

# MAYOR/COUNCIL MATTERS ITEM B

## CITY OF BRISBANE MEMORANDUM

TO: Brisbane City Council  
FROM: City Manager and City Attorney  
RE: Northeast Ridge – Background Documents for HCP Compliance Hearing  
DATE: June 15, 2009

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The U.S. Fish and Wildlife Service has now issued its amendment to the HCP Agreement and the Section 10(a) Permit for the San Bruno Mountain Habitat Conservation Plan. The HCP amendment will be presented to both the County of San Mateo and the City of Brisbane for approval. At the same time, the City will also conduct a compliance hearing to determine whether the preliminary approvals granted for the 2007 EIR Addendum and the land use entitlements for the modified Northeast Ridge Unit II development are consistent with the amended HCP Agreement and Permit. If found to be consistent, the 2007 EIR Addendum can be certified and final land development approvals for the modified project can be granted.

In order to provide sufficient time for review of the background documents by the City Council and the public prior to the compliance hearing, copies of these documents will be provided to each Council Member and a copy will also be accessible to the public at City Hall and at the Brisbane Library. In addition, we expect to have each document posted on the City's website and available for viewing and download by any person who desires to obtain it.

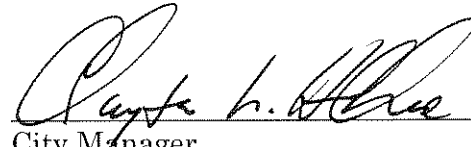
City staff is now in the process of reproducing the documents pertaining to the HCP amendment, and packages of these documents should be available sometime within the next week. These packages will include the following:

1. U.S. Fish & Wildlife Service - San Bruno Mountain Habitat Conservation Plan Environmental Assessment (October, 2007).
2. U.S. Fish & Wildlife Service - San Bruno Mountain Habitat Conservation Plan Amendment 5, Finding of No Significant Impact – Summary of Public Comments and Service's Response to Comments (May, 2009).
3. Notice of Availability and Receipt of Application, Amendment to the Incidental Take Permit for the San Bruno Mountain Habitat Conservation Plan in San Mateo County, 73 Federal Register 20324 (April 15, 2008).
4. U.S. Fish & Wildlife Service - Findings and Recommendations Pursuant to Endangered Species Act and Findings of No Significant Impact Pursuant to the National Environmental Policy Act for the Issuance of a Section 10(a)(1)(B) Incidental Take Permit (TE215574-5) Associated With

Implementation of the Habitat Conservation Plan for the San Bruno Mountain Habitat Conservation Plan in San Mateo County, California (May 28, 2009).

5. U.S. Fish & Wildlife Service - Intra-Service Biological Opinion on the Amendment to the San Bruno Mountain Habitat Conservation Plan (May 20, 2009).
6. Federal Fish and Wildlife Permit No. TE215574-5 (May 28, 2009).

  
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City Attorney

  
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City Manager