

COASTAL CONSERVANCY

Staff Recommendation

May 27, 2004

SAN BRUNO MOUNTAIN HABITAT ACQUISITION:

BRISBANE ACRES II

File No. 1-070

Project Manager: Maxene Spellman

RECOMMENDED ACTION: Authorization to disburse up to \$61,500 to the City of Brisbane to acquire two parcels within Brisbane Acres, an unrecorded subdivision located on the upper slopes of San Bruno Mountain in the City of Brisbane.

LOCATION: Brisbane Acres is located on the upper slopes of San Bruno Mountain, below and adjacent to San Bruno Mountain State and County Park, west of Highway 101 and east of Highway 280 in northern San Mateo County (Exhibit 1).

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: Project Location and Site Map

Exhibit 2: Letter from Thomas Reid Associates

Exhibit 3: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed sixty-one thousand five hundred dollars (\$61,500) to the City of Brisbane to acquire two parcels of Brisbane Acres (City of Brisbane Assessor Parcel Numbers 007-570-140 and 007-483-030), an unrecorded subdivision located on the upper slopes of San Bruno Mountain in the City of Brisbane. This authorization is subject to the condition that prior to the disbursement of any Conservancy funds for acquisition, the City of Brisbane shall submit for the review and approval of the Executive Officer of the Conservancy (“Executive Officer”):

1. All relevant acquisition documents, including but not limited to the appraisal, escrow instructions, title reports and documents of title necessary to the purchase of the Brisbane Acres property.
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2. Evidence that the City of Brisbane has paid no more than fair market value for the property acquired, as established in an appraisal approved by the Executive Officer.
3. An offer to dedicate (OTD) or other instrument acceptable to the Executive Officer that permanently dedicates the property (Assessor's Parcel Numbers 007-570-140 and 007-483-030) for open space, wildlife and habitat preservation.
4. A signing plan acknowledging Conservancy funding, to be sited on or near the property in a location that is open to the public."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code Sections 31160-31164.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

PROJECT SUMMARY:

Staff requests authorization to disburse up to \$61,500 to the City of Brisbane toward the acquisition of two one-acre sites adjacent to San Bruno Mountain State and County Park and other City-owned open space lands. Protection of these small sites is high priority because it contains critical habitat for the federally listed as endangered Mission blue and Callippe silverspot butterflies.

San Bruno Mountain, consisting of 3,000 acres of open space in the midst of the urban areas of San Mateo and San Francisco Counties, is home to a variety of rare, endangered, and unique species of plants and animals, many which are found nowhere else. Among the endangered animals are the Mission blue and Callippe silverspot butterflies. The Callippe silverspot butterfly was recently listed as endangered pointing to the critical need for preserving its habitat to reverse the decline in its population. Endangered butterfly habitat, characterized by low grass, ridges, and the butterflies' host plants, is found on approximately 1,200 acres on the mountain.

Some of the most critical butterfly habitat is located within Brisbane Acres, located on the northwest slope of the mountain, adjoining and downhill from San Bruno Mountain State and County Park, and uphill and adjacent to residential development. Out of Brisbane Acre's 51 one-acre contiguous sites that are in a relatively natural state, the City has succeeded in acquiring 21 lots. The two sites proposed for acquisition contain some of the best butterfly habitat on the mountain (see the "Site Description" section below). Acquisition of these two sites will expand the City's ownership to a total of 23 contiguous acres of high quality butterfly habitat. Acquisition will also enable the City take measures to stop the spread of invasive plant species that threaten the viability of the habitat.

Most of the land on San Bruno Mountain, including Brisbane Acres, is included within the San Bruno Mountain Habitat Conservation Plan (HCP). Brisbane Acres is designated as an "Unplanned Parcel" in the HCP, meaning that no specific conservation measures are set forth in the HCP for that area. Nevertheless, the HCP policy for Brisbane Acres calls for 40 percent of the

area to be preserved as conservation habitat. Permits for development, granted in accordance with the HCP, require a portion of each parcel be set aside for habitat preservation. However, development of the existing one-acre lots within Brisbane Acres (generally each lot has a separate owner) would result in fragmentation of the habitat, severely limiting the chances for recovery of the endangered butterflies. Fortunately, inadequate infrastructure and steep slopes have kept most of the 154-acre Brisbane Acres in its natural state. Nevertheless, development pressure is severe because the project area is one of the very few undeveloped residentially-zoned areas remaining on the San Francisco peninsula. Acquisition of these parcels would not meet the HCP requirement, but would augment the amount of valuable habitat protected. This project would therefore protect the integrity of the existing habitat by helping to prevent habitat fragmentation and by enlarging the contiguous Brisbane Acres properties in public ownership that connect to the San Bruno Mountain State and County Park.

The City actively pursues acquisition of significant butterfly habitat in Brisbane Acres and has protected about 19 acres of contiguous habitat. The Conservancy has previously matched acquisition funds to complete the purchase of three parcels in 2001 (see the Project History section below). For this current acquisition the City has already entered into purchase agreements with the owners, contingent on the receipt of funds from the Conservancy.

Site Description: San Bruno Mountain's variety of rare, endangered, and unique species is due to its unique combination of climate, geology, and topography. The mountain is also completely cut off from other large expanses of natural open space. For these reasons it has been cited as one of the most important and threatened habitat sites in the United States, and one of the world's eighteen "biodiversity hot spots." (E.O. Wilson, *The Diversity of Life*, 1992). The Mission blue and Callippe silverspot butterflies are among the several endangered and threatened species living on the mountain, including Brisbane Acres.

Brisbane Acres is a largely undeveloped area of 154 acres on steeply rising slopes within the Brisbane city limits. The property, visible to motorists traveling on US 101, is adjacent to the northeastern boundary of the San Bruno Mountain State and County Park. Brisbane Acres contains nearly two percent of the Mission blue population and over 10 percent of the Callippe silverspot population found on San Bruno Mountain. Because the sites proposed for acquisition contain grassland and the butterflies' host plants (silver bush lupine, golden violet, and varied lupine), and are located in close proximity to the ridgeline, they represent some of the best butterfly habitat in Brisbane Acres. See the letter from Thomas Reid Associates, the mountain's habitat conservation manager, in Exhibit 2.

Project History: The proposed acquisition adds to the City's purchase over the past five years of 21 Brisbane Acres parcels. The Conservancy and the U.S. Fish and Wildlife Service have previously assisted the City with the purchase of parcels of high habitat value. On June 25, 2001 the Conservancy authorized a 50/50 matching grant to the City for the acquisition of three acres, increasing to approximately 21 acres the total Brisbane Acres land acquired for protection and expansion of protected butterfly habitat.

Once these two new sites are acquired the City will incorporate them into its vegetation management program. The City works with the nonprofits San Bruno Mountain Watch (SBMW), Friends of San Bruno Mountain, and the California Native Plant Society to remove exotic plants on City-owned Brisbane Acres parcels. It is expected that within one year, work to remove invasive plants and restore the butterfly habitat will begin on these two new properties.

The Conservancy has also assisted with the restoration of endangered and threatened butterfly habitat on San Bruno Mountain. On February 22, 2001 the Conservancy authorized \$144,170 to assist the County of San Mateo and SBMW to restore 317 acres of valuable butterfly habitat. The County and SBMW successfully completed the project, removing invasive plants to restore valuable habitat in several locations on the mountain. On January 23, 2003 the Conservancy authorized another \$85,000 to assist SBMW to restore endangered butterfly habitat on five new tracts, maintain existing restored habitat on San Bruno Mountain, and support public outreach. SBMW is currently undertaking this project in collaboration with the County, the mountain's habitat conservation manager, and other partners. SBMW is also expanding its volunteer and public outreach program to support continued restoration in the future.

PROJECT FINANCING:

Coastal Conservancy	\$ 61,500
City of Brisbane	61,500
City of Brisbane In-kind Services	<u>13,200</u>
Total Project Cost:	\$136,200

The Conservancy's contribution of \$61,500 is expected to come from the San Francisco Bay Area Conservancy Program's FY 02/03 appropriation from the "California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002" (Proposition 40). This proposed authorization is consistent with the funding source because this project would result in the acquisition and protection of land and water resources, and includes a commitment for a 55 percent matching contribution.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project is undertaken pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31164, to address the resource protection goals in the San Francisco Bay Area.

This project is consistent with § 31162(b), protecting, restoring, and enhancing natural habitats of regional significance. Acquisition will result in the protection and restoration of habitat for federally and state listed butterfly species, enhancing a natural habitat of significance. Furthermore, the acquisition of this property will prevent fragmentation of adjacent protected sites, and facilitate restoration of the larger contiguous area of important butterfly habitat, and increase the open space resources on San Bruno Mountain.

This project is consistent with § 31162(c), in that it assists in the implementation of the policies and programs of the adopted plans of local governments. Acquisition will implement the goals and policies of the City of Brisbane Open Space and Conservation Elements of the General Plan that identify Brisbane Acres as the highest priority for preservation. The acquisition will also assist in achieving the goals of the San Bruno Mountain Habitat Conservation Plan.

This project is consistent with § 31163(a), as discussed in the Conservancy's Strategic Plan Goals and Objectives. Further, the acquisitions are from willing sellers who have entered into Agreements to Purchase with the City of Brisbane.

This project is appropriate for prioritization under the selection criteria set forth in § 31163(c) in that: (1) it is consistent with the San Bruno Mountain Habitat Conservation Plan and the City of Brisbane Open Space and Conservation Elements of the General Plan; (2) it results in coordination of preservation and enhancement of endangered butterfly habitat with the San Bruno Mountain State and County Park and with the several jurisdictions that are part of the San Bruno Mountain Habitat Conservation Plan area; (3) it will be implemented in a timely manner as escrow is scheduled to close this summer; (4) the property may be lost to development if not acquired for habitat preservation; and (5) the proposal includes matching funds from the City of Brisbane equal to 55 percent to the Conservancy's 45 percent of the total project cost.

**CONSISTENCY WITH CONSERVANCY'S
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 10, Objective A**, the proposed project will result in the acquisition of two acres contiguous with existing protected endangered butterfly habitat on San Bruno Mountain in the City of Brisbane, San Mateo County, and will expand existing open space.

Consistent with the **San Francisco Bay Area Conservancy Program Geographic/Goal Matrix**, San Bruno Mountain is listed as a separate Project Area targeted for protection.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The project is supported by San Bruno Mountain Watch, the California Native Plant Society, Friends of San Bruno Mountain, Senator Jackie Speier, and Assemblyman Gene Mullen (see Exhibit 3).
4. **Location:** Brisbane Acres is located within the City of Brisbane and thus is within the jurisdiction of the San Francisco Bay Area Conservancy Program. This acquisition will contribute to the protection and recovery of the endangered and threatened Mission blue and Callippe silverspot butterflies.
5. **Need:** Without the Conservancy's assistance, the City of Brisbane could not purchase these sites for permanent protection and restoration. As mentioned above, the Agreements for Purchase that the City has entered into with the property owners are contingent on Conservancy authorization of funds.
6. **Greater-than-local interest:** Acquisition will increase the area of protected critical habitat on San Bruno Mountain, cited by the famed ecologist E.O. Wilson as one of the most important and threatened biodiversity sites in the United States (E.O. Wilson, *The Diversity of Life*,

1992). Specifically, this project will protect habitat for the federally-listed Mission blue and Callippe silverspot butterflies, and the San Francisco wallflower which is listed by the California Native Plant Society as a plant of limited distribution.

Additional Criteria

7. **Urgency:** Because of their spectacular views and proximity to San Francisco, these high habitat value properties are at high risk of being lost to development.
8. **Resolution of more than one issue:** Acquisition will prevent these sites from being developed. Development would result in highly fragmented habitat patches lessening the chances of recovery of endangered butterfly species. Acquisition would also allow for control of invasive plant species that threaten to degrade the sensitive butterfly habitat.
9. **Leverage:** See the “Project Financing” section above.
12. **Readiness:** The City has already entered into Agreements to Purchase with the property owners. All parties to the agreements are prepared to move forward to close escrow in June.
13. **Realization of prior Conservancy goals:** See the “Project History” section above.
14. **Return to Conservancy:** See the “Project Financing” section above.
15. **Cooperation:** The landowners are willing sellers. Also, the public entities that are part of the Habitat Conservation Plan (HCP)—including the County of San Mateo, the Cities of Brisbane, Daly City, and South San Francisco, the U.S. Fish and Wildlife Service, the California Department of Fish and Game, and the California Department of Parks and Recreation—support the management of the properties for enhancement of butterfly habitat and invasive plant removal by the HCP’s conservation managers.

COMPLIANCE WITH CEQA:

The acquisition of the Brisbane Acres parcels is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) because it consists of the acquisition of interest in land for wildlife conservation purposes (14 Cal. Code of Regulations Section 15313). Staff will file a Notice of Exemption following Conservancy authorization.