
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2770 (Alvarez) - State Property: San Pasqual Battlefield State Park

Version: July 2, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: N.R. & W. 7 - 0

Mandate: Yes

Consultant: Ashley Ames

Bill Summary: This bill would require the state to quitclaim, forthwith, the state-owned land in the San Pasqual Battlefield State Historic Park.

Fiscal Impact:

- The Department of Parks and Recreation (State Parks) has identified one-time General Fund implications of approximately \$278,000 if the department's 3.68 acres of property were transferred to the tribe. DGS would charge State Parks for the land conveyance, estimated between \$100,000–\$200,000, and contingent upon the details of the transaction. State Parks has an existing lease with the San Diego Archaeological Society and anticipates lease termination costs approximately \$5,000. Additionally, the Archaeological Center houses some of the department's and other entities' collections. State Parks estimates costs of approximately \$30,000 for specialized packing, and \$43,000 for temporary storage of the Curatorial Collection, with additional significant costs for moving and long-term storage at the Statewide Museum Collections Center in Sacramento. The City of San Diego has indicated they would be unable to transfer the property they own, approximately 65 acres, therefore, costs associated with effectuating the City's transfer of land have not been included in the above total but would include \$5,000 for terminating the lease with the City, and \$38,000 for additional relocation of materials and collections.
- 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.
- 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.

Background: California is home to the largest Native American population in the country and has 110 federally recognized tribes, with another 81 groups seeking federal recognition. According to 2020 U.S. Census data, 631,016 Californians identify as "American Indian" or "Alaska Native;" when including the Californians that identify as "American Indian" or "Alaska Native" in combination with another race or ethnicity, the number of Native Americans in California increases to 1.4 million residents.

Very few Native Americans live on their ancestral lands in California today. This is due to the repeated efforts of Spanish, Mexican, Russian, and U.S. governments to subdue and displace Indigenous peoples: "All four colonial nations sponsored policies that uprooted Indigenous People and communities from the lands in which they were created, and all four deployed violence, in the form of slavery, genocide, and an administrative state bent on eliminating California Indian people."

The federal government sent three commissioners to California to negotiate treaties with California tribes in 1851. These commissioners negotiated 18 treaties with 139 tribes that would have set aside approximately 7.5 million acres for Indian use and granted other rights to Native Californians; however, when President Fillmore submitted the treaties to the U.S. Senate for ratification in February 1852, senators from California objected and the U.S. Senate rejected the treaties during a secret session. The U.S. Senate then placed the treaties in its archive, concealing the existence of these treaties from the public for more than 50 years. In 1903, the federal government sent another Indian agent to California to settle Indians on reserved lands. By that time, however, many tribes no longer lived on their ancestral lands, so small plots of land were established for Indian families. California Native American tribes lost access to land, water, cultural resources, and more as a result of this tragic history.

Lands legally controlled by tribes in California today result from presidential executive order, federal statute, or action by tribes and tribal members themselves to purchase land.

Modern state support for tribal stewardship and access. As of March 2026, the California Natural Resources Agency (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 expected to be returned soon. The California Department of Fish and Wildlife and many other CNRA departments are actively developing additional tribal access and collaboration agreements with tribes across California. Examples include:

- Establishment and initial funding of \$100 million for the Tribal Nature-Based Solutions Grant Program to support approximately 49,000 acres of land to be returned to California Native American tribes;
- Establishment and initial funding of \$29 million for the Tribal Wildfire and Forest Resiliency Grant Program and has already supported 15 tribes' wildfire resilience and forestry management priorities;
- Establishment and initial funding of \$10 million for the Tribal Youth Conservation Corps Grant Program, creating five new programs and providing job training opportunities for tribal youth; and

- Passage of the \$10 billion Climate Bond that provides for \$75 million in tribal set asides and includes the mandate of 40% of the bond funding to deliver meaningful and direct benefits to vulnerable populations, disadvantaged communities, and severely disadvantaged communities, including California Native American tribes.

Tribal Stewardship Policy. On March 17, 2026, CNRA launched the state's first Tribal Stewardship Policy (Policy), establishing a statewide goal of expanding tribal stewardship over at least 7.5 million acres of lands and coastal waters in California (the same quantity of property that was never delivered by the state in 1852). The Policy sets clear standards to institutionalize meaningful and durable tribal-state partnerships and advance tribal stewardship through tribal access, collaboration, and ancestral land return. The Policy is supported by a companion toolkit containing training materials, templates, webinars, and technical resources designed for tribes, agency staff, and partners working to advance access, collaboration, and land return. The Policy aims to better support tribes and sustainable tribal partnerships through:

- Durable and consistent access to ancestral lands and coastal waters for cultural use, stewardship, and general visitation;
- Clear recognition of tribes as land and water stewards and decision-making partners;
- Stronger pathways for ancestral land return and long-term ownership;
- Reduced administrative barriers through consistent standards across state agencies;
- Formal recognition of Traditional Ecological Knowledge as essential to land and water management; and
- Practical tools and guidance supporting implementation and partnership building.

Tribal stewardship is defined by each individual tribe through tribal constitutions, laws, resolution, programming priorities, cultural and religious practices, ceremonies, or other measures. Tribal stewardship can include actions to care for and manage specific areas of land, landscapes or watersheds, plant and animal communities, and natural resources for cultural and ecological objectives. The state's Tribal Stewardship Policy highlights three key pathways to advance meaningful and durable tribal stewardship:

Ancestral Land Return is the return or re-acquisition of property or property rights, and can include ownership of land, water, air, and mineral rights to a California Native American tribe within the tribe's ancestral territory. Some recent examples include:

- The Washoe Tribe purchased over 10,000 acres from the City of Santa Clara in February 2026 for \$6 million, with the support of the Northern Sierra Partnership, the Feather River Land Trust, and a \$5.5 million grant from the Wildlife Conservation Board.
- The Hoopa Valley Tribe purchased 10,395 acres in Hupa Mountain to restore healthy forests, increase access to tribal members, create jobs and restoration economy for the Tribe, restore salmon runs and elk populations, and maintain the carbon credits commitments on the property. The Tribe worked closely with The Conservation Fund to fundraise public and private dollars for the purchase of the

property. This included philanthropic funders, the California State Coastal Conservancy, and CNRA's Tribal Nature Based Solutions Grant Program.

Collaboration describes the act of building a relationship between one or more California Native American tribe(s) and one or more non-tribal entities for the stewardship of a defined area, infrastructure, project, species, or natural resource. For example:

- In 2020 the Yurok Tribe signed a Joint Powers Authority agreement with the Department of Parks and Recreation (State Parks) to operate the Stone Lagoon Visitor Center at Humboldt Lagoons State Park. The Tribe reopened the renovated and renamed Chah-pek-w O' Ket'-toh Visitor Center in 2022. The Tribe has used their authority to share Yurok history and current management of the area with visitors, to conduct cultural events, and to sell concessions honoring Yurok artisans, historians, and storytellers.
- Big Valley Band of Pomo Indians of the Big Valley Rancheria signed a Memoranda of Understanding (MOU) with State Parks to collaboratively manage Clear Lake State Park, which is within the Tribe's ancestral homelands.

Access means California Native American tribes have access to their ancestral lands and the ability to engage in activities that encourage tribal members to experience, enjoy, use, and be in relation with their ancestral lands, the outdoors and environment, sacred places, ceremonies, tribal cultural resources, and natural resources. For example:

- The Yurok Tribe partnered with State Parks to re-name what was previously called Patrick's Point State Park to Sue-meg State Park. The name "Sue-meg" has been used by the Yurok people to describe the area where the Park is now located since time immemorial. The name change helps create a more welcoming space by acknowledging historical wrongs and accurately reflecting the Yurok history and cultural use of these lands. The Yurok Tribe formally requested the name change as part of the state's Reexamining Our Past Initiative in January 2021. The following September, the California State Park and Recreation Commission voted unanimously to approve the name change.

Tribes and State Parks. On September 25, 2020, CNRA, State Parks, and the Department of Transportation jointly announced the Reexamining Our Past Initiative — a statewide effort to survey, evaluate and redress the names of existing state parks (including features within the state parks systems such as trails), monuments and transportation systems with racist or discriminatory roots. The state agencies are working with California Native American tribes, universities, and community partners to address the terms identified.

State Parks is currently in the process of developing tribal land acknowledgements for all 280 state parks through new signage and improved interpretation that will better connect the public with tribal history and contemporary experiences. So far, State Parks has consulted with 80 tribes to develop tribal land acknowledgements to be included in signage at 88 state parks. The 2022–23 state budget included nearly \$10 million to develop a plan for this work and to update and better contextualize the history of

California Native Americans in existing visitor center and museum exhibits at 24 state parks.

State Parks has entered into 14 MOUs and one Joint Powers Agreement with California Native American tribes for tribal access and collaboration over 89 parks units, covering approximately 939,000 acres of land.

The San Pasqual Band of Mission Indians. According to their website, the ancestors of the San Pasqual Indians 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. There are four other Kumeyaay bands in Northern Mexico. After the arrival of the Spaniards and the establishment of Mission San Diego de Alcalá in 1769, many Kumeyaay either left or were forced out of their ancestral homes. The San Pasqual Band of Mission Indians is a federally recognized tribe that maintains a Reservation covering about 1,380 acres in northeastern San Diego County in Southern California. The Reservation is home to about 800 people, including 450 enrolled tribal members.

San Pasqual Battlefield State Historic Park (SHP). The San Pasqual Battlefield SHP highlights the rich cultural history of the San Pasqual Valley, featuring exhibits on the Kumeyaay people, the region's Indigenous inhabitants, and commemorates the 1846 Battle of San Pasqual during the Mexican-American War. In recognition of the Kumeyaay ancestry, State Parks is working closely with the San Pasqual Band of Mission Indians to incorporate the robust history, culture, and traditional ecological knowledge of the Kumeyaay people into the park's visitor center, trails, and programs.

Visitors can explore the Battlefield Monument Trail, a scenic 1.5-mile route leading to the San Pasqual Battlefield Monument, erected in 1925. A shorter nature trail offers a moderate hike through the park's chaparral landscape. Currently, this state park is closed to the public for day use, but special events continue to be hosted.

San Pasqual Battlefield SHP spans 50 acres in the San Pasqual Valley. Only 3.68 acres is owned by State Parks and the rest is owned by the City of San Diego. Currently, there is no MOU between the San Pasqual Band and State Parks regarding this property.

Proposed Law: This bill would:

1. Make legislative findings and declarations regarding the San Pasqual Band of Mission Indians' ancestral lands in the San Pasqual Valley.
2. Require the state to quitclaim, forthwith, at no cost to the tribe, all state interests in the land owned within San Pasqual Battlefield State Park, consisting of three parcels totaling approximately 3.68 acres, and require the state to publish notice once in a San Diego County newspaper and post notice for 10 days at the intersection of the public right-of-way and the property.
3. Place conditions on the quitclaim deed.
4. Require the state, if the City of San Diego agrees to transfer the land it owns within the park to the tribe, to relinquish or transfer at no cost all state rights and

interests in those lands held through lease, permit, or otherwise, and to take all other actions necessary to effectuate the city's transfer.

5. Declare that a special statute is necessary because of the unique circumstances surrounding the history of the tribe's ancestral lands and the state's attempt to rectify recognized wrongs.
6. Declare that the act serves public purposes of rectifying the state's recognized wrongs in discriminating against Native Americans, healing the relationship between the state and the tribe, and allowing the tribe to operate a public park educating the public on its history, and therefore does not constitute a gift of public funds.
7. Provide for state reimbursement of any local agency or school district costs the Commission on State Mandates determines are mandated by the state, and provide that no appropriation is made and the state would not reimburse any local agency for property tax revenues lost.

Related Legislation:

AB 2356 (Ramos, 2026) would require DGS to grant Tolowa Dunes State Park to the Tolowa Dee-ni' Nation.

ACR 155 (Garcia, 2026), among other things, would state the Native Sons of the Golden West and Native Daughters of the Golden West, have acquired, reconstructed, restored, and preserved buildings and sites of statewide historical significance in virtually every county of the state without the use of tax dollars, including San Pasqual Battlefield State Historic Park in the City of Escondido.

AB 971 (Alvarez, 2025) was substantially similar to this bill. AB 971 was held in the Assembly Appropriations Committee.

AB 923 (Ramos, Chapter 475, Statutes of 2022) encourages the state and its agencies to consult on a government-to-government basis with federally recognized tribes and nonfederal recognized tribes as appropriate. Further, requires designated state officials, including the director of each state department, chair and executive officer of each state commission, and the chief counsel of any state agency, to have completed government-to-government consultation training by January 1, 2025 or within six months of appointment.

AB 1284 (Ramos, Chapter 657, Statutes of 2024) encourages CNRA, and its departments, boards, conservancies, and commissions, to enter into cogovernance and comanagement agreements with federally recognized tribes. Authorizes the Secretary of CNRA, or a delegate, to enter into cogovernance and comanagement agreements with federally recognized tribes for the purposes of shared responsibility, decisionmaking, and partnership in resource management and conservation within a tribe's ancestral lands and waters.

SB 231 (McGuire, Chapter 289, Statutes of 2021) authorizes the Department of Transportation, upon terms, standards, and conditions approved by the California Transportation Commission, to transfer the Blues Beach property located in the

unincorporated community of Westport in the County of Mendocino at no cost to a qualified nonprofit corporation, which the bill would define as a nonprofit corporation that is organized by one or more specified California Native American tribes for the purpose of environmental protection.

-- END --