

COASTAL CONSERVANCY

Staff Recommendation  
October 1, 2015

**SAN BRUNO MOUNTAIN HABITAT ACQUISITION:  
BRISBANE ACRES IV**

Project No. 14-038-01  
Project Manager: Betsy Wilson

**RECOMMENDED ACTION:** Authorization to disburse up to \$60,000 to the City of Brisbane to acquire a 1.14-acre parcel within Brisbane Acres, 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

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**EXHIBITS**

- Exhibit 1: [Project Location Maps](#)  
Exhibit 2: [Photographs](#)  
Exhibit 3: [Project Letters](#)
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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31161-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed sixty thousand dollars (\$60,000) to the City of Brisbane to acquire a 1.14-acre parcel within Brisbane Acres (the “property”), San Mateo County Assessor Parcel Number 007-481-040, San Bruno Mountain, City of Brisbane. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the City of Brisbane shall submit for review and approval of the Executive Officer of the Conservancy (“Executive Officer”) all relevant documents, including, without limitation, the appraisal, purchase agreement, escrow instructions, environmental assessment, and title report.
  2. The City of Brisbane shall permanently dedicate the property for the purposes of open space, wildlife, and habitat preservation by recording an irrevocable offer to dedicate the property or other instrument approved by the Executive Officer.
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3. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property or in a nearby public staging area, the design and location of which must be approved by the Executive Officer.
4. The City of Brisbane shall pay no more than fair market value for the property, as approved by the Conservancy, based on an appraisal of the property.”

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 authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31162 and 31163 regarding the protection of natural habitats and resources of regional importance within the San Francisco Bay Area.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

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### **PROJECT SUMMARY:**

Staff requests authorization to disburse up to \$60,000 to the City of Brisbane (“City”) for the acquisition of a 1.14-acre parcel known as lot 79 within Brisbane Acres (“the property”). Protection of the property is a high priority because it contains habitat for two federally listed endangered species: the Mission blue butterfly (*Icaricia icarioides missionensis*) and Callippe silverspot butterfly (*Speyeria callippe callippe*). The property is located adjacent to and contiguous with the existing San Bruno Mountain State and County Park and protected open space lands owned by the City of Brisbane (See Exhibit 1).

Acquisition of the property would complement the 50.2 acres of existing protected lands in the Brisbane Acres that the City has acquired since 1998 using a combination of funds from the Conservancy, U.S. Fish and Wildlife, and City of Brisbane. The Conservancy previously matched the City’s acquisition funds to complete the purchase of three parcels in 2001, two parcels in 2004, and five parcels in 2008.

The property consists primarily of native coast live oak woodland with some significant stands of introduced blue gum eucalyptus and French broom. After acquisition, the City plans to spend \$40,000 to remove the eucalyptus and other non-native invasive species on the property. The property would also be added to the City’s ongoing vegetation management program that includes tracking of invasives, eradication, and control.

Acquisition of the property is important because it lies adjacent to the San Bruno Mountain State and County Park and protected City-owned lands. If the property is not acquired, the invasive, non-native eucalyptus and French broom on the site could spread to these adjacent lands. Nearby protected lands contain important habitat for the federally endangered Callippe silverspot and Mission blue butterflies with abundant host and nectar plants for these species. The habitat in this area is of high quality but invasive, non-native plants, if not controlled, will expand and degrade the habitat.

San Bruno Mountain State and County Park was established in the late 1970s to protect the main ridges and saddle area of San Bruno Mountain. The upper Brisbane Acres is a largely

undeveloped area within the city limits of Brisbane, adjacent to the northeastern boundary of the Park. The upper Brisbane Acres contains some of the most important and sensitive habitat lands on San Bruno Mountain, but this area was not included in the State and County Park due to its complex and fragmented land ownership pattern. Inadequate infrastructure and steep slopes has kept the upper portion of the Brisbane Acres in its natural state, but development pressures in this area are increasing.

Most of the land on San Bruno Mountain, including the Brisbane Acres, is included within the San Bruno Mountain Habitat Conservation Plan (“HCP”), a plan which provides for the protection and enhancement of the habitat of federally listed endangered species while allowing limited development in certain permitted areas. The HCP policy for the Brisbane Acres calls for only 40% of the area to be preserved as conserved habitat. Since the area is subdivided into approximately acre-sized lots, this HCP policy would be implemented on a parcel by parcel basis, allowing for development of 60% of each lot, which will result in fragmentation of the habitat. Acquisition of lot 79 will prevent development on this lot and fragmentation of habit. Further, the City will not count the acquisition of lot 79 towards its goal of protecting 40% of the Brisbane Acres area, such that the proposed acquisition will provide additional habitat protection beyond the HCP.

**Site Description:** Brisbane Acres is located on the San Bruno Mountain, which is a major landform on the bayside of the San Francisco Peninsula south of Candlestick Point. The mountain exists in a unique combination of climate, geography, and topography that now contains a variety of rare, endangered and unique species including the Mission blue butterfly, Callippe silverspot butterfly, the San Bruno elfin butterfly and the rare hosts plants that the butterflies depend on to survive: three species of lupine – *albiofrons*, *formosus*, and *varii-color* – *sedum spathulifolium*, a succulent, and *violoa pedunculata*, also known as the Johnny-jump-up. E.O. Wilson ranked the San Bruno Mountain as one of the world’s 18 biodiversity “hot spots” in his 1992 book, *The Diversity of Life*. This is in large part due to the fact that the mountain is an island of open space in the midst of a densely developed area. Approximately one million people live within ten miles of San Bruno Mountain. From the mountain’s summit, one can see as far as the Farallon Islands, the Golden Gate and Marin Headlands, and Mount Diablo.

The property is in the upper Brisbane Acres area above the city of Brisbane. The property site consists primarily of native coast live oak woodland with some significant stands of introduced blue gum eucalyptus and French broom.

The Brisbane Acres is a largely undeveloped area within the city limits of Brisbane, adjacent to the northeastern boundary of San Bruno Mountain State and County Park. Brisbane Acres contains nearly two percent of the Mission blue butterfly population and over 10 percent of the Callippe silverspot butterfly population found on San Bruno Mountain. The Mission blue and Callippe silverspot butterflies have been recorded on or near the property. Most of the land on San Bruno Mountain, including the Brisbane Acres, is included within the San Bruno Mountain HCP, a plan which provides for the protection and enhancement of the habitat of federally listed endangered species while allowing limited development in certain permitted areas. The proposed acquisition of the property together with previous acquisitions within the Brisbane Acres and the State and County Park will create approximately 2,386 acres of contiguous habitat on the San Bruno Mountain.

**Project History:** In 1998, the City of Brisbane developed an Open Space Plan evaluating open space resources within the City and identifying priority areas for preservation - the primary focus

being the upper Brisbane Acres. That same year, the City began acquiring parcels from willing sellers in the Brisbane Acres utilizing City funds and grants from the U.S. Fish and Wildlife Service Section 6 grant program and the Conservancy.

The proposed acquisition of the property will add to the 50.2 acres of existing protected lands that the City has acquired in Brisbane Acres since 1998. The Conservancy and the U.S. Fish and Wildlife Service have previously assisted the City with the purchase of parcels with high habitat value. In 2001, the Conservancy provided a \$65,000 grant to assist with the acquisition of three, one acre parcels. In 2004, the Conservancy awarded \$61,400 toward the acquisition of two, one acre parcels. And in 2008, a Conservancy award of \$243,500 facilitated the acquisition of five additional parcels totaling 6.4 acres. Through 2015, the City has expended approximately \$1,465,000, the U.S. Fish and Wildlife Service contributed approximately \$710,000 and the Conservancy approximately \$364,000 for the purchase of over 50 acres of important open space and habitat lands in the upper Brisbane Acres on San Bruno Mountain.

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 San Bruno Mountain Watch (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.

Finally, in December 2007, the Conservancy awarded a \$38,122 grant to San Mateo County Parks and Recreation as part of the 2007 San Francisco Bay Area Community-based Educational, Environmental Restoration and Trail Project grants. The \$38,122 grant funded the San Bruno Mountain Volunteer Trail Project where community volunteers completed hands-on trail work to rehabilitate two seriously neglected trails at San Bruno Mountain.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$60,000</b>
City of Brisbane	<u>\$30,000</u>
<b>Project Total</b>	<b>\$90,000</b>

The expected source of the proposed grant is appropriations made to the Conservancy pursuant to the “California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002” (Proposition 40), which allocates bond funds to the Conservancy for the acquisition and protection of land and water resources consistent with the Conservancy’s enabling legislation. The proposed project is consistent with the Conservancy’s enabling legislation, as described below, and will protect land through acquisition for purposes of open space, wildlife and habitat preservation. Accordingly, the proposed acquisition is an appropriate use of Proposition 40 funds.

Following acquisition, the City will spend approximately \$40,000 to remove blue gum eucalyptus and other non-native invasive species on the property site. The property will be added

to the City's ongoing vegetation management program that includes tracking of invasives, eradication, and control.

**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 31160-31165, which authorizes the Conservancy to undertake projects and award grants in the San Francisco Bay Area to public and private agencies and organizations.

The property proposed for acquisition is within San Mateo County, one of the nine counties which make up the San Francisco Bay Area, as described in Section 31162 of the Public Resources Code. Consistent with Section 31162, this project will facilitate the protection, restoration, and enhancement of natural habitats of regional significance and habitat for federally and state listed butterfly species. Furthermore, acquisition of the property will prevent fragmentation of adjacent protected sites, and facilitate restoration of the larger contiguous area of important habitat, and increase the open space resources on San Bruno Mountain.

This project is consistent with Section 31162(c), in that it assists in the implementation of the policies and programs of the adopted plans of local governments. Acquisition of the property 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 Section 31163(a), as discussed in the Conservancy's Strategic Plan Goals and Objectives. Furthermore, the acquisition of the property is from willing sellers who have entered into purchase agreement with the City of Brisbane.

This project is appropriate for prioritization under the selection criteria set forth in Section 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 in February 2016; (4) the property may be lost to development if not acquired for habitat preservation; and (5) the proposal includes matching acquisition funds from the City of Brisbane.

**CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S), AS REVISED JUNE 25, 2015:**

Consistent with **Goal 11, Objective B** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will result in the acquisition of 1.14 acres of property that are contiguous with existing protected endangered butterfly habitat on San Bruno Mountain.

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

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, 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. **Promotion and implementation of state plans and policies:** The San Bruno Mountain Habitat Conservation Plan was the nation's first HCP, adopted in 1983. The San Bruno Mountain HCP was created to protect a number of listed and proposed endangered species that exist on San Bruno Mountain. The proposed project protects habitat for two listed endangered species, the Callippe silverspot and the Mission blue butterflies. The proposed project is within the San Bruno Mountain HCP and the acquisition of the property will expand the amount of protected land provided for in the HCP and allow management and restoration activities that will prevent degradation of surrounding sensitive habitat lands.
4. **Support of the public:** The project is supported by Assemblymember Kevin Mullin, County of San Mateo Supervisor Adrienne Tissier, County of San Mateo Parks Department, California Native Plant Society, and San Bruno Mountain Watch (see Exhibit 3).
5. **Location:** Brisbane Acres is located in San Mateo County, one of the nine counties in the San Francisco Bay Area and thus is within the jurisdiction of the San Francisco Bay Area Conservancy Program.
6. **Need:** Without the Conservancy's assistance, the City of Brisbane could not purchase the property for permanent protection and restoration. The purchase agreement that the City has entered into with the property owners is contingent on Conservancy authorization of funds.
7. **Greater-than-local interest:** Acquisition of the property will provide habitat for two endangered species of butterflies that are of national and state interest. This acquisition will contribute to the protection and recovery of the endangered and threatened Mission blue and Callippe silverspot butterflies. In addition, this area is considered a key area for biodiversity protection due to its unique combination of climate and geography, the rare, threatened and endangered plants and animals that live there, and the threats from development that this area faces.
8. **Sea level rise vulnerability:** The property is located approximately 600 feet above sea level and will not be vulnerable to sea level rise.

**Additional Criteria**

9. **Urgency:** Brisbane Acres is one of a few undeveloped, residentially zoned, and scenic areas with close proximity to San Francisco and northern San Mateo County; therefore, pressure to develop these parcels is very high.

10. **Resolution of more than one issue:** Acquisition of the property will prevent the site from being developed. Development of the property would fragment habitat for the endangered Mission blue and Callippe silverspot butterflies and reduce recovery efforts made to date. Acquisition of the property will also enable the City to implement control measures to stop the spread of invasive plants that threaten the viability of habitat for these endangered species.
11. **Leverage:** See the “Project Financing” section above.
12. **Readiness:** The City has entered into a purchase agreement with the property owners. All parties to the agreement are prepared to move forward to close escrow on the property in February 2016.
13. **Realization of prior Conservancy goals:** See the “Project History” section above.
14. **Cooperation:** The landowners are willing sellers. Also, most of the land on San Bruno Mountain, including Brisbane Acres, is part of the San Bruno Mountain Habitat Conservation Plan, a cooperative effort between San Mateo County, the cities of Brisbane, Daly City, and South San Francisco, the U.S. Fish and Wildlife Service, the California Departments of Fish and Wildlife and Parks and Recreation, and the major landowners on the mountain to protect and enhance the habitat for federally-listed endangered species while allowing for limited development in designated areas. The public agencies involved with the HCP effort support management of these parcels considered here for purchase to achieve the conservation goals of the HCP.
15. **Vulnerability from climate change impacts other than sea level rise:** Acquisition of the property will enable the City to manage the habitat and mitigate vegetation changes due to invasive species and plant succession.

#### **COMPLIANCE WITH CEQA:**

The acquisition of the property at Brisbane Acres 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).

The invasive species removal work that the City intends to carry out on the property after acquisition, pursuant to the City’s vegetation management program, is also categorically exempt from CEQA in that the work consists of small habitat restoration, enhancement, maintenance, and protection for plants and wildlife (14 Cal. Code of Regulations Section 15333). Removal of invasive plant species on the property satisfies all of the criteria under Section 15333 as follows: 1) the property is 1.14 acres and therefore the removal work does not exceed five acres in size; 2) there will be no significant adverse impact on endangered, rare, or threatened species or their habitat – rather the work will protect and enhance habitat for two federally listed endangered butterflies; 3) there are no hazardous materials at or around the property that may be disturbed or removed; and 4) the removal work will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Staff will file a Notice of Exemption following Conservancy authorization.