



March 6, 2006

Dear Members of the Town Council and Board of Supervisors;

We understand that Stanford University has submitted an application to the Town of Portola Valley and to San Mateo County to widen the existing sidewalk along Alpine Road (the incorrectly labeled "C1 Trail"). We recommend that the Town and County both reject the application. Expanding the sidewalk will have significant environmental impacts to the riparian environment along San Francisquito and Los Trancos Creeks, while doing nothing to increase the recreational value of the sidewalk. Residents of the Town and County are much better off if this proposal does not go forward. Under that circumstance, the money will then be spent on providing recreational opportunities in Santa Clara County expected to be close enough to the County border to attract significant numbers of San Mateo and Portola Valley residents.

The Alpine Road sidewalk expansion fails to serve the public interest, even at the most basic conceptual level. In addition to that central problem, some crucial details will likely make Stanford's proposal even worse. First, Portola Valley and San Mateo County should not take any financial liability for a project that is solely the responsibility of Stanford University. The Town and County should require Stanford to sign an unlimited indemnity provision, including for stream engineering and all liability related to future upkeep of the trail, rather than transfer Stanford's responsibility to the taxpayer. Because Stanford has only proposed to spend a limited amount of money, it is unlikely to fix this problem.

Second, while Stanford will likely claim that it will pay for agency staff time spent on that proposal, this cost recovery will presumably not occur until some process has been agreed upon between the two governments and Stanford. The Town and County should not take a single step forward with this proposal until Stanford clarifies that it will pay for all of the initial staff time taken up to decide whether the project should be considered or rejected outright. Given the complication of achieving true cost recovery, however, a better approach is to simply not spend any staff time, and reject the proposal out of hand.

Third, based on Stanford's experience bullying Santa Clara County into ceding control to Stanford over the range of alternatives considered in environmental analyses, we anticipate the same problem will arise for the Town and County. We doubt that Stanford will acknowledge that it has no control or veto power over the environmental documentation needed for the examination of Stanford's proposal. In particular, Stanford will not acknowledge that it cannot veto the location of alternatives to be considered by those two jurisdictions, a power Stanford has asserted in the past in Santa Clara County. Without this acknowledgment, Portola Valley and San Mateo County should simply refuse to take further action. Please note that Stanford's interpretation of any commitments has been highly legalistic and cramped in Santa Clara County, so there should be careful analysis of exactly what Stanford acknowledges.

Fourth, in the 2000 General Use Permit, Stanford committed to maintain the C1 trail, but no maintenance was mentioned in the agreement it signed with Santa Clara County in December last year. Stanford's failure to include long-term maintenance (presumably foisting the cost on to the taxpayers instead) would be yet another reason to reject its proposal.

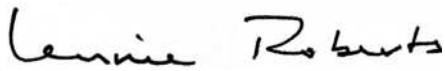
Fifth, Portola Valley and San Mateo County should be aware that Stanford likely views its offer as subject to change or withdrawal without notice. Stanford exhibited this behavior with regards to the S1 Trail on the other side of Stanford's land. To avoid a S1 Trail alignment it disliked, Stanford proposed a different S1 alignment called the S1-C (Ramos Ranch) alignment. Santa Clara County went along with Stanford, refused to consider superior alignments, and after two year of contentious environmental review, the County planned to accept Stanford's S1-C proposal. At that point, Stanford placed a new condition on its offer that it had not required previously, essentially making the S1-

C alignment available only if Santa Clara County agreed to do what Stanford told it to do on the C1 Trail. We would not be surprised to see similar behavior by Stanford regarding the Alpine Road sidewalk.

To be clear, the problems listed above only make a bad proposal worse. Even in the unlikely event that all five issues were resolved, the best outcome would still be to reject the proposal so the money will be spent on something that actually mitigates Stanford's impacts on land uses. We request that San Mateo County and Portola Valley reject this proposal, and we further request to be kept informed of all developments.

Please contact us if you have any questions.

Sincerely,



Lennie Roberts
Legislative Advocate, San Mateo County



Brian A. Schmidt
Legislative Advocate, Santa Clara County