

AMENDED IN SENATE JUNE 19, 2013

AMENDED IN ASSEMBLY MAY 1, 2013

AMENDED IN ASSEMBLY MARCH 14, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1097**

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**Introduced by Assembly Member Nestande**

February 22, 2013

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An act to amend Section 1587 of the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 1097, as amended, Nestande. Fish and Game Commission: Mirage Trail.

Existing law requires, until January 1, 2018, that the Mirage Trail within the Magnesia Spring Ecological Reserve be open 9 months of the year to recreational hiking, if the Fish and Game Commission determines that specified conditions are met.

This bill would *instead repeal these provisions as of January 1, 2013, and would* specify the 9 months of the year that the trail would be open as May to January, inclusive, and the 3 months that the trail would be closed as February to April, inclusive. *The bill would also require the commission to assess whether the 9-month schedule has any significant environmental impacts on the Peninsular bighorn sheep.*

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

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

1 SECTION 1. Section 1587 of the Fish and Game Code is  
2 amended to read:

3 1587. (a) The Mirage Trail within the Magnesia Spring  
4 Ecological Reserve shall be open nine months of the year during  
5 the months of May to January, inclusive, and closed for three  
6 months during the months of February to April, inclusive, to  
7 recreational hiking, if the commission determines that all of the  
8 following conditions are met:

9 (1) Local public agencies or other entities will assume complete  
10 financial responsibility for the following as determined to be  
11 necessary by the commission:

12 (A) Fencing to dissuade hikers from traversing beyond the trail  
13 and into sensitive Peninsular bighorn sheep habitat.

14 (B) Signage and educational materials to educate hikers about  
15 Peninsular bighorn sheep.

16 (2) A single entity has been designated to fulfill the financial  
17 arrangements and other terms and conditions determined by the  
18 commission to be necessary pursuant to paragraph (1).

19 (b) The commission shall ~~determine~~ *do both of the following:*

20 (1) *Determine* seasonal openings and closures of the trail that  
21 will not conflict with the use of the area by Peninsular bighorn  
22 sheep, consistent with subdivision (a).

23 (2) *Assess whether the nine-month schedule has any significant*  
24 *environmental impacts on the Peninsular bighorn sheep.*

25 (c) This section shall remain in effect only until January 1, ~~2018~~  
26 *2017*, and as of that date is repealed, unless a later enacted statute,  
27 that is enacted before January 1, ~~2018~~ *2017*, deletes or extends  
28 that date.

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