

ASSEMBLY BILL

No. 2356

Introduced by Assembly Member Carter

February 19, 2010

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2356, 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, 2010.

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 2010.

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.