

Date of Hearing: May 14, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 971 (Alvarez) – As Amended March 28, 2025

Policy Committee: Governmental Organization

Vote: 19 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill requires the Department of General Services (DGS) director to quitclaim to the San Pasqual Band of Mission Indians all interests of the state in San Pasqual Battlefield State Park.

Specifically, this bill:

- 1) Requires the DGS director to quitclaim to the San Pasqual Band of Mission Indians, at no cost to the tribe, all of the state's land interests within San Pasqual Battlefield State Park (SPB Park).
- 2) Encourages the City of San Diego to transfer to the San Pasqual Band of Mission Indians all of the city's land interests within SPB Park. If the city agrees to the transfer, the state must relinquish or transfer, at no cost to the tribe, all rights and interests of the state in the land through lease, permit, or other holdings. The state must take all other actions necessary to effectuate the city's transfer of land to the tribe.

FISCAL EFFECT:

- 1) One-time revenue loss of an unknown amount, potentially in excess of \$150,000, to the state by quitclaiming SPB 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 SPB Park may also result in potential one-time costs and ongoing cost savings of an unknown amount to the Department of Parks and Recreation (State Parks), as State Parks may need to undertake maintenance activities prior to the transfer, but would no longer need to continue maintenance afterward.

- 2) One-time costs of approximately \$60,000 to DGS to prepare title reports and process the transfer (General Fund). DGS notes that it would recover these costs from State Parks.

COMMENTS:

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

AB 971 is a critical step toward justice for the San Pasqual Band of Mission Indians, 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 Park] – land that holds profound cultural and spiritual significance, including a tribal cemetery – to the Tribe at no cost.

This bill is sponsored by the San Pasqual Band of Mission Indians.

- 2) **Background. *SPB Park.*** SPB Park, located in the San Pasqual Valley, includes trails, an outdoor amphitheater, a visitor center, and the San Diego Archeology Center. The park is currently closed to the public, with no designated reopening date. 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.

Return of Native American Ancestral Lands. On September 25, 2020, Governor Newsom issued a Statement of Administration Policy that stated:

[I]t is the policy of this administration to encourage every State agency, department, board and commission subject to my executive control to seek opportunities to support California tribes' co-management of and access to natural lands that are within a California tribe's ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs.

On April 26, 2024, Governor Newsom announced the state awarded more than \$100 million in funding appropriated as part of the fiscal years 2022-23 and 2023-24 state budgets for 33 tribal land projects, including ancestral land return. This bill requires DGS to quitclaim to the San Pasqual Band of Mission Indians all interests of the state in SPB Park.

- 3) **Related Legislation.** AB 1485 (Macedo) exempts the transfer of a deed that makes effective a tribal land return transaction from the local documentary transfer tax. AB 1485 is pending hearing by this committee.

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