

**ASSEMBLY BILL**

**No. 1077**

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**Introduced by Assembly Member Carter**

February 18, 2011

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An act to add Section 5006.10 to the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1077, as introduced, Carter. State parks: Colonel Allensworth State Historic Park.

Existing law provides for a state park system of which the Colonel Allensworth State Historic Park in Tulare County is a unit.

This bill would prohibit a person from developing any of the area within 2 ½ miles of the boundary of Colonel Allensworth State Historic Park in Tulare County in a manner that would be incompatible with the historic or recreational significance of the park. This prohibition would not apply to a development in Tulare County that was approved by the county on or before March 1, 2011.

The bill would make legislative findings as to the necessity of a special statute.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

1 (a) The state park system was created for the purposes of  
2 preserving outstanding natural, scenic, and cultural values,  
3 including areas of historic significance.

4 (b) The recent centennial of Colonel Allensworth State Historic  
5 Park in Tulare County has brought its state and national  
6 significance to the forefront.

7 (c) Given the natural and cultural resources present at and around  
8 Colonel Allensworth State Historic Park and the unique  
9 environmental and geological conditions of the area, a  
10 two-and-one-half-mile-wide buffer from an incompatible use is  
11 appropriate.

12 SEC. 2. Section 5006.10 is added to the Public Resources Code,  
13 to read:

14 5006.10. (a) A person shall not develop any of the area within  
15 two-and-one-half miles of the boundary of Colonel Allensworth  
16 State Historic Park in Tulare County in a manner that would be  
17 incompatible with the historic or recreational significance of the  
18 park.

19 (b) This section does not apply to a development in Tulare  
20 County that was approved by the county on or before March 1,  
21 2011.

22 SEC. 3. The Legislature finds and declares that a special law  
23 is necessary and that a general law cannot be made applicable  
24 within the meaning of Section 16 of Article IV of the California  
25 Constitution because of the necessity to ensure in perpetuity the  
26 unique recreational and historic significance of Colonel  
27 Allensworth State Historic Park in Tulare County.