

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 03, California Code of Regulations

Adopt sections:

Amend sections: 3435(b)

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0527-02

OAL Matter Type: Emergency (E)

This emergency regulatory action by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid (ACP), *Diaphorina citri* in the Fresno, Selma, and Reedley areas of Fresno County. When combined with the neighboring quarantine in the Madera area of Madera County, the total quarantine area covers 781 square miles. The amendment provides authority for the state to perform quarantine activities against ACP within this additional area.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 6/2/2016 and will expire on 11/30/2016. The Certificate of Compliance for this action is due no later than 11/29/2016.

Date: June 2, 2016



Eric J. Partington
Attorney

For: Debra M. Cornez
Director

Original: Karen Ross
Copy: Sara Khalid

NOTICE PUBLICATION REGULATIONS SUBMISSION

EMERGENCY

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2016-0527-02E
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For use by Office of Administrative Law (OAL) only

<p>NOTICE</p>	<p>REGULATIONS</p>
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2016 MAY 27 P 2:03
OFFICE OF ADMINISTRATIVE LAW

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

JUN 2 2016
1:53 PM

AGENCY WITH RULEMAKING AUTHORITY
Department of Food and Agriculture

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER		PUBLICATION DATE	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Asian Citrus Psyllid Interior Quarantine	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 3435(b)
TITLE(S) 3	REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State \$100 Changes Without Regulatory Effect Effective other (Specify) _____

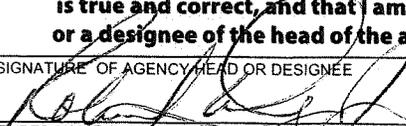
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) _____

7. CONTACT PERSON Sara Khalid	TELEPHONE NUMBER 916-403-6625	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Sara.Khalid@cdfa.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 5/25/16
TYPED NAME AND TITLE OF SIGNATORY Robert Wynn, Statewide Coordinator, Pierce's Disease Control Program	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUN 02 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

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(b) Area Under Quarantine:

(1) In Fresno County:

~~(A) Along the southern boundary in the Reedley area: Beginning at the intersection of the Fresno County Boundary line and S Zediker Avenue; then, starting northerly along said avenue to its intersection with E Mountain View Avenue; then, easterly along said avenue to its intersection with an Unnamed Road; then, northerly along said road to its intersection with E Saginaw Avenue; then, easterly along said avenue to its intersection with S Smith Avenue; then, northerly along said avenue to its intersection with Smith Avenue; then, northerly along said avenue to its intersection with E Floral Avenue; then, easterly along said avenue to its intersection with S Lac Jac Avenue; then, northerly along said avenue to its intersection with E Parlier Avenue; then, westerly along E Parlier Avenue to its intersection with an Imaginary Line at 36.611764 latitude and -119.493275 longitude; then, northerly along said line to its intersection with E South Avenue at 36.618967 latitude and -119.493188 longitude; then, westerly along said avenue to its intersection with S Smith Avenue; then, northerly along said avenue to its intersection with E Lincoln Avenue; then, northeasterly along E Lincoln Avenue to its intersection with an Imaginary Line at 36.648039 latitude and -119.512072 longitude; then, northerly along said line to its intersection with Kings River at 36.653458 latitude and -119.512202 longitude; then, easterly along Kings River to its intersection with an Imaginary Line at 36.653571 latitude and -119.502343 longitude; then, northerly along said line to its intersection with S Riverbend Avenue; then, continuing northerly along S Riverbed Avenue to its intersection with E Annadale Avenue; then, easterly along said avenue to its intersection with S Reed Avenue; then, northerly along said avenue to its intersection with E Kings Canyon Road; then, easterly along E Kings Canyon Road to its intersection with Ruth Hill Road; then, southeasterly along said road to its intersection with George~~

~~Smith Road; then, southerly along said road to its intersection with Ruth Hill Road; then, easterly along said road to its intersection with an Unnamed Creek at 36.724959 latitude and -119.223776 longitude; then, southeasterly along said creek to its intersection with an Unnamed Creek at 36.692470 latitude and -119.201567 longitude; then, southerly along said creek to its intersection with an Unnamed Creek at 36.689633 latitude and -119.203035 longitude; then, southeasterly along said creek to its intersection with the Fresno County Boundary Line; then, westerly along said line to its intersection with the Fresno County Boundary line; then, southerly along said line to its intersection with the Fresno County Boundary line; then westerly along said line to its intersection with the Fresno County Boundary Line; then, southwesterly along said line to the point of beginning.~~

~~(12) In Kern County:~~

~~(23) In San Luis Obispo County:~~

~~(34) In Santa Clara and Alameda Counties, in the San Jose and Milpitas areas:~~

~~(45) In San Joaquin County:~~

~~(56) In Madera and Fresno counties, in the Madera, Fresno, Selma, and Reedley areas: Beginning at the intersection of Road 26 and Berenda Creek; then, starting northwesterly along said creek to its intersection with Avenue 26; then, easterly along said avenue to its intersection with Road 29; then, southerly along said road to its intersection with Road 603; then, easterly along said road to its intersection with Road 400; then, southwesterly along said road to its intersection with Mud Spring Creek; then, southerly along said creek to its intersection with an imaginary line; then, southerly along said line to its intersection with Madera Canal at 37.055748 latitude and -119.892804 longitude; then, southeasterly along said canal to its intersection with Hildreth Creek; then easterly along said creek to its intersection with an Unnamed Road at 37.023763 latitude and -119.821226 longitude; then, southerly along said road to its intersection with Wide Awake Ranch Road; then, northeasterly along said road to its intersection with County Road 208; then, continuing~~

northeasterly along said road to its intersection with Road 211; then, southerly along said road to its intersection with Millerton Road; then, easterly along said road to its intersection with Road 206; then, southeasterly along an Imaginary Line to its intersection with an Unnamed Road at 36.995336 latitude and -119.678535 longitude; then, southerly along said road to its intersection with Millerton Road; then, southeasterly along said road to its intersection with Auberry Road; then, southwesterly along said road to its intersection with Friant Kern Canal; then, southerly along Friant Kern Canal to its intersection with an Imaginary Line at 36.920765 latitude and -119.674831 longitude; then, westerly along said line to its intersection with N Armstrong Avenue at 36.920790 latitude and -119.676413 longitude; then, southerly along said avenue to its intersection with E Appaloosa Avenue; then, southwesterly along said avenue to its intersection with E Copper Avenue; then, westerly along said avenue to its intersection with N Willow Avenue; then, southerly along said avenue to its intersection with E International Avenue; then, westerly along said avenue to its intersection with N Maple Avenue; then, southerly along said avenue to its intersection with N Sommerville Drive; then, southeasterly along said drive to its intersection with E Perrin Avenue; then, westerly along said avenue to its intersection with E Shepherd Avenue; then, continuing westerly along said avenue to its intersection with N Friant Road; then, southwesterly along said road to its intersection with E Audubon Drive; then, westerly along said drive to its intersection with W Nees Avenue; then, westerly on said avenue to its intersection with N Palm Avenue; then, southerly along said avenue to its intersection with W Locust Avenue; then, easterly along said avenue to its intersection with N San Pablo Avenue; then, southerly along said avenue to its intersection with W Beechwood Avenue; then, easterly along said avenue to its intersection with N Blackstone Avenue; then, southerly along said avenue to its intersection with E Herndon Avenue; then, easterly along said avenue to its intersection with N Cedar Avenue; then, southerly along said avenue to its intersection with E Shaw Avenue; then, easterly along said avenue to its intersection with N Maple Avenue; then, southerly along said avenue to its intersection with E Gettysburg Avenue; then, easterly along said avenue to its intersection with Willow Avenue; then, southerly along said avenue to its intersection with N Chestnut Diagonal; then, southwesterly along said Diagonal to N Chestnut Avenue; then, southerly along said avenue to its intersection with

S Chestnut Avenue; then, southerly along said avenue to its intersection with E Butler Avenue; then, westerly along said avenue to its intersection with S Cedar Avenue; then, southerly along said avenue to its intersection with E Church Avenue; then, easterly along said avenue to its intersection with S Willow Avenue; then, southerly along said avenue to its intersection with E North Avenue; then, easterly along said avenue to its intersection with S Minnewawa Avenue; then, southerly along said avenue to its intersection with E American Avenue; then, easterly along said avenue to its intersection with S Clovis Avenue; then, southerly along S Clovis Avenue to its intersection with an Imaginary Line at 36.641605 latitude and -119.700097 longitude; then, westerly along said line to its intersection with E Clayton Avenue at 36.641681 latitude and -119.701709 longitude; then, westerly along said avenue to its intersection with S Minnewawa Avenue; then, southerly along said avenue to its intersection with E Adams Avenue; then, easterly along said avenue to its intersection with S Kenneth Avenue; then, southerly along said avenue to its intersection with E Sumner Avenue; then, easterly along said avenue to its intersection with N Sumner Avenue; then, southeasterly along said avenue to its intersection with W Merced Street; then, northeasterly along said street to its intersection with E Merced Street; then, northeasterly along said street to its intersection with E Adams Avenue; then, easterly along said avenue to its intersection with S Temperance Avenue; then, northerly along said avenue to its intersection with E Lincoln Avenue; then, easterly along said avenue to its intersection with S Del Rey Avenue; then, southerly along said avenue to its intersection with E Clayton Avenue; then, easterly along said avenue to its intersection with S Indianola Avenue; then, southerly along said avenue to its intersection with E Adams Avenue; then, easterly along said avenue to its intersection with S Academy Avenue; then, southerly along said avenue to its intersection with E South Avenue; then, easterly along said avenue to its intersection with S Mendocino Avenue; then, easterly along an Imaginary Line to its intersection with E South Avenue at 36.619337 latitude and -119.538535 longitude; then, easterly along said avenue to its intersection with S Newmark Avenue; then, northerly along said avenue to its intersection with E Fantz Avenue; then, easterly along said avenue to its intersection with S Zediker Avenue; then, northerly along S Zediker Avenue to its intersection with an Imaginary Line at 36.655333 latitude and -119.520447 longitude; then, easterly along said line to its intersection with

the Kings River at 36.655342 latitude and -119.515529 longitude; then, northwesterly along said river to its intersection with E Goodfellow Avenue; then northwesterly along said avenue to its intersection with S Channel Road; then, northeasterly along said road to its intersection with E Annadale Avenue; then, easterly along said avenue to its intersection with S Riverbend Avenue; then, northerly along said avenue to its intersection with S Rainbow Avenue; then, northeasterly along said avenue to its intersection with E Kings Canyon Road; then, southeasterly along said road to its intersection with an Unnamed Creek at 36.724238 latitude and -119.458139 longitude; then, northerly along said creek to its intersection with the Sherwood Forest Golf Club Boundary at 36.731738 latitude and -119.453655 longitude; then, northerly along said boundary to its intersection with N Frankwood Avenue; then, northerly along N Frankwood Avenue to its intersection with an Imaginary Line at 36.741600 latitude and -119.438971 longitude; then, southeasterly along said line to its intersection with Porter Avenue at 36.737305 latitude and -119.367516 longitude; then, southeasterly along an Imaginary Line to its intersection with E Kings Canyon Road at 36.723515 latitude and -119.304626 longitude; then, easterly along E Kings Canyon Road to its intersection with Ruth Hill Road; then, southeasterly along said road to its intersection with George Smith Road; then, southerly along said road to its intersection with Ruth Hill Road; then, easterly along said road to its intersection with an Unnamed Creek at 36.724959 latitude and -119.223776 longitude; then, southeasterly along said creek to its intersection with an Unnamed Creek at 36.692470 latitude and -119.201567 longitude; then, southerly along said creek to its intersection with an Unnamed Creek at 36.689633 latitude and -119.203035 longitude; then, southeasterly along said creek to its intersection with the Fresno County Boundary Line; then, westerly along said line to its intersection with the Fresno County Boundary Line; then, southerly along said line to its intersection with the Fresno County Boundary Line; then westerly along said line to its intersection with the Fresno County Boundary Line; then, southwestly along said line to its intersection with Boston Avenue and Elkhorn Avenue; then, westerly along said avenue to its intersection with S Fowler Avenue; then, northerly along said avenue to its intersection with E Clarkson Avenue; then, westerly along said avenue to its intersection with S Clovis Avenue; then, northerly along said avenue to its intersection with E Conejo Avenue; then, westerly along said

avenue to its intersection with S Peach Avenue; then, northerly along said avenue~~E South Avenue; then, westerly along said avenue to its intersection with S Villa Road; then, southerly along said avenue to its intersection with E Parlier Avenue; then, westerly along said avenue to its intersection with S Peach Avenue; then, southerly along said avenue to its intersection with E Floral Avenue; then, westerly along said avenue to its intersection with S Henderson Road; then northwesterly along said road to its intersection with S Hayes Avenue; then, northerly along said avenue to its intersection with W Central Avenue; then, westerly along said avenue to its intersection with S Chateau Fresno Avenue; then northerly along said avenue to W Jensen Avenue; then, easterly along said avenue to its intersection with S Bryan Avenue; then, northerly along said avenue to its intersection with W California Avenue; then, westerly along said avenue to its intersection with S Westlawn Avenue;~~W Kearney Boulevard; then, westerly along said boulevard to its intersection with S Grantland Avenue; then, northerly along said avenue to its intersection with W Whitesbridge Avenue; then, westerly along said avenue to its intersection with N Dickenson Avenue~~~~N Chateau Fresno Avenue; then, northerly along said avenue to its intersection with W Shields Avenue; then, westerly along said avenue to its intersection with N Jameson Avenue; then, northerly along said avenue to its intersection with W Shaw Avenue; then, westerly along said avenue to its intersection with N Goldenrod Avenue; then, northerly along said avenue to its intersection with W Barstow Avenue and an Imaginary Line; then, northerly along said line to its intersection with the San Joaquin River at 36.815807 latitude and -120.042842 longitude; then, northwesterly along said river to its intersection with N Madera Avenue; then, northerly along said avenue to its intersection with Avenue 6; then, easterly along said avenue to its intersection with Road 29 1/2; then, northerly along said road to its intersection with Avenue 11; then, easterly along said avenue to its intersection with Road 30 1/2; then, northerly along said road to its intersection with Avenue 12; then, westerly along said avenue to its intersection with Road 30; then, northerly along said road to its intersection with Avenue 13; then, westerly along said avenue to its intersection with Main Canal; then, northerly along said canal to its intersection with Road 29; then, northerly along said road to its intersection with Avenue 15 1/2; then, westerly along said avenue to its intersection with Storey Road; then, westerly along said road to its intersection with E~~~~

Yosemite Avenue; then, southwesterly along said avenue to its intersection with E Cleveland Avenue; then, northwesterly along said avenue to its intersection with Raymond Road; then, northeasterly along said road to its intersection with Road 28; then, northerly along said road to its intersection with Ellis Street; then, westerly along said street to its intersection with N Lake Street; then, northerly along said street to its intersection with Avenue 17; then, westerly along said avenue to its intersection with Road 26; then, northerly along said road to the point of the beginning.

(~~67~~) The entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare and Ventura.

(~~78~~) In San Benito County:

(~~89~~) In Stanislaus and Merced Counties:

(~~94~~) In San Mateo and San Francisco Counties, in the Daly City area:

(~~104~~) In Stanislaus County, in the Oakdale area:

(~~114~~) In Kings County, in the Kettleman City area...

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Note: Authority cited: Sections 407, 5301, 5302 and 5322, Food and Agricultural Code.
Reference: Sections 407, 5301, 5302 and 5322, Food and Agricultural Code.