

**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:

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0629-02

OAL Matter Type: Emergency (E)

This emergency rulemaking action by the Department of Food and Agriculture will establish the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) of approximately 111 square miles in the Salinas area of Monterey County. The effect of this emergency action provides authority for the State to perform quarantine activities against ACP within this established area, along with the other existing regulated areas in the state.

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



Nicole C. Carrillo
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 2016-0629-02E
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For use by Office of Administrative Law (OAL) only

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

JUN 30 2016

1:48 PM

2016 JUN 29 A 9:23

OFFICE OF ADMINISTRATIVE LAW

NOTICE

REGULATIONS

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 Disapproved/Withdrawn		ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER	PUBLICATION DATE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) REPEAL
TITLE(S) 3	

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)

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 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.

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(b) Area Under Quarantine:

(13) In Monterey County, in the Salinas area: Beginning at the intersection of McFadden Road and Castroville Road; then, northwesterly along Castroville Road to its intersection with an Unnamed Creek at 36.740087 latitude and -121.738649 longitude; then, southeasterly along said creek to its intersection with Main Canal; then, southeasterly along said canal to its intersection with an Unnamed Creek at 36.736632 latitude and -121.733786 longitude; then, easterly along said creek to its intersection with Unnamed Creek at 36.736926 latitude and -121.726319 longitude; then, northeasterly along said creek to its intersection with Espinosa Road; then, northwesterly along said road to its intersection with Unnamed Road at 36.748049 latitude and -121.707598 longitude; then northerly along said road to Unnamed Road at 36.753859 latitude and -121.707383 longitude; then northwesterly along said road to its intersection with Tembladero Slough; then, northeasterly along said slough to its intersection with El Camino Real N; then, northerly along said road to its intersection with Pesante Road; then, easterly along said road to its intersection with Unnamed Road at 36.779778 latitude and -121.641560 longitude; then, easterly along said road to its intersection with Unnamed Road at 36.778143 latitude and -121.630442 longitude; then, easterly along said road to its intersection with Unnamed Road at 36.780989 latitude and -121.610841 longitude; then, easterly along said road to its intersection with an Imaginary Line; then, easterly along said line to its intersection with Gabilan Creek at 36.781308 latitude and -121.592818 longitude; then, easterly along said creek to its intersection with Unnamed Creek at 36.782700 latitude and -121.585918 longitude; then, southeasterly along said creek to its intersection with an Unnamed Creek at 36.771370 latitude and -121.547947 longitude; then, southeasterly along said creek to its intersection with an Imaginary Line; then, southeasterly along said line to its intersection with Gabilan Creek at 36.741676 latitude and -121.505230 longitude; then

southwesterly along said creek to its intersection with an Imaginary Line; then, southwesterly along said line to its intersection with an Unnamed Creek at 36.715215 latitude and -121.508990 longitude; then, southwesterly along said creek to its intersection with an Imaginary Line; then, southwesterly along said line to its intersection with an Unnamed Road at 36.669885 latitude and -121.521657 longitude; then, southwesterly along said road to its intersection with an Unnamed Road at 36.636201 latitude and -121.519036 longitude; then, southwesterly along said road to its intersection with Spence Road; then, westerly along said road to its intersection with an Imaginary Line; then, southwesterly along said line to its intersection with the Salinas River at 36.606689 latitude and -121.576059 longitude; then, northwesterly along said river to its intersection with the Salinas River at 36.609959 latitude and -121.646812 longitude, then, northerly along said river to its intersection with an Imaginary Line and an Unnamed Road at 36.610894 latitude and -121.646660 longitude, then, northeasterly along said road to its intersection with Harris Road; then, westerly along said road to its intersection with Spreckles Boulevard; then, northwesterly along said boulevard to its intersection with S Main Street; then, northeasterly along said street to its intersection with Foster Road; then, northwesterly along said road to its intersection with S Davis Road; then, northeasterly along said road to its intersection with W Blanco Road; then, northwesterly along said road to its intersection with Armstrong Road; then, northwesterly along said road to its intersection with McFadden Road; then, northeasterly along said road to the point of the 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.