



The Community Foundation of the Bay Area

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\$7 Million Dollar Settlement for Farmland in East Bay

*Legal battle in Oakley ends in settlement;
Fund established to protect Bay Area farmland*

San Francisco—Monday, June 27, 2011 – Greenbelt Alliance and The San Francisco Foundation announced today the resolution of a settlement in the Contra Costa Superior Court that upholds the requirement to compensate the surrounding environment when developing on prime farmland.

The settlement calls for a fund to support the permanent protection of farmland similar to the lands that will be lost to development. Today’s announcement signals the end of a five-year legal battle between Greenbelt Alliance and the City of Oakley along with a number of landowners.

At issue in the case were 828 acres of prime farmland of statewide importance in the City of Oakley. The landowners aim to convert the farmland and other acreage in the area of the East Cypress Corridor Specific Plan into over 3,000 housing units. As the houses are constructed over the next several years in Oakley, it is expected that the fund will generate approximately \$7 million.

“The Bay Area is at the center of the local food movement, and eating locally is an integral part of sustainable living and food security. It’s essential to have farms close to urban centers,” says Greenbelt Alliance Executive Director Jeremy Madsen. “We’re excited that this settlement sends a clear message not only in the Bay Area but all over the state that if farmland is lost to development, additional farmland should be preserved.”

The details of the settlement require the City of Oakley to collect funds as final approvals are issued for the development and as houses are built. The City will then send the funds to The San Francisco Foundation, which will issue grants to organizations for the fee title acquisition of eligible farmland, conservation easements, and other related activities. The funds will be prioritized for protecting farmland in Contra Costa County but can also be used to protect lands in portions of Solano, Sacramento, San Joaquin, and Yolo Counties under terms of the settlement.

“In the race to protect our remaining farms, forests, and watersheds, every acre counts,” says Greenbelt Alliance Senior Field Representative Matt Vander Sluis. “The settlement is a reminder that each decision we make about growth in the Bay Area must be done with an eye toward how it affects the environment and our own quality of life.”

Five-year fight

This case began in 2006 when Greenbelt Alliance challenged Oakley's approval of the development. The proposed development is on San Francisco Bay Delta land; the area is five feet below sea level and protected from flooding by levees.

The original lawsuit alleged that Oakley's environmental review had not adequately mitigated the impacts to threatened wildlife habitat, air quality, and farmland. Greenbelt Alliance prevailed in that lawsuit in 2007, and the City was ordered to address air quality problems and loss of farmland. When it issued a supplemental environmental impact report and reapproved the Specific Plan without any measures to compensate for the loss of agricultural land, Greenbelt Alliance pressed on with the suit. In October 2009, Superior Court Judge Barry Baskin ruled against the City of Oakley, denying its request to move forward with the project without any mitigations for the loss of agricultural land. The settlement is the result of dialogue between Greenbelt Alliance, the landowners, the developers, and the City of Oakley since Judge Baskin's ruling.

"This settlement is an important outcome for the City of Oakley, and our entire region. We all benefit from better air quality, a healthy wildlife habitat, and local, sustainable fresh food. Greenbelt Alliance continues to be an effective advocate for our precious open space, and we are pleased to partner with them," says Sandra R. Hernández, M.D., CEO of The San Francisco Foundation. "We look forward to a grant program that will enhance the environment and quality of life in the region."

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For more than 50 years, Greenbelt Alliance has been the San Francisco Bay Area's advocate for open spaces and vibrant places, with offices in San Francisco, San Jose, Walnut Creek, San Rafael, and Santa Rosa. www.greenbelt.org www.growsmartbayarea.org

The San Francisco Foundation is the community foundation serving the Bay Area since 1948, granting more than \$800 million over the past ten years. Through the generosity and vision of our family of donors, both past and present, The San Francisco Foundation awarded grants totaling \$76 million in fiscal year 2010. By focusing on policy, advocacy, community organizing, and systems change, the Foundation addresses community needs in the areas of community health, education, arts and culture, community development, and the environment. In response to the economic downturn, The San Francisco Foundation is focusing funding on safety net partners, job creation and training, and foreclosure response and neighborhood preservation for the next two years. www.sff.org