October 27, 2021

File Ref.: G10-07

Paola Avila, Chief of Staff
City of San Diego, Office of Mayor Todd Gloria
City Administration Building
202 C Street, 11th Floor
San Diego, CA 92101

Subject: Campland on the Bay and Mission Bay RV Resort Violations

Dear Ms. Avila,

The California State Lands Commission (Commission) is aware that two private resorts that lease public trust lands in Mission Bay from the City of San Diego, Campland on the Bay and Mission Bay RV Resort, have impeded and discouraged the public from accessing the City’s legislatively granted public trust lands. The deterents included fencing and other objects that restricted public access and public parking, and the placement of private property signs deterring the public from accessing the beach. The City’s lease with Campland and Mission Bay RV Resort for the use of the public trust lands includes requirements to provide public access to the beach, bike and pedestrian paths, free access to a large public parking lot, and signs stating that specific areas are available for public access. It is staff’s understanding that Campland on the Bay and Mission Bay RV Resort violated the City’s lease requirements and public access policies in the Coastal Act, resulting in the California Coastal Commission assessing more than $1 million in penalties for the two resorts.

As you know, the City is a trustee of legislatively granted public trust lands and is responsible for managing these lands in a manner that is consistent with the common law Public Trust Doctrine and the terms of its legislative grant. Lands
underlying Campland on the Bay and the Mission Bay RV Resort are part of the City’s legislative trust grant and subject to the Public Trust. In its capacity as a trustee, the City is responsible for assuring that its lessees of trust lands are in compliance with their leases, including public access requirements. The City’s leases with Campland on the Bay and Mission Bay RV Resort also require that the lessees observe all laws, including laws passed after the lease went into effect, which includes the Coastal Act.

The Commission has residual oversight authority over the City's granted public trust lands. As such, Commission staff would like to take this opportunity to remind the City that it is responsible for ensuring that the public trust lands it manages are consistent with the Public Trust Doctrine and the City’s legislative grant. Public access is foundational to the Public Trust Doctrine. Safeguarding and promoting access to California’s public tidelands is one of the State Lands Commission’s core responsibilities. While Commission staff is dismayed about the public access violations and understands that the operator, not the City, breached the lease, it is incumbent on the City to ensure that its lessees comply with the legislative grant and the Public Trust Doctrine.

Commission staff is pleased that the operator has taken steps to remedy the public access violations. Commission staff requests that the City be vigilant in ensuring that Campland on the Bay and Mission Bay RV resort come back into compliance with their lease and the Coastal Act, and that public access is restored. Commission staff also requests that the City keep the Commission apprised as the situation evolves.

Please do not hesitate to contact me at (916) 574-0450 or Reid.boggiano@slc.ca.gov if you would like to discuss this issue further or if the State Lands Commission can provide any additional information.

Sincerely,

Reid Boggiano
Granted Lands Program Manager