

AMENDED IN SENATE SEPTEMBER 6, 2013  
AMENDED IN SENATE SEPTEMBER 3, 2013  
AMENDED IN SENATE AUGUST 13, 2013  
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**

---

---

**Introduced by Assembly Member Nestande**

February 22, 2013

---

---

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 require the commission to determine that an additional condition is met 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: 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 nonstate entities will assume  
10 complete financial responsibility for the following as determined  
11 to be 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 (3) The entity designated pursuant to paragraph (2) has  
20 ~~transmitted sufficient nonstate funding to the commission to fund~~  
21 ~~the assessment required in subdivision (b) in an amount determined~~  
22 ~~by the commission~~ *committed to expend at least one hundred*  
23 *thousand dollars (\$100,000) by January 1, 2018, to monitor the*  
24 *Peninsular bighorn sheep, consistent with the Coachella Valley*  
25 *Multiple Species Habitat Conservation Plan.*

26 ~~(b) The commission shall assess whether the nine-month~~  
27 ~~schedule has any significant environmental impacts on the~~  
28 ~~Peninsular bighorn sheep.~~

29 (e)

1     **(b)** This section shall remain in effect only until January 1, 2018,  
2     and as of that date is repealed, unless a later enacted statute, that  
3     is enacted before January 1, 2018, deletes or extends that date.

O