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Land use plan divides community  
Students, locals fight to keep foothills free of development

By Nadira Hira

Stanford's Sept. 20 release of a Draft Community Plan and General Use Permit Application has resulted in fierce criticism of the University's methods and objectives.

The plan, which proposes some 4 million square feet of development, roused a flurry of action from Bay Area environmental groups, local residents and a number of undergraduate organizations, as well as The San Jose Mercury News and other area newspapers.

With the new plan scheduled to be released on Nov. 15, these groups say they hope to raise enough awareness to influence changes in the new draft and future versions.

ASSU Undergraduate Senate Chair Steve Aronowitz said that the University made efforts to inform the ASSU of its plans, but that the county-mandated forums were held over the summer and generally off-campus, making it difficult for many students to attend.

As a result, the umbrella student group formed around this issue, the Stanford Open Space Alliance, only had its first student meeting Oct. 20. Since then, it has collected more than 2,000 signatures calling for foothill protection, more than 500 of which were undergraduate signatures.

"I think these signatures make it clear that there are great amounts of student support for foothill protection, especially considering that they were gathered with minimal tabling hours," said Caneel Fraser, undergraduate student coordinator of SOSA. "As a student very involved in campus life, I think the fact that I wasn't aware of Stanford's plans until recently is indicative of negligence on Stanford's part in bringing undergraduates into the planning process."

The conflict over Stanford's land use plan stretches far beyond the undergraduate population. Issues such as Stanford's treatment of the environment, its credibility in its dealings with the community and its rights as a private landowner have been the subject of heated debate for months.

Stanford's responsibility

One of the central concerns of the plan's critics is preserving Stanford's foothills, which have been designated by the University as "Academic Reserve," land which may be used as open space now, but which is open to other uses in the future.

Critics contend that Stanford has been irresponsible with the land under this designation, and they fear future misuse.

The new reservoir being built near the Dish is one point of contention.

"The reservoir is being built in response to a state request for Stanford to increase its supply of water for emergency purposes," said Stanford's Director of Government and Community Relations Larry Horton.

"The concept of academic reserve is that the lands are being held for ultimate academic use as necessary. This does not preclude other uses, such as a reservoir, in the interim."

Geological and Earth Sciences Prof. Elizabeth Miller said she took issue with the way Stanford has been

carrying out these uses. "The new reservoir they put in is huge, and there has been quite a bit of landscape and environmental degradation with the construction," she said. "Specifically, I have seen semi trucks drive right up the side of grass-covered hills, putting in some serious new deep tracks where these did not exist before.

"It will be a major project to restore this region to its pre-construction state. Will they do it?" Miller asked. "What does this mean in terms of how Stanford feels about and treats its 'open space'?"

Other critics question Stanford's credibility. Many say Stanford deliberately misled the community by distributing public relations documents that misrepresent the University's plans, choosing not to distribute information that would be useful to the public in making informed decisions and choosing not to publicize this issue with the undergraduate population.

"Stanford is not being direct with respect to the information they're giving to the public," said David Smernoff of NASA Ames Research Center, who sat on the Board of Directors of the Mid-Peninsula Regional Open Space District and is a Stanford alumnus with a doctorate in ecology.

"Many of the maps are illegible and inconsistent. A university like Stanford, one of the leading institutions in the world, ought to be able to put out legible and consistent maps."

Some have pointed specifically to the differences between the actual Draft Community Plan and GUP and the "Explanatory Document For Public Review and Comment" distributed by the University.

The Explanatory Document, according to the University, "presents key details on Stanford's land use plans as presented in the Draft Community Plan and General Use Permit Application . . . as well as some related supplementary information."

According to Horton, several thousand copies of this document were made and circulated widely to the public.

"There are no large discrepancies between the explanatory document, the Draft Community Plan and the draft GUP application," said Horton. "Everything in the explanatory document is consistent with the other documents. The difference is that the explanatory document contains more information - but not inconsistent information - to explain the context of the draft formal documents."

One difference cited by critics is the inclusion of endangered species in the Explanatory Document when they are not mentioned in the actual Draft Community Plan.

The Explanatory Document states, "Stanford will designate special areas for preservation of endangered species and habitat conservation and will work with State and Federal fish and wildlife and environmental protection agencies to accomplish these objectives," but the actual DCP does not specifically provide for this anywhere.

Horton said this could be inferred from the DCP.

"In the Sept. 20 draft, Stanford adopted by reference all the county provisions for resource conservation and for health and safety. We explained in our explanatory document some special Stanford programs for endangered species. There is no inconsistency here," he said.

He added that these matters will be addressed in "much more detail" in the Nov. 15 plan.

In addition to this matter, the map used in the Explanatory Document contains six land designations instead of the four used in the actual plan. Lands listed solely as Academic Reserve and Open Space in the DCP are broken into three distinct categories - Conservation, Teaching and Research, Institutional Support

and Community Plan Open Space - in the Explanatory Document.

Critics, such as Peter Drekmeier, the regional director of SOSA, say that designations like Community Plan Open Space within the Academic Reserve and Open Space category mislead the public into believing that this land is actually designated as permanent open space, which it is not.

Horton said, "The map in the explanatory document is accurate; it covers a different subject than the maps in the community plan. But I do acknowledge that using this accurate map rather than another accurate map was confusing. Remember, different maps show different things."

The map used in the DCP was titled "Stanford Community Plan Future Land Use." The map in the Explanatory Document was titled "Future Land Use."

Finally, many say Stanford has only sought out community input as a public relations device. The San Jose Mercury News ran an editorial on Sept. 21 entitled "'Trust us' - Stanford says development plan ignores the community's overriding message on open space."

The editorial accused the University of ignoring outside input and said this was typical of Stanford's dealings with the public in such matters.

Horton disagreed, saying there was extensive documentation of Stanford's community outreach in terms of polls, explanatory documents distributed to the public and forums held by the county, the timing of which was not decided by the University.

Stanford in the next 10 years

Critics' primary concern at this point, according to Drekmeier, is securing a permanent open space designation for the foothill land Stanford owns.

A permanent open space designation is different from the Academic Reserve label, which leaves future use up to the University.

In defining Academic Reserve, Horton said, "The over 8,000 acres of land that Stanford was given to the University by the Stanfords for the sole purpose of establishing a university and to support that university.

"We have a Board of Trustees that has to take care of that, so it is the duty of Trustees to use Stanford land to support the university. Lands that we use for other purposes right now can always be used for academic purposes later," he continued.

Most everyone agrees that, by this definition, there is no permanent open space on Stanford land.

"The way Stanford has phrased the plan is as a sort of a promise not to develop for the next 10 years. It's questionable whether the county can enforce a promise. There's something to [having a promise], but there are definitely questions," said Tom Jordan, a retired environmental land use attorney, former President of the Committee for Green Foothills and a Palo Alto resident.

"[Stanford should plan] not to develop this land and [it should be] zoned not to be developed. That's what should happen, not a promise."

Drekmeier, Jordan and Denice Dade, the legislative advocate for the Committee for Green Foothills, all stressed that the academic reserve designation leaves the potential for unlimited growth.

"Academic reserve and open space are two different things," said Dade. "Nobody else in the county gets to

. . . designate everything as academic reserve and continue growth indiscriminately."

Horton recognized the large potential for growth inherent in the academic reserve designation, but pointed out that, after hearing the public's request for an academic growth boundary, the planning committee was considering formally establishing such a boundary in the Nov. 15 draft of the plan.

"What happens after the plan is the big debate, and that has to come in the process for the next plan," Horton said.

Many of the plan's critics say they don't want to wait another decade.

"Now is the time to bargain," Drekmeier said. "Four million square feet is a lot of development and . . . we're saying let's allow Stanford the infill on campus, but that, as a tradeoff, Stanford should set the foothills as permanent open space. Let's treat Stanford as any other developer - you get something, you give something back."

"We do not agree that as a matter of policy or law that any such trade-off is warranted or necessary," Horton responded.

Horton points out that Stanford has remained in compliance with the California Environmental Quality Act, which requires any project that needs government approval to evaluate environmental impact and either avoid or mitigate it.

Dade, Drekmeier and Jordan said they fear that future development plans will not go far enough to lessen Stanford's environmental impact.

The county's responsibility

Another complaint leveled against Stanford is what critics call the University's special status as measured against developers in the surrounding communities.

Critics say much of Stanford's foothill land should fall under one of Santa Clara County's "hillside" designations, which only allows for developing 10 percent of such land, with the other 90 percent designated as permanent open space.

"Since a hillside designation has never been proposed by the county or submitted to Stanford for review or study, Stanford has never expressed an opinion to it," said Horton.

Dade agreed that the county was responsible for taking the initiative. "At this point, it falls to the county to take action," she said. "The county has a lot of leverage by forcing a bargain and they must look at the larger interest of the community.

"Once Stanford gave the general vision, the county needed to take hold of the community plan and make it their own document," Dade continued. "The plan that we have right now says that it's a goal of the county to maintain Stanford's preeminence as a university.

"That's not the role of the county. Santa Clara County's charter should not include language that says it's the role of the county to maintain Stanford's excellence as an institution."

Horton defended Stanford's proposed language for the charter. "Stanford is important to the county and to the nation," he said. "It has long been recognized that Stanford's educational and research programs have produced great benefits to the region and beyond. It is certainly an appropriate objective for the county to support high-quality educational institutions."

Jordan focused instead on what he said were more pressing planning concerns. "Issues of density, safety, conservation of resources and traffic are all relevant to planning, not the quality of program."

#### Ongoing debate

This issue will be discussed further once the new draft of the plan is released on Nov. 15. SOSA plans to hold a rally on Nov. 16 to "celebrate the plan if it's a good one and point out the problems if it's not," Drekmeier said.

In addition, Joe Simidian of the Santa Clara County Board of Supervisors will conduct another Town Hall Meeting on Dec. 9 at the Palo Alto City Council Chambers.

"It's important to remember that no one's opposing Stanford," Dade said in reference to the plan's future. "We're just trying to work together for a good outcome."