

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2770 (Alvarez) – As Amended April 16, 2026

Policy Committee:	Water, Parks and Wildlife	Vote:	11 - 0
	Governmental Organization		22 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill requires the Department of General Services (DGS) to quitclaim to the San Pasqual Band of Mission Indians (Tribe) all interests of the state in the land it owns within the San Pasqual Battlefield State Park (SPB State Park).

Specifically, this bill, among other things:

- 1) Requires DGS to quitclaim to the Tribe, at no cost to the tribe, all interests of the state in the land it owns within the SPB State Park, consisting of three parcels of land totaling approximately 3.68 acres, subject to the following conditions:
 - a) Any agreements, including leases, in which the State of California is a counterparty, and which concern the lands subject to the grant, shall be terminated by operation of law upon the conveyance of lands to the Tribe.
 - b) The quitclaim deed conveying the lands shall restrict the Tribe’s commercial use of the lands solely to operating a cultural or educational center. No other commercial use or development, including gaming, shall be permitted on the lands. The Tribe is not prohibited from operating commercial uses related to the enjoyment of educational and cultural experiences tied to the Tribe’s culture and history or related to the Tribe’s operation of a cultural or educational center, including a gift shop, snack bar, parking lot, or other similar use.
- 2) States the lands transferred, and improvements on those lands, (a) shall not be subsequently sold or transferred, except as necessary for the United States to hold the lands in trust on behalf of the Tribe; (b) shall not be encumbered, as specified; and (c) shall not be subject to any real property taxation and no documentary transfer tax shall apply with respect to any deed, instrument, or writing effectuating that transfer.
- 3) States the grant of lands shall be valid only if the Tribe’s Tribal Council adopts a resolution pursuant to its tribal law accepting the fee title grants in accordance with the conditions set forth in this bill and provides public access shall be subject to reasonable regulations adopted by the Tribe pursuant to its inherent sovereign authority as landowner, provided that public recreation activities are limited to existing trails and roads and the use of off-road vehicles and e-bicycles is prohibited.

- 4) Provides the state encourages the City of San Diego to transfer to the Tribe all of the city's interests in the land the city owns within the SPB State Park, and requires the state, if the city agrees to transfer the land it owns within the SPB State Park to the Tribe, to, at no cost to the Tribe, relinquish or transfer to the Tribe all rights and interests the state has in those lands through lease, permit, or otherwise, and take any and all other actions necessary to effectuate the city's transfer of the land to the Tribe.

FISCAL EFFECT:

- 1) The Department of Parks and Recreation (State Parks) will incur one-time costs (General Fund, State Park and Recreation Fund (SPRF)) to facilitate the property transfer. State Parks expects fee title land conveyance to cost between \$100,000 and \$200,000, and the department notes it would work with and reimburse DGS for this work. For its part, DGS anticipates one-time costs of approximately \$60,000 to prepare title reports and process the transfer (General Fund). DGS notes it would recover these costs from State Parks. While these estimates differ, the exact cost will likely depend on the details and complexity of the transaction.

State Parks has an existing lease with the San Diego County Archaeological Society and anticipates that termination of the lease will cost the department about \$5,000. Additionally, the San Diego Archaeological Center houses some of State Parks' and other entities' collections. State Parks estimates costs of approximately \$30,000 for specialized packing and \$43,000 for temporary storage of its curatorial collection, with additional significant costs for long-term storage.

State Parks notes the City of San Diego has indicated it is unable to transfer the property it owns – approximately 65 acres, including a majority of the park's facilities – to the Tribe due to utility easement restrictions. The overall cost of effectuating the city's transfer of land is unknown but is likely to include about \$5,000 for terminating the state's lease with the city and \$38,000 for additional relocation of materials and collections.

- 2) One-time revenue loss of an unknown amount, potentially in excess of \$150,000, to the state by quitclaiming SPB State Park at no cost to the tribe, thus foregoing a future sale of the property by the state (General Fund). At the time this analysis was prepared, the committee did not know the current estimated value of the property.

To the extent there is deferred maintenance on the property, requiring the state to quitclaim the park may also result in potential one-time costs and ongoing cost savings of an unknown amount to State Parks, as State Parks may need to undertake maintenance activities prior to the transfer, but would no longer need to continue maintenance afterward.

- 3) One-time local costs, likely minor, to the City of San Diego to exempt the transferred lands from property taxation. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates, although it is unlikely the city would submit a claim. And while the bill exempts transferred lands, and improvements on those lands, from real property and documentary transfer taxes, the bill states that the state shall not reimburse any local agency for lost property tax revenue.

The Legislative Analyst's Office (LAO) recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year (FY) and ongoing. In February 2024, the

LAO projected the SPRF to have an annual gap of approximately \$18 million between its estimated revenues and projected expenditures in each of the next few years. This structural deficit would cause SPRF to become insolvent before the end of FY 2029-30.

COMMENTS:

1) **Purpose.** According to the author:

This bill is a critical step toward justice for the [Tribe], whose ancestral lands in the San Pasqual Valley were stripped from them through a legacy of state and federal failures. This bill rectifies a historic wrong by returning state-owned parcels within the [SPB State Park] – land that holds profound cultural and spiritual significance, including a tribal cemetery – to the tribe at no cost.

2) **Background. *San Pasqual Band of Mission Indians.*** As described by the Chairman of the Tribe, the Tribe’s reservation is in Northern San Diego, and the Tribe’s ancestors lived for thousands of years in the valley carved by the Santa Ysabel Creek, near the present site of the San Diego Zoo’s Wild Animal Park. San Pasqual is one of thirteen bands that make up the Kumeyaay Nation in Southern California. The Tribe writes, “Some of this ancestral homeland that was taken from us eventually became property of the State of California in what is now known as the [SPB State Park.]” The Tribe argues the proposed return of ancestral land back to the Tribe “is in line with the Governor’s and Legislature’s commitment to ensure the protection and wellbeing of California’s first people, our cultures, and our lands.”

SPB State Park. SPB State Park, located in the San Pasqual Valley, includes trails, an outdoor amphitheater, a visitor center, and the San Diego Archeological Center. A small portion of the land in the state park, three parcels totaling approximately 3.68 acres, is owned by the state and the remaining portion is owned by the City of San Diego. State Parks is working with the Tribe to incorporate the history, culture, and traditional ecological knowledge of the Kumeyaay people into the park’s visitor center, trails, and programs. The park has been closed since 2020 due to deferred maintenance and needed repairs to the visitor center; however, the park is open for special events throughout the year, including for events in partnership with the Tribe.

State Support and Tribal Stewardship and Access. In March 2026, the California Natural Resources Agency (CNRA) launched the state’s first-ever Tribal Stewardship Policy, establishing a statewide goal of expanding tribal stewardship over at least 7.5 million acres of lands and coastal waters in California. As of March 2026, CNRA and its departments, conservancies, and commissions and agencies from across the state have supported, through funding or other opportunities, the return of approximately 103,000 acres of land back to California Native American tribes, with more acres to be returned soon. However, to date, State Parks have never quitclaimed state park property to a tribe at no cost to the tribe.

Additionally, State Parks has entered into 15 memoranda of understanding and joint powers agreements with California Native American tribes for tribal access and collaboration over 89 parks units covering approximately 939,000 acres of land. Relatedly, State Parks is in the process of developing tribal land acknowledgements for all 280 state parks through new signage and improved interpretation to connect the public with tribal history and

contemporary experiences. The California Department of Fish and Wildlife and other CNRA departments are actively developing additional tribal access and collaboration agreements with tribes across California. CNRA, through its Tribal Nature Based Solutions grant program and Proposition 4 climate bond funding, is seeking applications from tribes for ancestral land return and other tribally led nature-based solutions projects. For additional examples of state efforts and funding to advance tribal stewardship through tribal access, collaboration, and ancestral land return, see the Assembly Water, Parks, and Wildlife Committee's analysis of this bill.

- 3) **Related Legislation.** AB 971 (Alvarez) of the current legislative session is substantially similar to this bill and was held on this committee's suspense file.

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