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OPINION	:	
	:	No. 25-1202
of	:	
	:	November 18, 2026
ROB BONTA Attorney General	:	
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The HONORABLE CHRISTOPHER M. WARD, ASSEMBLYMEMBER, has requested an opinion on a question relating to the Surplus Land Act.

QUESTION PRESENTED AND CONCLUSION

Does the Marina Village property within Mission Bay Park, which is owned by the City of San Diego, qualify as exempt surplus land under the Surplus Land Act, Government Code section 54221(f)(1)(J) or (K)?

No, the Marina Village property within San Diego's Mission Bay Park does not qualify as exempt surplus land under Government Code section 54221(f)(1)(J) because the local legislative measures that restrict housing on the property do not constitute a "valid legal restriction that is not imposed by the local agency" for purposes of the Act.

Further, the Marina Village property does not qualify for the "trust land" exemption under section 54221(f)(1)(K) because the relevant trust grant does not include the entire parcel that constitutes the Marina Village property.

BACKGROUND

Mission Bay Park is an oceanside public space surrounded by the densely populated City of San Diego. Spanning some 4,200 acres (roughly five times the size of Manhattan's Central Park), Mission Bay Park offers beaches, boating, water sports, nature areas, playgrounds, resort hotels, camping, amusement parks, and scenic trails for walking and cycling.[1] Marina Village is a single 23-acre parcel in the southwest corner of Mission Bay Park, in Quivira Basin, just inside the Mission Bay Channel with immediate access to the Pacific Ocean.[2] The parcel is owned by the City of San Diego. The City has leased Marina Village long-term to SCPT Marina Village LLC, which has developed and operated the parcel as a waterfront conference and event center, plus a marina with 600 docking slips.[3]

The lease on the Marina Village property expires in April 2027.[4] In 2025, the City of San Diego began planning to enter into a subsequent long-term lease of the property, with the general aim of redeveloping it in alignment with the Mission Bay Park Master Plan.[5] Last updated in 2002, the Mission Bay Park Master Plan anticipates that development of the Marina Village property could be "intensified" to add up to 500 hotel rooms to the site.[6]

Under the Surplus Land Act (described more fully below), offering a city-owned property for a lease of 15 years or longer triggers a series of notice and negotiation requirements, unless the property is "exempt" under the terms of the Act. To understand its obligations under the statute, which was recently rewritten, San Diego consulted the Surplus Land Unit within the Department of Housing and Community Development

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[1] Mission Bay Park Master Plan Update, pp. 1, 3-5 (July 9, 2002), https://www.sandiego.gov/sites/default/files/mb_park_master_plan.pdf (Master Plan Update).

[2] Marina Village property website, http://marinavillage.net (as of Nov. 18, 2026).

[3] See City of San Diego Department of Economic Development, Staff Report to San Diego City Council, Re: Declare Certain City-Owned Real Property within Mission Bay Park "Surplus Land" Pursuant to California Government Code Sections 54220-54234 (June 23, 2025), https://www.sandiego.gov/sites/default/files/2025-08/mbpca20250805-item202a.pdf (Staff Report); Marina Village property website, *supra*.

[4] Staff Report, *supra*, pp. 1-2.

[5] *Ibid.*

[6] Master Plan Update, *supra*, pp. 1, 3-5. Currently, hotel accommodations for conference guests are provided at nearby hotels. (Marina Village property website, *supra*.)

(HCD).[7] After a period of conversation and analysis, HCD determined that the Marina Village property is not "exempt."[8] Our task here is to give our opinion on questions of law that have been identified in the evaluation process between HCD and San Diego.

In the consultation process, HCD and the City of San Diego focused their attention mainly on two issues. The primary issue was whether Marina Village is exempt from Surplus Land Act requirements on the ground that a "valid legal restriction"—in this case, a city charter provision and an ordinance—prohibits housing within the meaning of Government Code section 54221(f)(1)(J).[9] San Diego provided documents and analysis to HCD supporting its argument for such an exemption.[10] A secondary issue was whether Marina Village is exempt under the "trust land" provision in Government Code section 54221(f)(1)(K). HCD analyzed the issues and concluded that neither exemption pertains to Marina Village. Our requestor now asks for our view as to whether either exemption would apply. For the reasons below, we conclude the land is not exempt from the requirements of the Surplus Land Act under either subdivision (f)(1)(J) ("valid legal restriction") or (f)(1)(K) ("trust land") of section 54221.

ANALYSIS

Purpose and Content of the Surplus Land Act

The Surplus Land Act was enacted in 1968,[11] and substantially amended in 2020 to prioritize affordable housing.[12] The Act "reaffirms" the Legislature's declaration that "housing is of vital statewide importance to the health, safety, and welfare of the residents of this state and that provision of a decent home and a suitable living environment for every Californian is a priority of the highest order."[13] The Act also reaffirms the Legislature's "belief that there is an identifiable deficiency in the amount of

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[7] San Diego Mayor Todd Gloria, letter to HCD Director Gustavo Velasquez, Sept. 3, 2025 (San Diego letter); see Health & Saf. Code, § 54910, subd. (b) (Surplus Land Unit within HCD may provide "advice, technical assistance, and consultative and technical service to local agencies with surplus land and developers that seek to develop housing on the surplus land").

[8] HCD Assistant Deputy Director David Zisser, letter to Mayor Todd Gloria, Oct. 22, 2025 (HCD letter).

[9] San Diego letter, *supra*, at p. 2; HCD letter, *supra*, at pp. 1-2.

[10] San Diego letter, *supra*, at p. 2; HCD letter, *supra*, at pp. 1-2.

[11] Gov. Code, § 54220 et seq., added by Stats. 1968, ch. 621, § 1.

[12] See Gov. Code, § 54220 et seq., as amended by Stats. 2019, ch. 664, § 1 (Assem. Bill 1486, 2019-2020 Reg. Sess.).

[13] Gov. Code, § 54220, subd. (a).

land available for recreational purposes."[14] The purpose of the Act is to require local agencies to open up opportunities for development of housing and parks on publicly owned properties.[15] The Surplus Land Act applies to all local agencies in California, including charter cities like San Diego.[16]

The core of the Act is its requirement that "surplus government land, prior to disposition, should be made available" for low- and moderate-income housing or for park and recreation purposes.[17] "Surplus land" means land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use.[18] "Dispose" means either the sale of the surplus land, or the entering of a lease for surplus land for a term longer than 15 years.[19] The Act requires that, before disposing of real property, a local government agency must declare the property either "surplus land" or "exempt surplus land." Further, before disposing of or negotiating to dispose of surplus land, the agency must notify local housing agencies and developers (or park agencies and developers) at least 60 days before entering negotiations. And the agency must then negotiate in good faith with any interested entities for at least 90 days before disposing of the property.[20] If the disposing agency receives multiple bids on a surplus property, it must give first priority to the offeror that proposes to provide the greatest level of affordable housing[21]—unless the surplus land is currently used for park or recreational purposes, in which case the disposing agency must give first priority to an offeror that will continue to use the site for park or recreational purposes.[22] The Act

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[14] *Id.*, subd. (b).

[15] Gov. Code, § 54220.

[16] Gov. Code, § 54221, subd. (a)(1) ("'Local agency' means every city, whether organized under general law or by charter"); see *Anderson v. City of San Jose* (2019) 42 Cal.App.5th 683, 712 ("We find that the Act has a broad reach, applying to 'any' local government entity empowered to acquire and hold real property, including cities—both charter cities and those organized under general law, counties, and districts"). Amendments since 2019 clarifying the application of the Surplus Land Act do not affect this holding.

[17] See Gov. Code, § 54220.

[18] Gov. Code, § 54221, subd. (b)(1).

[19] *Id.*, subd. (d)(1).

[20] Gov. Code, §§ 54222 (notice of availability), 54223 (negotiations).

[21] Gov. Code, § 54227, subd. (a) (housing priority).

[22] *Id.*, subd. (b) (park or recreation priority).

expressly does not require a local agency to ignore its zoning and land use rules, to take less than fair market value for its surplus land, or to dispose of its surplus land at all.[23]

The notice, negotiation, and priority requirements do not apply to the disposal of "exempt" surplus land as defined in Government Code section 54221.[24] There are at least 22 categories of exemptions within the current statute, some with multiple conditions. That complex and extensive list of exemptions makes it a challenge in some cases for local agencies to make accurate classification of "surplus" and "exempt surplus" land.

Different Views on Meaning of "Valid Legal Restriction"

In this case, as indicated above, HCD and San Diego have different views on the "valid legal restriction" exemption described in subdivision (f)(1)(J) of Government Code section 54221.[25] That subdivision exempts from the Act's requirements "land that is

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[23] See Gov. Code, §§ 54223 (if good faith negotiations do not end on satisfactory terms, local agency may generally dispose of land "without further regard" to the Act), 54226, subds. (a) (local agency power), (b) (fair market value), (c) (zoning and land use decisions), (d) (disposition); see also *Anderson v. City of San Jose*, *supra*, 42 Cal.App.5th at p. 713.

[24] Gov. Code, § 54222.3 ("This Article shall not apply to the disposal of exempt surplus land as defined in Section 54221 by an agency of the state or any local agency").

[25] Government Code section 54221, subdivision (f)(1)(J) states, in full:

> (i) Surplus land that is subject to a valid legal restriction that is not imposed by the local agency and that makes housing prohibited, unless there is a feasible method to satisfactorily mitigate or avoid the prohibition on the site. A declaration of exemption pursuant to this subparagraph shall be supported by documentary evidence establishing the valid legal restriction. For the purposes of this section, "documentary evidence" includes, but is not limited to, a contract, agreement, deed restriction, statute, regulation, or other writing that documents the valid legal restriction.
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> (ii) Valid legal restrictions include, but are not limited to, all of the following:
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> (I) Existing constraints under ownership rights or contractual rights or obligations that prevent the use of the property for housing, if the rights or obligations were agreed to prior to September 30, 2019.
>
> (II) Conservation or other easements or encumbrances that prevent housing development.

(continued…)

subject to a valid legal restriction that is not imposed by the local agency and that makes housing prohibited, unless there is a feasible method to satisfactorily mitigate or avoid the prohibition on the site."[26]

San Diego identified two local laws that, together, prohibit housing on the Marina Village site. One of those laws, San Diego Ordinance O-8628 (enacted 1962), dedicates the entirety of Mission Bay Park "now and forever to be held for the benefit and enjoyment of the people of The City Of San Diego, and for that purpose said property is *dedicated in perpetuity as a public park* to be developed and maintained for said purposes."[27] The other, San Diego City Charter section 55, states that city property that has been formally dedicated to park purposes "shall not be used for any but park . . . purposes without such changed use or purpose having been *first authorized or later ratified by a vote of two-thirds of the qualified electors of the City* voting at an election for such purpose."[28] San Diego took the position that these provisions impose a "valid legal restriction" prohibiting housing at Marina Village within the meaning of the Act's exemption because any change from park use to housing use would require holding an

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(III) Existing leases, or other contractual obligations or restrictions, if the terms were agreed to prior to September 30, 2019.

(IV) Restrictions imposed by the source of funding that a local agency used to purchase a property, provided that both of the following requirements are met:

(ia) The restrictions limit the use of those funds to purposes other than housing;

(ib) The proposed disposal of surplus land meets a use consistent with that purpose.

(iii) Valid legal restrictions that would make housing prohibited do not include either of the following:

(I) An existing nonresidential land use designation on the surplus land.

(II) Covenants, restrictions, or other conditions on the property rendered void and unenforceable by any other law, including, but not limited to, Section 714.6 of the Civil Code.

(iv) Feasible methods to mitigate or avoid a valid legal restriction on the site do not include a requirement that the local agency acquire additional property rights or property interests belonging to third parties.

[26] Gov. Code, § 54221, subd. (f)(1)(J)(i), italics added.

[27] San Diego Ordinance No. O-8628, pp. 151-156, italics added.

[28] San Diego City Charter, Art. V, § 55, italics added.

election and obtaining approval from two-thirds of the voters in San Diego, such that the restriction is one that "is not imposed by the local agency."[29]

HCD responded that the San Diego City Charter and Ordinance O-8628 "were adopted by the City," meaning that "the restrictions were imposed by the City and therefore do not impose valid legal restrictions" not imposed by the local agency within the exemption.[30] San Diego countered that the phrase "not imposed by the local agency" should be construed "in light of the legal effect of the restriction rather than solely its historical source."[31] San Diego posited that, "although the original park dedication resulted from municipal action, the City no longer has unilateral authority to remove the restriction" because "Charter section 55 requires approval by two-thirds of the City's electorate before the restriction may be removed."[32]

Construction of Section 54221(f)(1)(J) and "Valid Legal Restriction"

Having laid out the pertinent rules and circumstances, we are prepared to evaluate the first legal issue presented here, namely, whether Marina Village qualifies as exempt surplus land under Government Code section 54221(f)(1)(J).

"Our fundamental task in interpreting a statute is to determine the Legislature's intent so as to effectuate the law's purpose."[33] First we consider the words of the statute, because "statutory language is generally the most reliable indicator of legislation's intended purpose."[34] "If we find the statutory language ambiguous or subject to more than one interpretation, we may look to extrinsic aids, including legislative history or purpose to inform our views."[35] "Ultimately, we must 'select the construction that comports most closely with the apparent intent of the Legislature, with a view to promoting rather than defeating the general purpose of the statute, and avoid an

[29] San Diego letter, *supra*, at p. 2.

[30] HCD letter, *supra*, at pp. 1-2.

[31] San Diego Deputy City Attorney J. Inman, email to Deputy Attorney General S.D. Lee, July 22, 2026 (Inman letter); see HCD letter, *supra*, at p. 2 (describing City's position).

[32] Inman letter, *supra*.

[33] *Prang v. Los Angeles County Assessment Appeals Board* (2024) 15 Cal.5th 1152, 1170.

[34] *McHugh v. Protective Life Ins. Co.* (2021) 12 Cal.5th 213, 227.

[35] *City of Los Angeles v. PricewaterhouseCoopers, LLP* (2024) 17 Cal.5th 46, 64, citations omitted.

interpretation that would lead to absurd consequences.'"[36] As a remedial statute, the Surplus Land Act is to be construed broadly to achieve its purposes.[37]

We begin with the text of the relevant statute. Government Code section 54221(f)(1)(J) exempts surplus property that is "subject to a valid legal restriction that is not imposed by the local agency and that makes housing prohibited, unless there is a feasible method to satisfactorily mitigate or avoid the prohibition on the site." This exemption generally allows a local agency to dispose of land without following the Surplus Land Act's requirements in circumstances where the property is not available for housing development because of certain preexisting legal restrictions. The question here is whether San Diego's charter provision or ordinance amounts to "a valid legal restriction that is not imposed by the local agency."

Subdivision (f)(1)(J) does not define the term "valid legal restriction." Instead, it provides examples, positive and negative, of restrictions that *are* recognized as valid, and restrictions that *are not* recognized as valid. By examining these examples, we can gain a better understanding of the meaning of the general category of "valid legal restrictions."[38]

To start, the list of positive examples set out in subparagraph (f)(1)(J)(ii) includes "constraints under ownership rights or contractual rights or obligations;" "conservation or other easements or encumbrances;" "existing leases, or other contractual obligations or restrictions;" and "restrictions imposed by the source of funding that a local agency used to purchase a property."[39] Although the list is not exhaustive, each example describes a contract-based right or encumbrance held by a party other than the fee simple owner of the property. An ordinance dedicating city property to permanent park use does not fit this pattern. Neither does a city charter provision requiring two-thirds voter approval to change such a park dedication.

On the other hand, looking at the list of negative examples, subparagraph (f)(1)(J)(iii) states that "valid legal restrictions that would make housing prohibited do not include . . . [a]n existing nonresidential land use designation on the surplus land."[40] Here,

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[36] *Ibid*., internal quotation marks and citations omitted.

[37] See *Niedermeier v. FCA US LLC* (2024) 15 Cal.5th 792, 823 ("courts should liberally construe remedial statutes in favor of their protective purpose"); *People ex rel. Lungren v. Superior Court* (1997) 14 Cal.4th 294, 306 ("the evil to be prevented is of prime consideration").

[38] *Brown v. City of Inglewood* (2025) 18 Cal.5th 33, 43; *People v. Giordano* (2007) 42 Cal.4th 644, 660.

[39] Gov. Code, § 54221, subd. (f)(1)(J)(ii).

[40] *Id.*, subd. (f)(1)(J)(iii); see also *id.*, § 54226, subd. (c) (Surplus Land Act "shall not be (continued…)

San Diego ordinance O-8628 dedicates the whole of Mission Bay Park "in perpetuity as a public park." Because the City's applicable land use designations reflect the restrictive provisions set forth in the ordinance, the ordinance constitutes a "nonresidential land use designation."[41] Accordingly, the ordinance would not qualify as a "valid legal restriction not imposed by the local agency" under subdivision (f)(1)(J).

Nor do the voter-approval restrictions in the city charter constitute "valid legal restrictions." The legislative history of section 54221(f)(1)(J) convinces us that the Legislature did not intend to include voter-approval requirements among the list of recognized exemptions. Recently, Senate Bill 747 (2023) proposed amendments to subparagraph (J) that would have expanded the list of "valid legal restrictions."[42] Relevant here, early versions of SB 747 provided that "valid legal restrictions include . . . [a] voter-approval requirement to transfer the property."[43]

Over the course of deliberations, however, the Legislature struck that language from the bill.[44] An analysis of SB 747 by the Assembly Committee on Local Government made this comment:

> This bill proposes to define valid legal restrictions to include "a requirement for voter approval to transfer the property." This could allow existing or prospective NIMBY voter initiatives that broadly restrict the ability of local agencies to transfer property to create [a Surplus Land Act] exemption. This could incentivize local communities to adopt new initiatives in order to sidestep the [Act]. The Committee may wish to consider whether this provision is appropriate.[45]

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interpreted to limit a local agency's authority or discretion to approve land use, zoning, or entitlement decisions in connection with the surplus land").

[41] Gov. Code, § 54221, subd. (f)(1)(J)(iii)(I); see City of San Diego, 2024 General Plan, Land Use and Community Planning Element, p. 27.

[42] E.g., Sen. Comm. on Appropriations, Analysis of Sen. Bill 747 (2023-2024 Reg. Sess.) as amended May 1, 2023, p. 3.

[43] Sen. Bill 747 (2023-2024 Reg. Sess.) bill text as amended Mar. 22, 2023; Apr. 13, 2023; May 1, 2023; May 18, 2023.

[44] Compare Sen. Bill 747 (2023-2024 Reg. Sess.) bill text as enacted Oct. 11, 2023, with bill text as amended May 18, 2023.

[45] Assem. Committee on Local Government, Analysis of SB 747 (2023-2024 Reg. Sess.) as amended May 18, 2023.

This provision was removed from later versions of the bill, and it is absent from the enacted language.[46]

Given the context of the proposed amendment and its subsequent removal, we conclude that the stricken language ("valid legal restrictions include . . . [a] voter-approval requirement to transfer the property") would have encompassed San Diego City Charter section 55.[47] Section 55 requires voter approval for the City to transfer park property to third parties for any non-park uses, such as housing development. We believe this is the kind of measure meant to "broadly restrict the ability of local agencies to transfer property" that the Legislature had in mind when it considered and rejected creating this new exemption example.[48] And given the Legislature's rejection of the proposed amendment, we do not believe the statute should be construed to exempt a voter-approval requirement to transfer property.[49] Accordingly, we are persuaded that San Diego's voter-approval requirement would not support a Surplus Land Act exemption under section 54221, subdivision (f)(1)(J).[50]

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[46] See Stats. 2023, ch. 786, § 1.

[47] Courts describe many varieties of public land transactions as "transfers." (See, e.g., *Baldwin v. City of Los Angeles* (1999) 70 Cal.App.4th 819, 831-837 [ordinance conveying disputed city park parcel to nonprofit housing agency]; *Simons v. City of Los Angeles* (1976) 63 Cal.App.3d 455, 460-466 [charter amendment formalizing longstanding use of city park land for police academy]; cf. Gov. Code, § 54221, subd. (d)(1) [for purpose of Surplus Land Act, "dispose" means either the sale of the surplus land, or the entering of a lease for surplus land for a term longer than 15 years].)

[48] Assem. Committee on Local Government, Analysis of SB 747 (2023-2024 Reg. Sess.) as amended May 18, 2023.

[49] See generally *Stoneridge Inv. Partners, LLC v. Sci.-Atlanta* (2008) 552 U.S. 148, 163 ("subsequent acts can shape or focus th[e] meanings" of a statute with "a range of plausible meanings"); see also *State Building & Construction Trades Council of California v. Duncan* (2008) 162 Cal.App.4th 289, 319 ("The rejection by the Legislature of a specific provision contained in an act as originally introduced is most persuasive to the conclusion that the act should not be construed to include the omitted provision"); *Athletics Investment Group LLC v. Department of Toxic Substances Control* (2022) 83 Cal.App.5th 953, 974-975 (similar); *People v. Superior Court* (*Alexander C.*) (2019) 34 Cal.App.5th 994, 1004 (similar).

[50] Accord, Department of Housing and Community Development, Updated Surplus Land Act Guidelines (Aug. 1, 2024) p. 17 (local voter-approval requirements not included in list of "valid legal restrictions"), https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/redlined-updated-surplus-land-act-guidelines-2024.pdf; see generally *Alvarado v. Dart Container*

(continued…)

San Diego argues that the legal restriction it faces is "not imposed by the local agency" because "the City no longer has unilateral authority to remove the restriction."[51] But we find no support in section 54221 or in its history for the proposition that the phrase "imposed by the local agency" implies that the local agency must have unilateral authority to remove a restriction. In any event, even if San Diego were correct that the restriction here was "not imposed by the local agency," we have already concluded that land-use designations and voter-approval requirements to transfer property for housing uses are not "valid legal restrictions" within the statute. We therefore conclude that Marina Village would not qualify as exempt surplus land under Government Code section 54221(f)(1)(J).

Construction of Section 54221(f)(1)(K) and "Trust Land"

We turn to the second issue, that is, whether the Marina Village site would qualify for the "trust land" exemption set forth in Government Code section 54221, subdivision (f)(1)(K). That provision states:

> Surplus land that was granted by the state in trust to a local agency or that was acquired by the local agency for trust purposes by purchase or exchange, and for which disposal of the land is authorized or required subject to conditions established by statute.[52]

California holds title in all tide and submerged lands and beds of navigable waterways within its borders, which it acquired when it became a state in 1850.[53] These sovereign lands are held in trust for the benefit of the people of California. The Legislature has enacted over 300 statutes granting sovereign public trust lands to various cities and counties, including San Diego, to manage in trust for the people of California.[54] Certain portions of Mission Bay Park, including some portion of the Marina Village site, are on such trust land.[55] After comparing maps of the relevant trust lands with the

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(2018) 4 Cal.5th 542, 558 (agency guidance document "should not be afforded any special weight or deference, but it is nonetheless something a court may consider").

[51] Inman letter, *supra*; see HCD letter, *supra*, at p. 2.

[52] Gov. Code, § 54221, subd. (f)(1)(K).

[53] See California State Lands Commission, Granted Public Trust Lands, Program Background, https://www.slc.ca.gov/granted_lands/#background (as of Nov. 18, 2026).

[54] *Ibid.*

[55] See California State Lands Commission, Registry of San Diego County, https://www.slc.ca.gov/granted-public-trust-lands/grantees/san-diego-county (as of Nov. 18, 2026).

footprint of the Marina Village site, HCD concluded that the exemption could not apply because not all of the Marina Village property is on trust land.[56]

Although we have been asked to evaluate this issue, Government Code section 12519 provides for the Attorney General to give opinions on "questions of law," not questions of fact. The metes and bounds of a particular property are issues of fact (albeit facts with legal consequences), which we are not in a position to evaluate.

As for the legal consequences, we conclude that the "trust land" exemption should apply to the entirety of a surplus property, not just a portion of it, particularly where, as here, the property at issue is a single parcel. Subparagraph (K) contains no language, such as "part," "partial," "fractional," or "proportional" from which a different rule could be inferred. Nothing in other parts of section 54221, or in the Surplus Land Act as a whole, suggests that exemptions should, or feasibly could, be applied to only a portion of a surplus parcel.[57] Therefore, if a portion of Marina Village is not on trust land, then the trust land exemption would not apply to Marina Village.

CONCLUSION

The Marina Village property within San Diego's Mission Bay Park does not qualify as exempt surplus land under Government Code section 54221(f)(1)(J) because designating the property for nonresidential land use via local ordinance and requiring voter approval to change the designation under the city charter does not qualify as a "valid legal restriction that is not imposed by the local agency" for purposes of the Act.

Further, the Marina Village property does not qualify for a "trust land" exemption under section 54221(f)(1)(K) if the relevant trust grant does not include the entire footprint of the Marina Village property.

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[56] HCD letter, *supra*, at p. 2.

[57] See, e.g., Gov. Code, § 54221, subd. (f)(1)(H) ("Surplus land totaling 10 or more acres, consisting of a *single parcel*, or two or more *adjacent or non-adjacent parcels*") (italics added).