



Committee for Green Foothills NEWS RELEASE

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Disappointing initial outcome in case against Stanford over environmental violations

JUDICIAL RULING OVER COMMITTEE FOR GREEN FOOTHILLS LAWSUIT CONCERNED TIMING ISSUES, APPEAL UNDER CONSIDERATION

PALO ALTO, CA -- Environmental advocacy group Committee for Green Foothills expressed its disappointment today over a lower court ruling dismissing its suit against Stanford University and Santa Clara County on procedural grounds, a ruling that ignored the substantive environmental violation by the University and County in eliminating a promised trail from Santa Clara County. The Committee is considering appealing.

“Stanford promised to build two trails to make up for the impacts from a massive expansion in campus development,” said Brian Schmidt, the Santa Clara County Legislative Advocate for the Committee. “They pressured Santa Clara County to drop one trail requirement in return for an expanded existing sidewalk along Alpine Road that provides no recreational value, is enormously expensive, and would cause environmental damage to hillsides and a local creek.”

The deadline for suing over governmental decisions following environmental review is 30 days, but if no review is done then the deadline is 180 days. The Committee filed within the 180-day deadline, but the lower court held that the 30-day deadline applied, reasoning that references to environmental reviews in 1995 and 2000 were adequate. Judge Leslie Nichols made his ruling on October 12th.

“The earlier environmental reviews never even contemplated getting rid of the trail in Santa Clara County and moving it to San Mateo County,” said Schmidt. “We think the judge made a mistake here that hurts people in Santa Clara County, San Mateo County, and Stanford residents themselves.”

Background: Stanford required to provide two trails

The Santa Clara County 1995 Trails Master Plan identified two trails crossing on the northern and southern sides of Stanford lands, identified as the “S1” and the “C1” trail. As a condition of Stanford University’s 2000 General Use Plan that allowed the University to build an additional 5 million square feet of housing and academic facilities, Stanford was required to come back to the County with a plan to move forward with ‘building, dedicating and maintaining’ these two trails on University lands by the end of 2001. “During this 5 year period, Committee for Green Foothills and other community members proposed several alternative alignments and several compromise alignments, all of which were rejected outright by Stanford,” said Jeff Segall, board member for Committee for Green Foothills.

In 2003, the County decided to split the planning of the two trails and move forward with planning for the less-controversial "S1 Trail" first, and initiated an extensive review process to determine the S1 Trail alignment.

Stanford offered an alternative alignment for the S1 Trail that moved it away from Page Mill Road, but when the County indicated in the fall of 2005 that it would accept that offer, Stanford added another condition. It offered to make the "S1 Trail" available immediately, but only if the County immediately decided to exclude the second trail, the "C1 Trail" from Santa Clara County. Stanford proposed that instead of going forward with the C1 Trail within its lands, it would offer to pay San Mateo County and the Town of Portola Valley to expand an existing sidewalk along Alpine Road. The County Board of Supervisors voted to accept this proposal in December, 2005. The County's approval did not contain any environmental review of the C1 alignment, even though the environmental review for the S1 Trail had been extensive.

"Stanford's offer for the S1 Trail was used to get the County to throw out better alignments proposed by the environmental community. Later, Stanford said its S1 Trail offer was unavailable unless the County immediately excluded the C1 Trail, or unless another long delay ensued to hold up the S1 Trail until the C1 Trail had also been reviewed," said Schmidt. "Even if San Mateo County eventually does review the proposal, that doesn't release Santa Clara County from conducting its own review of its own decisions."

Stanford and Santa Clara County also changed plans without environmental review by agreeing to take money instead of a trail if San Mateo County or Portola Valley rejected plans for an expanded sidewalk. This decision to eliminate a potential Santa Clara County trail in return for money is another approval made by the Santa Clara County Board of Supervisors that was made without environmental review. This agreement also leaves unclear what happens if Stanford money is spent on environmental review in San Mateo County or Portola Valley but no expansion is approved, possibly establishing a situation where neither a trail nor money for the Parks Department would occur.

"There's a striking contrast between the S1 Trail decision with a full scale Environmental Impact Report, and the more-destructive decision on the Alpine Road sidewalk, which was made with no review at all," said Schmidt. "That was our basis of argument that the 180-day period in which to file suit should have applied."

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About the Committee for Green Foothills

Committee for Green Foothills is a regional grassroots organization working to establish and maintain land-use policies that protect the environment throughout San Mateo and Santa Clara Counties. Committee for Green Foothills, established in 1962, is a Bay Area leader in the continuing effort to protect open space and the natural environment of our Peninsula. For more information about the Committee for Green Foothills or about our work on this issue, visit www.GreenFoothills.org.