

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 03, California Code of Regulations

Amend section: 3435(b)

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0727-04

OAL Matter Type: Emergency (E)

This emergency rulemaking by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* in the Tracy and Manteca areas of San Joaquin County. The Tracy and Manteca quarantine areas are expanded by approximately 53 square miles in response to the identification of one adult ACP on June 30, 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 8/2/2016 and will expire on 1/31/2017. The Certificate of Compliance for this action is due no later than 1/30/2017.

Date: August 2, 2016



Nicole C. Carrillo
Attorney

For: Debra M. Cornez
Director

Original: Karen Ross
Copy: Sara Khalid

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(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 2016-0727-04E
------------------	--------------------------	--------------------------	-----------------------------------

For use by Office of Administrative Law (OAL) only

2016 JUL 27 P 12:27

OFFICE OF
ADMINISTRATIVE LAW

ENDORSED - FILED

In the office of the Secretary of State
of the State of California

AUG 02 2016

1:50PM

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	ACTION ON PROPOSED NOTICE <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 Disapproved/Withdrawn			NOTICE REGISTER NUMBER	PUBLICATION DATE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)
--	--

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)

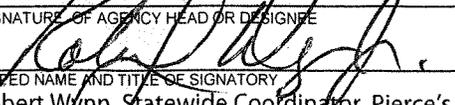
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
---	---	--	--

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
----------------------------------	----------------------------------	-----------------------	--

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 7/26/16
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

AUG 02 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Quarantine.

....

(b) Area Under Quarantine:

....

(4) In San Joaquin County:

(A) In the Lodi area:

~~(B) In the Manteca area: Beginning at the intersection of Frewert Road and S Manthey Road; then, starting northerly on S Manthey Road to its intersection with Roth Road; then, easterly along said road to its intersection with the tracks of Southern Pacific Railroad; then, northerly along said railroad to its intersection with French Camp Slough; then, starting southeasterly along said slough to its intersection with North Fork Little Johns; then, starting northeasterly along said fork to its intersection with S Jack Tone Road; then, southerly along said road to its intersection with Wildwood Road; then, easterly along said road to its intersection with Murphy Road; then, southerly along said road to its intersection with E River Road; then, westerly along said road to its intersection with Calhoun Avenue; then, southerly along said avenue to its intersection with W Colony Road; then, westerly along said road to its intersection with N Jack Tone Road; then, southerly along said road to its intersection with 37.748774 latitude and -121.142330 longitude; then, southwestery along an imaginary line to its intersection with S Olive Avenue at 37.741951 latitude and -121.155915 longitude; then, southerly along said avenue to its intersection with W Ripon Road; then, westerly along said road to its intersection with S Frederick Road; then, southerly along said road to its intersection with E Hutchinson Road; then, westerly along said road to its intersection with S Austin Road; then, southerly along said road to its intersection with Melton Road; then, westerly along said road to its intersection with S Manteca Road; then, northerly along said road to its intersection with Perrin Road; then, starting westerly along said road to its intersection with Hays Road; then, starting northerly along said road to its~~

~~intersection with Dennis Way; then, starting northeasterly along said way to its intersection with Dennis Way at 37.759050 latitude and -121.299350 longitude; then, northwesterly along an imaginary line to its intersection with the western bank San Joaquin River at 37.763102 latitude and -121.309374 longitude; then, starting northerly along said bank to its intersection with 37.847742 latitude and -121.324609 longitude; then, easterly along an imaginary line to its intersection with the western most point of Frewert Road; then, easterly along said road to the point of beginning.~~

(BG) In the Tracy and Manteca areas: Beginning at the intersection of the San Joaquin County Boundary and Mascot Boulevard; then, starting easterly along said boulevard to its intersection with S De Anza Boulevard; then, northerly along said boulevard to its intersection with Wicklund Way Crossing; then, easterly along said crossing to its intersection with Mountain House Parkway; then, northerly along said parkway to its intersection with W Byron Road; then, southeasterly along said road to its intersection with Henderson Road; then, northerly along said road to its intersection with W Bethany Road; then, easterly along said road to its intersection with W I D Canal; then, northeasterly along said canal to its intersection with W I D Canal at 37.790787 latitude and -121.514906 longitude; then, northerly along said canal to its intersection with Finck Road at 37.791385 latitude and -121.514118 longitude; then, easterly along said road to its intersection with S Tracy Boulevard; then, northerly along said road to its intersection with an Unnamed Road at 37.820362 latitude and -121.449689 longitude; then, easterly along said road to its intersection with Wing Levee Road; then, easterly along said road to its intersection with an Unnamed Road at 37.820514 latitude and -121.400432 longitude; then, southeasterly along said road to its intersection with Old River at 37.81133 latitude and -121.384726 longitude; then, northeasterly along said river to its intersection with the San Joaquin River; then, northeasterly along the San Joaquin River to its intersection with an Imaginary Line at 37.847742 latitude and -121.324609 longitude; then, easterly along said line to its intersection with Frewert Road; then, easterly along said road to its intersection with S Manthey Road; then, northerly along said road to its intersection with Roth Road; then, easterly along said road to its intersection with the tracks of Southern Pacific Railroad; then, northerly along said railroad to its intersection with French Camp Slough; then, southeasterly along said

slough to its intersection with North Fork Little Johns; then, northeasterly along said fork to its intersection with S Jack Tone Road; then, southerly along said road to its intersection with Wildwood Road; then, easterly along said road to its intersection with Murphy Road; then, southerly along said road to its intersection with E River Road; then, westerly along said road to its intersection with Calhoun Avenue; then, southerly along said avenue to its intersection with W Colony Road; then, westerly along said road to its intersection with N Jack Tone Road; then; southerly along said road to its intersection with 37.748774 latitude and -121.142330 longitude; then, southwesterly along an imaginary line to its intersection with S Olive Avenue at 37.741951 latitude and -121.155915 longitude; then, southerly along said avenue to its intersection with W Ripon Road; then, westerly along said road to its intersection with S Frederick Road; then, southerly along said road to its intersection with E Hutchinson Road; then, westerly along said road to its intersection with S Austin Road; then, southerly along said road to its intersection with Melton Road; then, westerly along said road to its intersection with S Manteca Road; then, northerly along said road to its intersection with Perrin Road; then, westerly along said road to its intersection with Hays Road; then, northerly along said road to its intersection with Dennis Way; then, northeasterly along Dennis Way to its intersection with an Imaginary Line at 37.749484 latitude and -121.288816 longitude; then, westerly along said line to its intersection with the San Joaquin River at 37.749446 latitude and -121.293060 longitude; then, southwesterly along said river to its intersection with the BCID Canal; then, southwesterly along said canal to its intersection with S Bird Road; then, southerly along said road to its intersection with W Vernalis Road; then, westerly along said road to its intersection with S Chrisman Road; then, southerly along said boulevard to its intersection with W Tracy Boulevard; then, easterly along said boulevard to its intersection with S Tracy Boulevard; then, southerly along said boulevard to its intersection with W Sugar Road; then, easterly along said road to its intersection with Holly Drive; then, southerly along said drive to its intersection with Arbor Road; then, easterly along said road to its intersection with Paradise Road; then, southerly along said road to its intersection with S Paradise Avenue; then, southerly along said avenue to its intersection with W Grant Line Road; then, easterly along said road to its intersection with S Banta Road; then,

southerly along said road to its intersection with W Linne Road; then, southerly along an Imaginary Line to its intersection with W Durham Ferry Road at 37.667148 latitude and -121.379590 longitude; then, westerly along said road to its intersection with S Chrisman Road; then, southerly along said road to its intersection with W Vernalis Road; then, westerly along said road to its intersection with an Imaginary Line at the end of said road; then, continuing westerly along said line to its intersection with W Corral Hollow Road at 37.629646 latitude and -121.515829 longitude; then, westerly along said road to its intersection with the San Joaquin County Boundary; then, northerly along said boundary to the point of the beginning.

.....

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