

## II. HISTORICAL REVIEW

The San Bruno Mountain area is the only remaining undeveloped property left from the original Spanish land grant of "Canada de Guadalupe Visitacion y Rodeo Viejo". This Spanish land grant was made in 1837 to Jacob P. Lessee, a naturalized Mexican citizen. By 1872, the largest holdings were owned by Visitacion Land Company and were acquired in 1884 by Charles Crocker. During the period following its acquisition by Crocker, the area was used primarily for cattle grazing.

Subsequently, the property passed to the Crocker Land Company. The Crocker Land Company was acquired by Foremost-McKesson Inc., in 1970, and its interest in San Bruno Mountain is now held by Visitacion Associates, a joint venture of Foremost-McKesson and Amfac, Incorporated.

Prior to 1965, few urban uses existed in the area, other than early subdivision of adjacent portions of Brisbane, establishment of radio and television transmission towers atop the highest peak, and construction of access roads and fire trails.

The area has more recently been the subject of a number of development proposals. In 1965, a proposal was made to excavate earth from the Mountain over a period of 20 years to provide fill for the San Francisco Airport and for a possible southern crossing of the San Francisco Bay. It would also have resulted in removing enormous quantities of earth (approximately 200 million cubic yards), from the Mountain. This proposal was extremely controversial when made and is thought by some to have caused the formation of the Save the Bay Committee and the ultimate adoption of the San Francisco Bay Conservation and Development Commission, which now regulates dredging and filling within San Francisco Bay. In addition, this proposal triggered the formation of a more local citizens group, the Committee to Save San Bruno Mountain, which has been intensively involved in the conservation of the Mountain since that time. Late in the 1960's, another proposal was made to develop portions of the area for residential uses. This proposal was not pursued.

The most serious recent development proposal for the mountain was made in 1975. At that time, Visitacion proposed the construction of approximately 8,500 residential units and 2,000,000 square feet of office and commercial space on various portions of San Bruno Mountain. An intensive political battle ensued. Ultimately, the Board of Supervisors of San Mateo County approved a decision, keeping the Saddle Area of the Mountain in open space, but contemplating development of 1,250 residential units on the Northeast Ridge and 950 residential units on the South Slope sections of the area. The political controversy in 1975 and 1976 did not include development proposals for other sections of the area which lie within the planning jurisdiction of Daly City, such as the Administrative Parcels comprising Reservoir Hill, Rio Verde Estates and Rio Verde Heights.

In 1978, Crocker Land Company, a co-owner of Visitacion, settled litigation with San Mateo County by donation and sale of approximately 1,711 acres, consisting of almost the entire main ridgeline of San Bruno Mountain. Approximately 1,100 of these acres were sold to San Mateo County for \$6.2 million and the remaining 546 acres were donated to the County.

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In 1979, the State of California began negotiations with Visitacion for acquisition of the Saddle Area of the Mountain for a park. After extensive negotiations, a portion of the Saddle Area on which 47 dwelling units could be constructed was omitted from the Saddle Area acquisition and Visitacion completed donation and sale transfers of the Saddle to the State of California. Visitacion was paid \$5.0 million for a 42-acre portion of the Saddle Area and donated the balance (256 acres), to the State so that a total of approximately 298 acres was acquired by the State of California.

Since 1979, proposals have been advanced for the construction of approximately 335 dwelling units on Reservoir Hill. Additionally, adjacent to the Saddle Area is a site owned by the Brisbane School District. Since the site is no longer necessary for school purposes, the Brisbane School District is attempting to obtain a planned development zone which would permit the construction of approximately 225 units on 17 acres. On the North Slope of the Saddle Area, facing toward San Francisco (Rio Verde Heights and Rio Verde Estates), there are proposals to construct approximately 750 units on 34 acres of land.

There is also an active quarrying operation within the area (Quarry). One of the major owners of the Quarry owns adjacent Owl and Buckeye Canyons. At present, only small portions of the floor of the canyons are designated for development by the County's 1976 General Plan with the remainder designated as open space.

In southern Brisbane on the higher slopes of San Bruno Mountain, there is a subdivision consisting of 90 parcels which are generally in multiple ownership. This subdivision, known as Brisbane Acres, has been in existence for 50 years. There are no current development proposals for most of these lots since there are no water, street or utility services to the parcels. Because they are in individual ownership, it is all the more difficult for a development plan to be put forward which could bear the expense of putting most of the necessary service infrastructure in place.

In summary, San Bruno Mountain has, over the course of the years, been the subject of a number of development proposals, several of which are currently pending. Although more than 1,952 acres of San Bruno Mountain are presently in public ownership and contain substantially important habitat, the remaining private lands also contain substantially important butterfly habitat. If the current development proposals, for one reason or another, are withdrawn or are unsuccessful, it can be expected in light of past history and the continuing market pressure for housing development, that future development of this land will be contemplated. Thus, the habitat of the San Bruno Mountain area which remains within private ownership or is otherwise subject to development is under continuing pressure and threats of loss.

Subsequent to the adoption of the General Plan Amendment for the Mountain area and the resolution of the land use controversy, it was discovered that portions of the Mountain provided habitat for a federally listed endangered species, the Mission Blue butterfly. The Mission Blue was listed by the USF&WS on June 1, 1976, as "endangered" pursuant to the provisions of the Endangered Species Act of 1973. In designating the Mission Blue as an endangered species, the Director of the USF&WS made the following statement:

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"This butterfly is limited in distribution to two small isolated populations which occur on the summits between Twin Peaks, San Francisco County and the San Bruno Mountains, San Mateo County, California. In San Francisco County, the Mission Blue was formerly more wide spread on the higher hills within the County, but due to expansion of the City and plantings of exotic plants, such as eucalyptus, it is now reduced to a tiny remnant on Twin Peaks and may soon become extirpated. In the San Bruno Mountains, the species is uncommon, and proposed developments there would probably eliminate the butterfly." 41 Fed. Reg. 22041 (June 1, 1976).

On July 3, 1978, the USFWS proposed to list the Callippe Silverspot and to designate areas of San Bruno Mountain as its 'critical habitat'. Before final action could be taken on the listing and critical habitat proposal, Congress passed the Endangered Species Act Amendments of 1978 which changed the procedures for the designation of critical habitat. As a result, on March 6, 1979, the USF&WS withdrew the critical habitat portion of the July 3, 1978 listing and designation proposal. On March 28, 1980, the USF&WS re-proposed the designation of critical habitat for the Callippe Silverspot. The proposed "critical habitat" for the Callippe Silverspot includes all of the areas within the San Bruno Mountain area designated as available for development pursuant to the County General Plan. In June 1980, the USF&WS allowed the listing proposal for the Callippe Silverspot to expire. In allowing the listing and critical habitat proposal to expire, the USF&WS indicated that habitat of the Callippe Silverspot included essentially the same areas as the Mission Blue and was therefore effectively protected by the listing of the Mission Blue and that the proposal could be reconsidered upon the development of further information.