



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

Office of County Counsel

DATE: September 16, 2002

BOARD MEETING DATE: October 8, 2002

TO: Honorable Board of Supervisors
FROM: County Counsel
SUBJECT: Conservation Easement Over Property Adjacent to Conserved Habitat on San Bruno Mountain (de Bellis)

Recommendation

Adopt a Resolution authorizing and directing the President of the Board of Supervisors to enter into a Perpetual Conservation Easement on property in Daly City adjacent to conserved habitat on San Bruno Mountain.

Background

The County of San Mateo serves as Plan Operator for the San Bruno Mountain Habitat Conservation Plan. Funding for the HCP is provided through the San Bruno Mountain Habitat Conservation Trust. The de Bellis property is immediately adjacent to the Conserved Habitat on San Bruno Mountain, and the owners are seeking approval of development. One condition of approval set by the City of Daly City is that the owners enter into a conservation easement under Civil Code section 815 et seq., and contribute \$15,000 to the HCP Trust Fund.

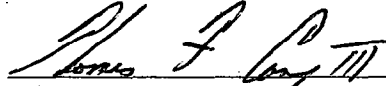
The conservation easement presented for the Board's consideration would ensure that the protected lands are left undisturbed, and would authorize the Habitat Manager (the consultant retained to carry out the County's responsibilities as Plan Operator) to enter into the de Bellis property for monitoring purposes. The County would have the ability, but not the obligation, to enforce compliance with the easement provisions. As a condition of permit approval, the owners would contribute \$15,000 to the HCP Trust Fund.

Fiscal Impact

There would be no fiscal impact to the County. The easement would result in a one time contribution of \$15,000 to the HCP Trust Fund.

Vision Alignment

No. 20: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.


Thomas F. Casey III, County Counsel

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cc: John Maltbie, County Manager
Marcia Raines, Director, Environmental Services Agency
Mary Burns, Director, Parks and Recreation

RECOMMENDED

COUNTY MANAGER