

Todd Glen

February 8, 2010

Dana Point City Council:

Re: Notice of Preparation ["NOP"]
Draft Environmental Impact Report ["EIR"] and Public Scoping Meeting
South Shores Church Proposed Development Plan (the "Project")
[SCH#2009041129]

Good evening. I'm Todd Glen, a resident of Dana Point and a member of the Voices of Monarch Beach.

As a citizen of Dana point I am putting the city council on notice that The Notice of Preparation (NOP) to Develop a Draft EIR for the South Shores Baptist Church is ridiculous, inappropriate and possibility illegal at this time. The recent information sent out under Kyle Butterwick's name is only a restatement of the tainted MND, which was an embarrassment both to the city and the Church.

This is not a new effort to create an unbiased California Environmental Quality Act (CEQA) document but a continuation of the faulty and tainted MND. This makes this ridiculous since nothing honest or new has been added and only the name of the document has changed.

The tainted MND may have been an attempt by the City and the Church to develop a special agreement or relationship. The MND was brought to light by VOMB and its research staff as the incorrect process or instrument for the scale of this project. It was a blatant effort to by-pass CEQA by not using an independent consultant and to keep the citizens of Dana Point in the dark about the magnitude, timeline, and safety issues of the project.

According to Saima Qureshy, your senior planner, in an email dated Feb 4th, 2010 "no contract has been signed with LSA but might be sign within the next two weeks". With the posting dated Jan. 28, 2010 - how is it possible for the City of Dana Point to publicly post a scoping session without an independent consultant? This is an absolute violation of CEQA .

This action by the planning commission is a reckless and ramrod approach and by passes the core intent of CEQA. There is no signed contract with an independent consulting firm at this time. Posting this date for a scoping session without a signed contract with LSA is out of order.

In addition, I demand that the city respond and investigate the Carol McDermott email dated Nov. 20, 2009, in which was embedded a statement that church parking tickets will be “taken care of” by the City Manager. What is this special relationship between the City and church that would legally allow this type of action? This seems to bring to the table what is the city’s intent, to support backroom special deals or the well being of the citizens of Dana Point?

Why has the city of Dana Point posted a Notice of Preparation of a Draft EIR on their web site and below a Notice of Intent using the Cheryl Hodge’s tainted MND? Has the city accepted this MND as adequate and accurate? If so when did this acceptance occur and why? Is the city referencing this inadequate document as the reason for an EIR? The CEQA code 15063 (c) (3) (D) they have referenced requires adequate and accurate information. There is no logic or clarity thought in the city’s reasoning.