as to minimize public notification (300' radius notification rule). The beaches where the initial towers were installed have either commercial properties adjacent and minimal residences or no residences. Refer to Graphic #3 for an example, this tower is located below the Montage Resort. No residences are within the 300' noticing radius.

Permanent lifeguard towers made of concrete, steel and fiberglass do not belong on our beaches. We need to protect our lifeguards but lets not lose sight of the natural beauty that is Laguna Beach.

Sincerely,

Craig de Pfyffer
Landscape Designer
P.O. Box 247
Laguna Beach, Ca. 92652
888 286-2715

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January 29, 2007

FEB 25 2008

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To Whom It May Concern,

It has recently come to my attention that you are considering a proposal to add 28 permanent lifeguard towers to our beach. As a father of three (3) children and having spent my career in the water sports industry, there is no argument that we need lifeguards on our beach and that they should be safe. But I strongly disagree with any proposal that is going to erect permanent structures on our beaches, especially ones as unattractive as what you are considering. I am sure that seasonal solutions are available that do not require further degradations of our beaches and providing the requisite protection to our lifeguards.

Imagine if the Federal Government required that everyone in the US was required to have snowtires on their cars 12 months out of the year in order to promote better safety. We all would scream that they are needed only when it snows. The same goes for these structures. Put them on the beaches when there are lifeguards there, but take them off our beaches the other 9 months of the year.

Respectfully,

Michael Chapman

631 Cliff Drive, A1
Laguna Beach, CA 92651



January 30, 2007

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Re: Expenditure to purchase and install permanent life guard towers

CALIFORNIA
COASTAL COMMISSION

Dear City Council and Coastal Commission:

We've just recently been made aware of the move to establish and secure permanent type life guard facilities on our beaches.

We object to permanent towers based on these considerations:

Temporary facilities can be purchased and installed for a fraction of the cost now contemplated. The mere interest on these savings would more than cover the ongoing costs to secure, remove and store each year.

Moreover, semi permanent facilities would (by definition) be more cost effective (in future years) to meet and satisfy what will always be ever changing code requirements of OSHA and other governing agencies. (What new safety requirements might be required of these vestibules in say 2008 or 2012?)

Permanent life guard facilities would create yet one more probable refuse on dark beaches for the collection of litter, graffiti as well as housing for homeless and/or crime related activities. At the very least the requisite costs to cleanse, police and secure such facilities (twelve months a year) should be a strong ongoing financial consideration in your cost projection.

Thank you for your very careful consideration of strong possible alternative solutions.

Very truly yours,

Richard & Linda Crum
631 Cliff Drive
Laguna Beach, California
92651

(949) 494-2109



MARIA SIANI
631 CLIFF DR.
LAGUNA BEACH, CA.

JAN. 14 '07

CITY of Laguna Beach BOARD of ADJUSTMENT/
 DESIGN REVIEW BOARD
 NO: 06-379 +
 06-74 COASTAL DEVELOPMENT

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DIVERS COVE

- 1 - VERY NARROW STRETCH OF SAND
 + SMALL COVES -
TOWER OFF BALANCE
- 2 - DESTROYS THE NATURAL COVE BEAUTY
 FLOW -
 ARTIST COME + PAINT THIS BEACH
 + COASTLINE - EVERY YEAR -
- 3 - TOWER ONLY UTILIZED 3 MONTHS OUT OF 12
 - a - 9 MONTHS OF EYE SORE -
 NON SERVICE - IMPRACTICAL -

Comment: BASIC REASON GIVEN FOR THIS
 TRANSACTION IS THE HEALTH SAFETY
 FOR OUR LIFE GUARDS.

THIS COULD BE HAD - WITHOUT DESTROYING
 + SACRIFICING OUR ENVIRONMENTAL + BEAUTY
 OF OUR BEACHES.

THIS WAS DONE IN AN UNFAIR MANNER -
 THE BEACHES BELONG TO ALL LAGUNA RESIDENTS
 + NOT ONLY TO THE LIFE GUARDS + PLANNING
 COMMISSION.

THE RESIDENTS, THEREFORE, SHOULD HAVE BEEN
 INCLUDED + INVOLVED IN THE DECISION
 MAKING - NOT AFTER THE FACT -

Maria Siani



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CALIFORNIA
COASTAL COMMISSION

Helia my name is cameron and I'm ten years old. I love the beach and go there all year round. I think the new life guard towers when I'm swimming and I look at the new lifeguard tower I don't see if there is a lifeguard. If someone needed help they would need a lifeguard tower and if none is there, you can drown. Oh and they are white. They also blend in to the sand. So if your fishing you can't see it.

Sincerely,

Cameron
Cameron

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Subj: **Lifeguard Shelter Design**
Date: 1/22/2007 6:43:38 PM Pacific Standard Time
From: indeere@sbcglobal.net
To: lagunasandra@aol.com

To whom it may concern, IDR is capable of developing concepts for knock-down shelters and structures. Costs and development time would depend on product complexity and projected sales volume.

Dave Stollery, Pres. IDR

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Commission



L.C. # 358208

241 La Brea Street • Laguna Beach, CA 92651

949-494-0391

January 22, 2007

Subject: Construction of modular lifeguard towers.

A modular fiberglass lifeguard tower can be easily put together and taken apart.

Attach section #6 (fiberglass floor) to cement base with stainless steel nuts, bolts, large washers and brackets. Section #2 thru Section #5 (fiberglass walls) can be bolted together with stainless steel 'L' brackets, bolts and washers, enough for stability. Then section # 1 (fiberglass roof) is then attached to Section # 2 thru Section #5 with stainless steel 'L' flanges, bolts and washers, as needed. Refer to attached schematic drawing.

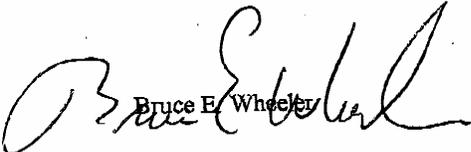
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COASTAL COMMISSION

Sincerely,




Bruce E. Wheeler

Commercial

Residential

January 23, 2007

Attached:

1. Rendered model of modular lifeguard tower
2. 3-D perspective renderings of modular lifeguard tower. Left figure is the assembled unit. The right figure is the sectioned modular tower.
 - a. Section # 1 = Roof, Section #2 thru Section #5 = walls and Section #6 = floor.
 - b. Total weight is approximately 900 pounds (information given by a manufacturer) segmented into six pieces makes each piece approximately 150 pounds. Very easy for two people to carry and install or disassemble quickly.
3. Construction method statement
4. Manufacturer's statement

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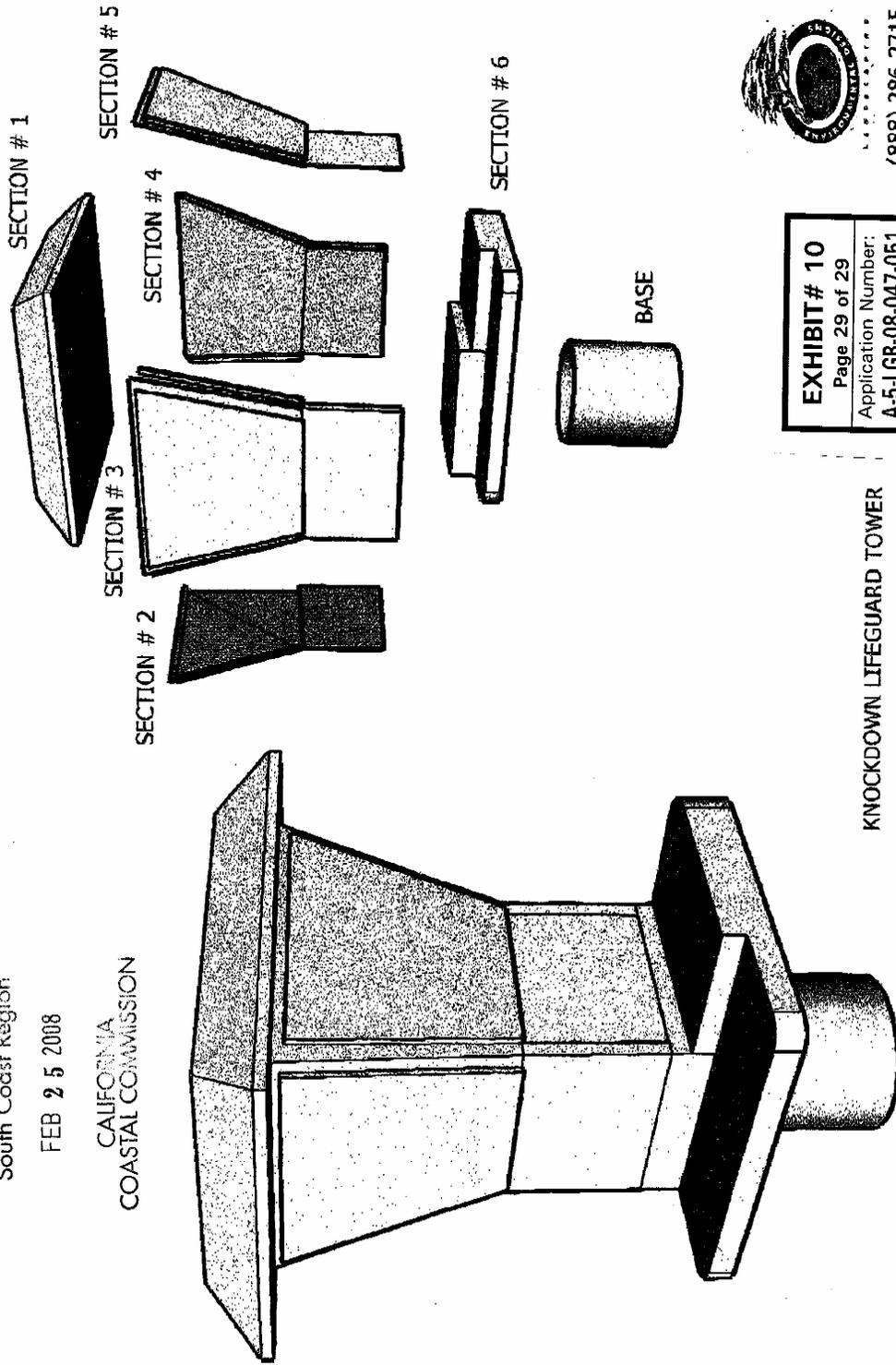
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KNOCKDOWN LIFEGUARD TOWER