

**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: 2016-0629-01E

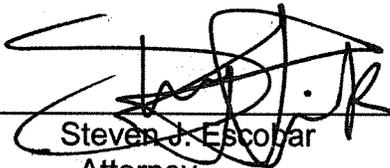
OAL Matter Type: Emergency (E)

This emergency rulemaking by the Department of Food and Agriculture (the "Department") creates a quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* in the Modesto area of Stanislaus County. The Modesto quarantine area is approximately 98 square miles and is being created in response to the identification of one adult ACP on June 14, 2016. This emergency action 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 6/30/2016 and will expire on 12/28/2016. The Certificate of Compliance for this action is due no later than 12/27/2016.

Date: June 30, 2016



Steven J. Escobar
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 2016-0629-01E
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For use by Office of Administrative Law (OAL) only

<p>2016 JUN 29 A 9:18</p> <p>OFFICE OF ADMINISTRATIVE LAW</p>	<p>NOTICE</p> <hr/> <p>REGULATIONS</p>
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ENDORSED - FILED
In the office of the Secretary of State
of the State of California

JUN 30 2016
1:56 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	ACTION ON PROPOSED NOTICE		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 §§11349.3, 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)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> 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 6/27/16
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 30 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

....

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

(A) In the Oakdale area: Beginning at the intersection of Dodds Road and 26 Mile Road; then, starting northeasterly along said road to its intersection with Eastman Road; then, northeasterly along said road to its intersection with 28 Mile Road; then, northerly along said road to its intersection with E Sonora Road; then, southeasterly along said road to its intersection with Kennedy Road; then, northeasterly along said road to its intersection with Willms Road; then, southerly along said road to its intersection with OID South Main Canal; then, southwesterly along said canal to its intersection with an Unnamed Road at 37.776265 latitude and -120.734044 longitude; then, southerly along said Unnamed Road to its intersection with an Imaginary Line at 37.762896 latitude and -120.731244 longitude; then, southerly along said line to its intersection with the Sierra Railroad at 37.759229 latitude and -120.731228 longitude; then, southeasterly along said railroad to its intersection with Warnerville Road; then, westerly along said road to its intersection with an Unnamed Road at 37.740081 latitude and -120.747371 longitude; then, southerly along said road to its intersection with an Unnamed Road at 37.736462 latitude and -120.747435 longitude; then, westerly along said road to its intersection with Emery Road; then, southerly along said road to its intersection with an Unnamed Road at 37.725484 latitude and -120.756504 longitude; then, southerly along said road to its intersection with an Unnamed Road at 37.718213 latitude and -120.756534 longitude; then, westerly along said road to its intersection with Ellenwood Road; then, southerly along said road to its intersection with Claribel Road; then, westerly along said road to its intersection with Crow Road; then, southerly along said road to its intersection with Milnes Road; then, westerly along said road to its intersection with Langworth Road; then, northerly along said road to its intersection with Claribel Road; then, westerly along said road to its intersection with Eleanor Road; then, northerly along said road to its intersection with California Avenue; then, westerly along said avenue to its intersection with Snedigar Road; then, northerly along said road to its intersection with Santa Fe Street; then, westerly along said street to its

intersection with Claus Road; then, northerly along said road to its intersection with an Imaginary Line at the end of said road; then, northerly along said line to its intersection with the Stanislaus County Boundary at 37.737429 latitude and -120.922397 longitude; then, northerly along said boundary to its intersection with Dodds Road; then, easterly along said road to the point of beginning.

(B) In the Modesto area: Beginning at the intersection of Beckwith Road and Hammett Road; then, starting northerly along said road to its intersection with Covert Road; then, easterly along said road to its intersection with Finney Road; then, northerly along said road to its intersection with Broadway Avenue; then, northeasterly along said avenue to its intersection with Kiernan Avenue; then, northeasterly along said avenue to its intersection with Sisk Road; then, northerly along said road to its intersection with Mid Main Canal; then, northeasterly along said canal to its intersection with American Avenue; then, northerly along said avenue to its intersection with Ladd Road; then, easterly along said road to its intersection with Patterson Road; then, easterly along said road to its intersection with Coffee Road; then, southerly along said road to its intersection with Morrill Road; then, easterly along said road to its intersection with Oakdale Road; then, southerly along said road to its intersection with Mid Lateral Canal 6; then, easterly along said canal to its intersection with Squire Wells Way; then, southerly along said way to its intersection with Claribel Road; then, easterly along said road to its intersection with Roselle Avenue; then, southerly along said avenue to its intersection with Plainview Road; then, easterly along said road to its intersection with Litt Road; then, southerly along said road to its intersection with Sylvan Avenue; then, easterly along said avenue to its intersection with Claus Road; then, southerly along said road to its intersection with Garner Road; then, southerly along said to road to its intersection with Finch Road; then, easterly along said road to its intersection with Codoni Avenue; then, southerly along said avenue to its end at its intersection with an Imaginary Line; then, southerly along said line to its intersection with the Tuolumne River at 37.619257 latitude and -120.910933 longitude; then, southwesterly along said river to its intersection with Mitchell Road; then, southerly along said road to its intersection with Fowler Road; then, westerly along said road to its intersection with Moffet Road; then, southerly along said road to its intersection with Caswell Avenue; then, westerly along said avenue to its intersection with Central Avenue; then, southerly along said avenue to its intersection with E Whitmore Avenue; then, westerly along said avenue to its intersection with Blaker Road; then, southerly along said road to its intersection with Hackett Road; then, westerly along said road to its intersection with Morgan Road; then, southerly along said road to its intersection with E Service Road; then, westerly along said road to its intersection with W Service Road; then,

westerly along said road to its intersection with an Unnamed Road at 37.580529 latitude and -121.077023 longitude; then, northerly along said road to its intersection with an Imaginary Line and an Unnamed Road at 37.584539 latitude and -121.076655 longitude; then, northerly along said line to its intersection with the Tuolumne River at 37.584909 latitude and -121.076928 longitude; then, southwesterly along said river to its intersection with the Tuolumne River at 37.582705 latitude and -121.105159 longitude; then, northerly along an Imaginary Line to its intersection with Young Road at 37.584151 latitude and -121.105217 longitude; then, northerly along said road to its intersection with Paradise Road; then, westerly along said road to its intersection with S Hart Road; then, northerly along said road to its intersection with N Hart Road; then, northerly along said road to its intersection with Beckwith Road; then, easterly along said road to the point of beginning.

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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.