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F16b

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STAFF REPORT: MATERIAL AMENDMENT

Application No.: 5-02-009-A1

Applicants: Consolidated Fire Protection District of Los Angeles County

Agent: Marcia Velasquez, Daniel Cardoza, Richard Beck

Location: Lifeguard towers on the beach from Santa Monica State Beach to Cabrillo Beach, Los Angeles County

Approved Project: Replace 130 Los Angeles County mobile lifeguard towers measuring approximately 12'-9" high by 12' wide by 11'-9" deep, with new mobile towers measuring 13' high by 12'-6" wide by 13' deep and include both public safety and advertising signage on the rear cabins of the towers. The towers will be assembled at four fenced beach sites varying in area between 1,200 square feet to 7,200 square feet.

Proposed Amendment: Request for after-the-fact approval to increase the size of 111 existing lifeguard tower advertising signs from 28"x54" to 48"x60", add a second sign per tower, relocate the current rear sign and proposed new sign

to both sides of each tower, and retain existing public safety signage.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The applicant is requesting an amendment to Coastal Development Permit 5-02-009 to modify certain aspects of the existing permit related to advertising signage on mobile lifeguard towers. Specifically, the changes include: (1) increasing the size of the advertising signs from 28" x 54" to 48" (height) x 60" (width); (2) increasing the number of advertising signs from one to two signs per tower; and (3) relocating the advertising sign from the rear of the lifeguard cabin to the sides of the tower, along the ramp railings. These modifications are proposed for 111 of the 130 lifeguard towers originally approved under CDP 5-02-009 ([Exhibit 1](#)). The applicant also proposes to retain the public safety signage, in its current size and location, on the rear of the cabins.

Los Angeles County Department of Beaches and Harbors (LACDBH) obtained the underlying CDP 5-02-009 from the Commission in 2002 which authorized the replacement of 130 mobile lifeguard towers located between Will Rogers State Beach and Cabrillo Beach, spanning multiple cities and planning jurisdictions within Los Angeles County. As part of that original approval, both public safety and advertising signage were permitted on the rear cabins of the towers.

On July 7, 2023, ownership of the lifeguard towers was officially transferred from LACDBH to the current applicant, and the responsibility for carrying out the requirements of the CDP have also transferred. In 2024, following the transfer, the applicant implemented the proposed changes to the advertising program and now seeks to formally incorporate those modifications through this CDP amendment.

As the lifeguard towers are currently located on and use public lands, the key Coastal Act issues include the potential impacts to public access, visual resources, water quality and biological resources. To minimize these impacts, staff recommends modifications to the underlying permit by adding four new special conditions.

Special Conditions 4 and 6 are intended to minimize adverse impacts to both the marine environment and visual resources. These conditions limit the size, quantity, location, material, and display period of advertising signage, and require that public safety signage remain located on the rear of the lifeguard cabins, be maintained in approximately the same size, and kept in good condition. In addition, to avoid visual clutter along the beaches, **Special Condition 7** requires that any unauthorized signage, including signs other than approved advertising or public safety signage, be removed within sixty (60) days of Commission approval.

To support and enhance public access, **Special Conditions 4 and 5** require that all advertising signage include a visible public benefit statement and that 100 percent of advertising revenue be directed toward funding existing, expanded, or new recreational and educational beach and ocean youth programs. These revenues must also prioritize outreach to underserved communities, provide scholarships for youth participation, and cover transportation costs necessary to bring youth to such programs.

The subject permit amendment is designed and conditioned to avoid adverse impacts to public access and recreation, visual resources, water quality and biological resources, and as conditioned, no significant adverse impacts to coastal resources are anticipated.

Although the lifeguard towers are mobile and may be relocated to different areas of the beach based on changing conditions, this CDP amendment authorizes the proposed development within the Commission's retained permitting jurisdiction. Accordingly, the standard of review for this application is the Chapter 3 policies of the Coastal Act. As conditioned, the proposed development can be found consistent with Chapter 3 policies of the Coastal Act, and staff recommends **APPROVAL** of the proposed coastal development permit amendment application 5-02-009-A1 as conditioned. The motion to carry out the staff recommendation is on page 6 of this report.

PROCEDURAL NOTE

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Code of Regs. Section 13166.

The subject application is being forwarded to the Commission because the Executive Director has determined that the proposed amendment is a material change and affects the conditions required for the purposes of protecting coastal resources or coastal access.

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EXHIBITS

[Exhibit 1 – Advertising Sign / Tower Location Map](#)

[Exhibit 2 – Example Advertising Signs \(Display Size & Location\)](#)

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** the proposed amendment to Coastal Development Permit 5-02-009 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby **approves** the Coastal Development Permit Amendment 5-02-009-A1 for the proposed development and adopts the findings set forth below on the grounds that the development as amended and subject to conditions will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit amendment complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. CHANGES TO SPECIAL CONDITIONS

NOTE: Appendix B, attached, includes all standard and special conditions that apply to this permit, as approved by the Commission in its original action and modified and/or supplemented by this Amendment 5-02-009-A1. All of the Commission's adopted special conditions and any changes in the project description proposed by the applicant and approved by the Commission in this action continue to apply in their most recently approved form unless explicitly changed in this action. New conditions and modifications to existing conditions imposed in this action on Amendment 5-02-009-A1 are shown in the following section. Language to be added is shown in underlined format. Language to be removed is shown in ~~strike through~~.

New Special Condition 4 as follows:

4. Advertising Signs. To minimize adverse impacts to the marine environment, advertising signs placed on the lifeguard towers shall be limited to the following criteria:

- A. A maximum size of 48" (height) x 60" (width) per sign.
- B. A maximum of two signs per tower.
- C. Located on two sides of each tower from Santa Monica State Beach to Cabrillo Beach as indicated in Exhibit 1.

- D. Advertising signs must be removed within 24 hours after an advertising contract term ends for that calendar year.
- E. The use of signs made from conventional fossil-fuel-based plastic (including coroplast) or preservative-treated wood shall be prohibited. Acceptable alternative sign materials include, but are not limited to, 1) naturally decay-resistant wood that is not preservative-treated (e.g., cedar, redwood, teak, or ipe); 2) other 100% natural-fiber materials (e.g., mushroom mycelium boards, hemp composite panels with biodegradable resins, or bamboo); 3) bioplastics (aka "bio-based plastics") produced from 100% plant-based renewable biomass sources; or 4) metal (e.g., stainless steel or aluminum). Inks used to print the signs shall be non-toxic and biodegradable, and if technically feasible shall be water-based and use pigments derived from natural sources (e.g., soy-based or algae-based pigments). The signs shall be made without synthetic petroleum-based adhesives, glues, and coatings.
- F. Reusable frames or mounting systems may be used to enclose advertising signs for weather resistance, if the frames are retrieved and reused after each advertising cycle, and do not impact public views to the coast.
- G. All advertising signs shall include a clearly visible public benefit statement indicating that all advertising revenue supports public youth beach and ocean access programs. The text shall be in a legible font and maintain sufficient contrast with the background to ensure visibility. The statement shall be no smaller than 1-inch in height. Within 30 days of Commission approval of this CDP amendment, unless the Executive Director grants an extension for good cause, the permittee shall submit an example public benefit statement for review and approval by the Executive Director.

The permittee shall conduct routine inspections during the advertising display period and promptly retrieve and remove any displaced or fragmented signage materials from the beach or coastal waters.

New Special Condition 5 as follows:

5. Advertising Revenue. All revenue from the lifeguard tower advertising program shall fund existing, expanded, and/or new recreational and educational beach and ocean youth programs or other public opportunities, such as the Junior Lifeguard Program. The advertising revenue shall prioritize funds for underserved youth transportation costs and scholarships as well as youth outreach in underserved communities to encourage participation in such programs.

- A. The advertising revenue shall be used to:
 - a. conduct targeted outreach activities to underserved communities in the greater Los Angeles area.
 - b. fund scholarships to cover the costs associated with the program(s), such as program fees, uniforms, and other related expenses.

- Scholarships shall be prioritized for youth from underserved communities. Scholarship awards shall be based on demonstrated financial need and include tiered levels of support. The scholarship structure shall include an option to cover 100 percent of the program fees for the participants with the greatest financial need.
- c. facilitate access to the coast including methods of securing adequate transportation for all youth participants with additional funds to support underserved youth to fully facilitate transportation from home to the program site.
- B. The permittee shall submit an annual report related to expenditure of the revenue collected from the advertising program no later than January 15th, for the preceding calendar year, for review by the Executive Director. At a minimum, the report shall include the following components:
- a. A breakdown of the gross revenue collected, spent, and any remaining balance.
 - b. A comprehensive breakdown of how all funds were spent, including:
 - i. Any administrative costs and a comprehensive explanation of what those costs were and why they were/are necessary.
 - ii. A summary, including funds disbursed, of all advertising-fund-supported recreational and educational beach and ocean programs or opportunities developed and/or operated for youth, including the dates and times each program was offered.
 - iii. The total number of participants in each youth program, including:
 1. A breakdown of participants from underserved communities.
 2. Identification of each underserved community represented among the participants.
 3. The total dollar amount of scholarships awarded, the number of recipients and the amount each received, and a breakdown indicating how many scholarships and in what amount were awarded to underserved youth.
 - c. A comprehensive list of all advertising-fund-supported outreach events conducted, including the dates and locations of each event.
 - d. A description of the advertising-fund-supported transportation methods and facilities used to facilitate access to the coast, along with data on the number of underserved participants who utilized these transportation services.

New Special Condition 6 as follows:

6. Public Safety Signs. Proposed public safety signage shall be maintained on each tower, on the back of the cabins. Such public safety signs shall provide information, such as, water and air temperature, wave conditions, and other public information. Such public safety signs shall be approximately 60" x 60" in size and shall not extend beyond the back wall of the cabin.

New Special Condition 7 as follows:

7. Unapproved Signs. No signs other than advertising signs and public safety signs shall be placed on the lifeguard towers. All unapproved signs shall be removed within sixty (60) days from the date of Commission approval.

III. FINDINGS AND DECLARATIONS

A. Project Description, Location, and Background

The applicant is requesting an amendment to Coastal Development Permit 5-02-009 to modify certain aspects of the existing permit related to advertising signage on mobile lifeguard towers between Santa Monica State Beach and Cabrillo Beach. Specifically, the changes include: (1) increasing the size of the advertising signs from 28" x 54" to 48" (height) x 60" (width); (2) increasing the number of advertising signs from one to two signs per tower; and (3) relocating the advertising sign from the rear of the lifeguard cabin to the sides of the towers, along the ramp railings as seen in [Exhibit 2](#). These modifications are proposed for 111 of the 130 mobile lifeguard towers ([Exhibit 1](#)) originally approved under CDP 5-02-009. The applicant also proposes to retain the public safety signage, in its current size and location, on the rear of the cabins.

The underlying CDP 5-02-009, originally approved in 2002, authorized the replacement of 130 mobile lifeguard towers located between Will Rogers State Beach and Cabrillo Beach, spanning multiple cities and planning jurisdictions within Los Angeles County. As part of that original approval, both public safety and advertising signage were permitted on the rear cabins of the towers.

The County's sponsorship program, which introduced advertising signage on lifeguard towers, began in 1985. During the time the towers were owned and operated by the Los Angeles County Department of Beaches and Harbors (LACDBH), revenue generated from advertising was used to support the County's inner-city youth aquatic education initiative, known as the W.A.T.E.R. program.

In 2022, Commission staff was notified of a non-compliant advertising sign on one lifeguard tower. Upon notification, LACDBH resolved the issue promptly. On July 7, 2023, ownership of the lifeguard towers was officially transferred from LACDBH to the current applicant. In 2024, following the transfer, the applicant implemented the proposed changes to the advertising program and now seeks to formally incorporate those modifications through this CDP amendment.

Thus, the applicant applied to the Commission to amend their original CDP 5-02-009. Although the lifeguard towers are mobile and may be relocated to different areas of the beach based on changing conditions, this CDP amendment authorizes the proposed development within the Commission's retained permitting jurisdiction. Accordingly, the standard of review for this application is the Chapter 3 policies of the Coastal Act.

B. Public Access & Recreation

Coastal Act Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30211 states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act Section 30212 states, in part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby...

Coastal Act Section 30214(a) states:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural

resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Coastal Act Section 30231 states, in part:

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

The applicant proposes to increase the quantity, size, and location of the advertising signs from one to two signs and from 28" x 54" to 48" (height) x 60" (width), which is a substantial increase of approximately 281 percent ([Exhibit 2](#)). The request is based on difficulty attracting advertisers willing to pay for the smaller sign format. Since the location of the advertising signs will be more visible to beach goers on the side of the towers - and with nearly 111 towers spread across several beaches - the increased presence of advertising signs can contribute to both the perceived and functional commercialization or privatization of public coastal spaces. This may discourage equitable public access, particularly if the signage is associated with specific topics or brands. Notably, the applicant already limits the types of advertising displayed including content such as those that feature alcohol, tobacco, gambling, politics, and religion.

Environmental Justice

Throughout our State's history, low-income communities, communities of color, and other marginalized populations, referred to as underserved communities in this staff report, have faced disproportionate burdens in accessing the California coastline due to geographic, economic, social, and cultural barriers. Ensuring maximum and equitable public access to the California coastline (as required by Coastal Act Sections 30210 and 30213) is consistent with environmental justice principles reflected in the Coastal Act. Section 30604(h) states: "when acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the

equitable distribution of environmental benefits throughout the state.”¹ The Commission adopted an environmental justice policy in March 2019, committing to consider environmental justice principles, consistent with Coastal Act policies, in the agency’s decision-making process and ensuring coastal protection benefits are accessible to everyone. In approving the policy, the Commission recognized that equitable coastal access is encompassed in, and protected by, the public access policies of Chapter 3 of the Coastal Act:

The Coastal Act’s mandates to provide maximum access and recreational opportunities for all, and to protect, encourage, and provide lower-cost visitor and recreational opportunities embody fundamental principles of environmental justice. The Commission reaffirms its long-standing commitment to identifying and eliminating barriers, including those that unlawfully privatize public spaces, in order to provide for those who may be otherwise deterred from going to the beach or coastal zone. The coast belongs to everyone, and access cannot be denied or diminished on the basis of race, ethnicity, income socio-economic status, or place of residence or other factors listed in the Policy Statement.

Understanding that even nominal costs can be barriers to access preserving and providing for lower-cost recreational facilities is also an environmental justice imperative. This includes recreational opportunities such as parks, trails, surf spots, beach barbecue and fire pits, safe swimming beaches, fishing piers, campgrounds, and associated free or low-cost parking areas.

In part, as embodied in the Commission’s adopted environmental justice policy, the term “environmental justice” is currently understood to mean equitable distribution of environmental benefits, including, in this case, equitable opportunities for coastal access and recreation. In California, equitable coastal access and recreation opportunities for all populations has not been realized due to historic and social factors, such as discriminatory land use and economic policies and practices.² Spatial analysis of 2010 Census data across demographics groups and proximity to public shoreline access points in California shows that a majority of Californians (79.7%) live within 62 miles of the coast, but populations closest to the coast are disproportionately white, affluent, and older than those who live farther inland.³ These disparities in proximity to coastal access across income and racial/ethnic groups also held true when the same analysis was conducted for Los Angeles County, which revealed even greater among

¹ Government Code Section 65040.12(e) defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”

² Robert Garcia & Erica Flores Baltodano, Free the Beach! Public Access, Equal Justice, and the California Coast, 2 Stanford Journal of Civil Rights and Civil Liberties. 143 (2005)

³ Reineman, et al., Coastal Access Equity and the Implementation of the California Coastal Act, Stanford Environmental Law Review Journal, v. 36. Pages 96-98 (2016)

Hispanic and Latino residents compared to other racial/ethnic groups. Loss of free or low-cost recreation opportunities also disproportionately impact low-income communities. Thus, throughout this staff report, staff use the term “underserved communities” to reference the low-income and communities of color that face environmental justice impacts of inequitable coastal access and disproportionate burdens of loss of low-cost recreation options.

Like LACDBH, the current owner and applicant, the Consolidated Fire Protection District of Los Angeles County, uses the advertising revenue to fund youth and outreach programs. Currently, the applicant uses 100 percent of the advertising revenue to provide the following youth programs: The Junior Lifeguard Program, Cadet Program, A.W.A.R.E. (Access to Water Activities and Readiness Education), and the Junior Lifeguard Prep Program.

The Junior Lifeguard Prep Program serves youth ages 8 to 16 throughout Los Angeles County by providing free, three-week training sessions at local pools, led by professional Los Angeles County Ocean Lifeguards. In 2024, the Lifeguard Recruitment Unit participated in 221 community events across Los Angeles County to promote program awareness and engagement. Additionally, 218 families received a combined total of \$90,000 in scholarships to support participation in the Junior Lifeguard Program. The current tuition fee for the Junior Lifeguard Program is \$635.00 per participant. All scholarships are partial with either 15 percent, 60 percent or 90 percent based on need. To facilitate access for this year’s Junior Lifeguard Program, the applicant coordinated multiple transportation pick-up locations across Los Angeles County, including in the cities of Los Angeles, Valley Glen, Woodland Hills, West Hills, Agoura Hills, South Gate, and Commerce.

However, factors such as program fees, transportation costs, and limited outreach continue to present challenges for these populations and may create barriers to participation. The Coastal Act requires the protection of public access to the coast and encourages the provision of lower-cost recreational opportunities for all members of the public and through the adoption of the Commission’s Environmental Justice Policy, with particular attention to underserved communities. To further these objectives, the conditions included in this permit amendment ensure that revenue generated from lifeguard tower advertising directly supports programs that increase coastal access for youth who may otherwise face barriers to participation.

Special Condition 5 requires that 100 percent of the revenue from lifeguard tower advertising be used to fund existing, expanded, or new youth-oriented recreational and educational programs such as the Junior Lifeguard Program. This ensures that the presence of commercial advertising signage results in a direct public benefit. The condition further prioritizes the use of funds to support underserved youth by prioritizing expenditures for transportation, scholarships, and targeted outreach. These funding priorities are critical to addressing common barriers to coastal access, including the cost

of participation, lack of transportation options, and limited awareness of available programs.

To support the ongoing implementation and evaluation of these programs, **Special Condition 5** also requires the permittee to submit an annual report. This report must include details on the types of programs offered, dates and times of operation, participant demographics (including the identification of underserved communities served), outreach activities, transportation efforts, scholarship distribution, and a complete financial accounting of how advertising revenues were used. Submission of this report each year will help ensure that the advertising program continues to generate the public benefits discussed above, thereby aligning the use of advertising with the Coastal Act's objectives of providing equitable access and low-cost recreational opportunities along the coast.

Taken together, these conditions ensure that any potential commercial impacts associated with lifeguard tower advertising are offset by substantial and measurable benefits that promote inclusive and equitable access to the coast. Therefore, as conditioned, the proposed amendment can be found consistent with the public access and recreation policies of the Coastal Act.

C. Visual Resources

Section 30251 of the Coastal Act states:

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 landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The Los Angeles County coastline is a visual resource of great variety. Available views include wide flat sandy beaches, rocky beaches, coastal bluffs, the Santa Monica Mountains, and the ocean and its horizon. Along some of the beaches, such as parts of Dockweiler State Beach, views from the first public road are unobstructed. In other areas, such as Santa Monica, Venice, Redondo Beach, Torrance, views from the first public road are intermittent or obstructed by intense development. Views are also available from public vistas, such as bluff tops, recreational areas, such as parks and beach and pedestrian paths, and from the sandy beach.

Under Coastal Act Section 30251, new development should be visually compatible with its setting and should be sited to protect coastal views. The placement of additional signs larger in size on the towers could individually and cumulatively contribute to the

visual clutter of the beach, thereby degrading the scenic quality of the beach and adversely impacting coastal views.

The applicant proposes to increase the number of advertising signs from one to two per tower and expand their dimensions from 28" x 54" to 48" (height) x 60" (width), representing a substantial increase of approximately 281 percent. However, because the towers are dispersed along the coastline, wide, unobstructed stretches of beach will continue to be maintained. The proposed advertising signs would be placed on the tower ramp railings as seen in [Exhibit 2](#) and are anticipated to result in minimal impacts to public views. Additionally, the applicant proposes to retain the public safety signage on the rear of the lifeguard cabins. This signage will not extend beyond the outline of the cabins and as designed, will not obstruct coastal views. The applicant is also in the process of purchasing new public safety signage for all the lifeguard towers. After installation, the County's Internal Services Division will replace any graffiti- and sun-damaged signs as damage occurs. To further protect coastal views, the public safety signage must remain on the rear of the cabins and be approximately the same size (60" x 60"), in accordance with **Special Condition 6**, which also requires the signage to be maintained.

Although minimal public view impacts are anticipated, the presence of large and numerous commercial signs could diminish the natural scenic quality of the beaches, detract the aesthetic enjoyment of the coast, and reduce the sense of public ownership and natural retreat. Therefore, **Special Condition 7** requires the removal of any unapproved signs to reduce visual clutter along the beaches. Additionally, **Special Condition 4** limits the duration of advertising displays to the length of each advertising contract and requires that all advertising signs be removed within 24 hours after the contract ends. **Special Condition 4** also regulates the quantity, location, and size of the advertising signs. Any significant changes to these parameters could interfere with coastal views and may be inconsistent with the beach area's natural character. Therefore, any changes to the quantity, location, or size of the advertising signs will require a CDP application to determine if an amendment or a new CDP is necessary, pursuant to **Special Condition 3**.

Therefore, as conditioned, the proposed amendment can be found consistent with the visual resource protection policies of the Coastal Act.

D. Biological Resources and Water Quality

Coastal Act Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of

marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231 states in part:

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...

Coastal Act Section 30240 states:

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Sections 30230 and 30231 of the Coastal Act require protection of marine resources for both terrestrial and marine development. Section 30240(b) requires that development in areas adjacent to environmentally sensitive habitat areas, parks, and recreation areas to be sited and designed to prevent adverse impacts thereon. The proposed development on the beach renders it especially important for the applicants to incorporate measures to minimize the production of polluted runoff and plastic debris, as these could be otherwise be directly introduced to open coastal waters and public recreation areas.

Marine debris can be found on the deep ocean floor. A study of microplastics in Monterey Bay⁴ found particles widespread throughout the water column depth range, with the highest concentration between 200 and 600 meters deep. Additionally, trash in our waterways increases the amount of pathogens and harmful chemicals in coastal waters, impacting water quality.

The proposed increase in the quantity and size of advertising signage on the beach raises environmental concerns due to prolonged exposure from the sun, wind, and potential storm conditions. If signage materials are made from slow-to-degrade plastics or toxic synthetic materials, such signs may adversely impact water quality and the marine environment. To address these concerns, **Special Condition 4.E.** prohibits the use of signs made from conventional fossil-fuel-based plastic or preservative-treated wood, and requires all signage be printed with non-toxic inks. This condition ensures

⁴ Choy, C. Anela, Bruce H. Robison, Tyler O. Gagne, Benjamin Erwin, Evan Firl, Rolf U. Halden, J. Andrew Hamilton, Kakani Katija, Susan E. Lisin, Charles Rolsky & Kyle S. Van Houtan, 2019. The vertical distribution and biological transport of marine microplastics across the epipelagic and mesopelagic water column. In: Nature, Scientific Reports 9, Article number: 784

that, in the event signage is displaced onto the beach or into the ocean, these materials will minimize harm to water quality and marine ecosystems. Additionally, all advertising signs must be fully removed at the end of the advertising display period to prevent degradation and dispersal of signage material into the environment. In addition, pursuant to **Special Condition 4**, the permittee shall be responsible for conducting routine inspections during the display period and for promptly retrieving and removing any displaced or fragmented signage materials observed on the beach or in the adjacent coastal waters. This debris removal requirement applies throughout the duration of the advertising display period and extends through the removal phase to ensure that no signage debris remains in the environment.

As such, the proposed development, as conditioned, is not anticipated to have any impacts inconsistent with 30230, 30231 or 30240. As conditioned, the Commission finds that the proposed project will ensure that all environmental impacts are minimized. Therefore, the proposed project can be found consistent with the biological resource protection policies of the Coastal Act.

E. Local Coastal Program (LCP)

Section 30604(a) of the Coastal Act states, in relevant part:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the subject development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

The beach areas proposed for development by this permit amendment include the cities of Santa Monica, Hermosa Beach, Los Angeles (San Pedro, Playa del Rey, and Venice) as well as the City of Torrance, which do not have certified Local Coastal Programs.

As conditioned, the proposed development will not adversely impact coastal resources or public access. The Commission, therefore, finds that the proposed development, as conditioned, will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the Cities' ability to prepare Local Coastal Programs that are consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

F. California Environmental Quality Act (CEQA)

Section 13096 of Title 14 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. The Commission's regulatory program for reviewing and granting CDPs has been certified

by the Resources Secretary to be the functional equivalent of CEQA. (14 CCR § 15251(c).)

The Consolidated Fire Protection District of Los Angeles County is the lead agency for the purposes of CEQA review. On March 18, 2025, the County found the project to be exempt from CEQA pursuant to CEQA Guidelines, Section 15301 (Class 1).

The Commission incorporates these findings as if set forth here in full. The proposed project, as revised by this permit amendment, has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and complies with the applicable requirements of the Coastal Act to conform to CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Coastal Development Permit 5-02-009 and associated file documents.

APPENDIX B – ALL STANDARD AND SPECIAL CONDITIONS THAT APPLY TO THIS CDP AS AMENDED

NOTE: This Appendix B provides a list of all standard and special conditions imposed pursuant to Coastal Development Permit 5-02-009, as approved by the Commission in its original action and modified and/or supplemented by all subsequent CDP amendments through Amendment No. 5-02-009-A1. All special conditions have been assigned numbers sequentially based on the permit amendments they were imposed under. Thus, this Appendix B provides an aggregate list of all currently applicable adopted special conditions.

STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

1. Timing of Construction Activities

The permittee shall comply with the following construction-related timing requirements:

During the summer period (from Memorial Day Weekend to September 15) the assembly of the towers and use of the sites at Will Rogers State Beach and Santa Monica State Beach shall be reduced in area to no greater than 60 feet by 60 feet (3,600 square feet) and no more than 20 parking spaces shall be used for the assembly site at Will Rogers. All construction material and debris, including fencing, shall be removed from the previously occupied portion of the site prior to the summer period.

2. Construction Responsibilities and Debris Removal

The permittee shall comply with the following construction-related requirements:

A) Any and all debris resulting from construction activities shall be removed from the site within 10 days of completion of construction;

B) PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT, the applicant shall identify in writing, for the review and approval of the Executive Director, the location of the disposal site of the demolition and construction debris resulting from the proposed project. Disposal shall occur at the approved disposal site. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

3. Agreement For Any Future Changes

With the acceptance of this permit the applicant agrees that any change in construction scheduling, location or size of the assembly sites, modifications to the towers, or change in the size or location of the signage on the towers, from the submitted information, will require Executive Director review to determine if an amendment to the permit or a new permit will be required.

4. **Advertising Signs.** To minimize adverse impacts to the marine environment, advertising signs placed on the lifeguard towers shall be limited to the following criteria:
- A. A maximum size of 48" (height) x 60" (width) per sign.
 - B. A maximum of two signs per tower.
 - C. Located on two sides of each tower from Santa Monica State Beach to Cabrillo Beach as indicated in Exhibit 1.
 - D. Advertising signs must be removed within 24 hours after an advertising contract term ends for that calendar year.
 - E. The use of signs made from conventional fossil-fuel-based plastic (including coroplast) or preservative-treated wood shall be prohibited. Acceptable alternative sign materials include, but are not limited to, 1) naturally decay-resistant wood that is not preservative-treated (e.g., cedar, redwood, teak, or ipe); 2) other 100% natural-fiber materials (e.g., mushroom mycelium boards, hemp composite panels with biodegradable resins, or bamboo); 3) bioplastics (aka "bio-based plastics") produced from 100% plant-based renewable biomass sources; or 4) metal (e.g., stainless steel or aluminum). Inks used to print the signs shall be non-toxic and biodegradable, and if technically feasible shall be water-based and use pigments derived from natural sources (e.g., soy-based or algae-based pigments). The signs shall be made without synthetic petroleum-based adhesives, glues, and coatings.
 - F. Reusable frames or mounting systems may be used to enclose advertising signs for weather resistance, if the frames are retrieved and reused after each advertising cycle, and do not impact public views to the coast.
 - G. All advertising signs shall include a clearly visible public benefit statement indicating that all advertising revenue supports public youth beach and ocean access programs. The text shall be in a legible font and maintain sufficient contrast with the background to ensure visibility. The statement shall be no smaller than 1-inch in height. Within 30 days of Commission approval of this CDP amendment, unless the Executive Director grants an extension for good cause, the permittee shall submit an example public benefit statement for review and approval by the Executive Director.

The permittee shall conduct routine inspections during the advertising display period and promptly retrieve and remove any displaced or fragmented signage materials from the beach or coastal waters.

5. **Advertising Revenue.** All revenue from the lifeguard tower advertising program shall fund existing, expanded, and/or new recreational and educational beach and ocean youth programs or other public opportunities, such as the Junior Lifeguard Program. The advertising revenue shall prioritize funds for underserved youth transportation costs and scholarships as well as youth outreach in underserved communities to encourage participation in such programs.

- A. The advertising revenue shall be used to:
 - a. conduct targeted outreach activities to underserved communities in the greater Los Angeles area.
 - b. fund scholarships to cover the costs associated with the program(s), such as program fees, uniforms, and other related expenses. Scholarships shall be prioritized for youth from underserved communities. Scholarship awards shall be based on demonstrated financial need and include tiered levels of support. The scholarship structure shall include an option to cover 100 percent of the program fees for the participants with the greatest financial need.
 - c. facilitate access to the coast including methods of securing adequate transportation for all youth participants with additional funds to support underserved youth to fully facilitate transportation from home to the program site.
- B. The permittee shall submit an annual report related to expenditure of the revenue collected from the advertising program no later than January 15th, for the preceding calendar year, for review by the Executive Director. At a minimum, the report shall include the following components:
 - a. A breakdown of the gross revenue collected, spent, and any remaining balance.
 - b. A comprehensive breakdown of how all funds were spent, including:
 - i. Any administrative costs and a comprehensive explanation of what those costs were and why they were/are necessary.
 - ii. A summary, including funds disbursed, of all advertising-fund-supported recreational and educational beach and ocean programs or opportunities developed and/or operated for youth, including the dates and times each program was offered.
 - iii. The total number of participants in each youth program, including:
 - 1. A breakdown of participants from underserved communities.
 - 2. Identification of each underserved community represented among the participants.
 - 3. The total dollar amount of scholarships awarded, the number of recipients and the amount each received, and a breakdown indicating how many scholarships and in what amount were awarded to underserved youth.
 - c. A comprehensive list of all advertising-fund-supported outreach events conducted, including the dates and locations of each event.
 - d. A description of the advertising-fund-supported transportation methods and facilities used to facilitate access to the coast, along

with data on the number of underserved participants who utilized these transportation services.

6. **Public Safety Signs.** Proposed public safety signage shall be maintained on each tower, on the back of the cabins. Such public safety signs shall provide information, such as, water and air temperature, wave conditions, and other public information. Such public safety signs shall be approximately 60" x 60" in size and shall not extend beyond the back wall of the cabin.
7. **Unapproved Signs.** No signs other than advertising signs and public safety signs shall be placed on the lifeguard towers. All unapproved signs shall be removed within sixty (60) days from the date of Commission approval.