

STAFF REPORT

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CONSIDER SPONSORING STATE LEGISLATION THAT WOULD GRANT IN TRUST TO THE CITY OF SAN DIEGO TITLE TO THREE PARCELS OF LAND IN THE VICINITY OF MISSION BAY, KNOWN AS THE FAMOSA SLOUGH PARCELS, THAT ARE ASSOCIATED WITH A 2011 LAND EXCHANGE AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE CALIFORNIA STATE LANDS COMMISSION, AND THE CITY OF SAN DIEGO

SUMMARY:

This legislative proposal would grant in trust to the City of San Diego title to three unfilled parcels of land, known as the Famosa Slough Parcels, in conformance with a previously approved land exchange, and require the City to manage the parcels consistent with the common law Public Trust Doctrine and terms of its existing statutory trust grant (Chapter 142, Statutes of 1945 as amended by Chapter 1455, Statutes of 1955).

BACKGROUND:

In October 2011, the Commission approved a land exchange agreement ([Item 47, October 27, 2011](#)) that terminated the State's sovereign Public Trust interests in one filled parcel and conveyed that parcel to the City in exchange for acquiring three unfilled parcels, known as the Famosa Slough Parcels, and impressing those parcels with the Public Trust. The Famosa Slough Parcels, approximately 31 acres of land adjacent to Mission Bay in the city of San Diego, are tidal wetlands and open space. The Commission also authorized a 49-year lease to the City for the management and control of the Famosa Slough Parcels until the City's statutory trust grant could be amended to include the Parcels.

The land exchange agreement stipulated that the City of San Diego and the Commission would pursue legislation to transfer the Famosa Slough Parcels to the City in trust for purposes consistent with the City's statutory trust grant. Staff thus recommends that the Commission sponsor legislation to grant the Famosa Slough Parcels in trust to the City of San Diego, consistent with the land exchange agreement. The lease will terminate upon the enactment date of the legislation.

RECOMMENDED ACTION:

Staff recommends that the Commission sponsor legislation to grant in trust to the City of San Diego title to three parcels of land in the vicinity of Mission Bay,

STAFF REPORT NO. **95** (CONT'D)

known as the Famosa Slough Parcels, that are associated with a land exchange agreement between the State of California, acting by and through the California State Lands Commission, and the City of San Diego, that the Commission approved in 2011.