

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

Regulatory Action:

Title 03, California Code of Regulations

**Government Code Sections 11346.1 and
11349.6**

Adopt sections:

Amend sections: 3435(b)

Repeal sections:

OAL Matter Number: 2016-0823-02

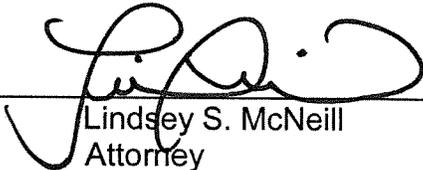
OAL Matter Type: Emergency (E)

This emergency regulatory action by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 5 square miles in the San Luis Obispo area of San Luis Obispo County and 110 square miles in the Paso Robles area of San Luis Obispo County. 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 8/25/2016 and will expire on 2/22/2017. The Certificate of Compliance for this action is due no later than 2/21/2017.

Date: August 25, 2016



Lindsey S. McNeill
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 2016-0823-02E
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For use by Office of Administrative Law (OAL) only

<p>2016 AUG 23 A 10:24</p> <p>OFFICE OF ADMINISTRATIVE LAW</p>	
NOTICE	REGULATIONS

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

AUG 25 2016

1:45 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	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)
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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)

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

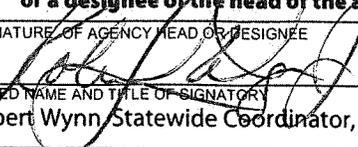
Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

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 8/18/16
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 25 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

....

(2) In San Luis Obispo County:

(A) In the San Luis Obispo area: Beginning at the intersection of Pennington Creek and Pennington Creek Road; then, starting northeasterly along said creek to its intersection with the Boundary of Camp San Luis Obispo Military Reserve; then, northeasterly along said boundary to its intersection with the Boundary of Los Padres National Forest; then, easterly along said boundary to its intersection with an imaginary line at 35.368614 latitude and -120.655669 longitude; then, northeasterly along said line to its intersection with Tassajara Creek Road and US Highway 101; then, from said intersection starting southeasterly along an imaginary line to its intersection with an Unnamed Road at 35.348476 latitude and -120.578149 longitude; then, southeasterly along an imaginary line to its intersection with Burrito Creek Road and Burrito Creek; then, from said intersection southerly along an imaginary line to its intersection with the beginning of Villa Creek; then, southeasterly along said creek to its intersection with East Corral de Piedra Creek; then, continuing southerly along said creek to its intersection with an Imaginary Line at 35.218567 latitude and -120.576673 longitude; then, southeasterly along said line to its intersection with Lopez Drive at 35.187861 latitude and -120.495282 longitude; then, southerly along an imaginary line to its intersection with Huasna Road at 35.131060 latitude and -120.480605 longitude; then, southeasterly along Huasna Road to its intersection with Huasna Townsite Road; then, southeasterly along said road to its intersection with an Imaginary Line at the end of said road; then, southeasterly along said line to its intersection with Dakota Lane at 35.102212 latitude and -120.419975 longitude; then, southeasterly along Dakota Lane to its intersection with Suey Creek Road at 35.038410 latitude and -120.377224 longitude; then, easterly along an Imaginary Line to its intersection with an Unnamed Creek at 35.040447 latitude and -120.350645 longitude; then, southeasterly along an Imaginary Line to its intersection with Alamo Creek Road at 35.031736 latitude and -120.306580 longitude; then, southeasterly along an Imaginary Line to its intersection with San Luis Obispo County Boundary at 35.015390 latitude and -120.289950 longitude; then, westerly along said boundary to its intersection with the Coast of California; then, northwesterly along the Coast of California to its intersection with an Imaginary Line at 35.157182 latitude and -120.678934 longitude; then, northeasterly along said line to its intersection with Terrace Avenue; then, northeasterly along said avenue to its intersection with

Shell Beach Road; then, northwesterly along said road to its intersection with Spyglass Drive; then, northeasterly along said drive to its intersection with US Highway 101; then, northerly along said highway to its intersection with Avila Beach Drive; then, westerly along Avila Beach Drive to its intersection with an Imaginary Line at 35.180274 latitude and -120.703416 longitude; then, northwesterly along said line to its intersection with Cave Landing Road and Avila Beach Drive; then, southwesterly along said drive to its intersection with Wild Cherry Canyon; then northerly along said canyon to its intersection with an Imaginary Line at 35.190122 latitude and -120.752727 longitude; then, northwesterly along said line to its intersection with Diablo Canyon Creek at 35.223373 latitude and -120.783363 longitude; then, northwesterly along an Imaginary Line to its intersection with Islay Creek at 35.251517 latitude and -120.791977 longitude; then, northwesterly along said drive to its intersection with San Luis Bay Drive; then, northerly along said drive to its intersection with Bay Laurel Place; then, northwesterly along said place to its intersection with Blue Heron Drive; then, northerly along said drive to its intersection with Lupine Canyon Road; then, northwesterly along said road to its intersection with Hartford Canyon Road; then, southwesterly along said road to its intersection with Shooting Star Lane; then northwesterly along said lane to its intersection with an Imaginary Line at the end of said lane; then, northwesterly along said line to its intersection with Pecho Creek at 35.217244 latitude and -120.770287 longitude; then, continuing northwesterly along an Imaginary Line to its intersection with an Unnamed Road at 35.269651 latitude and -120.803424 longitude; then, northerly along said road to its intersection with Clark Valley Road; then, northerly along said road to its intersection with Los Osos Valley Road; then, westerly along said road to its intersection with Turri Road; then, northerly along said road to its intersection with an Imaginary Line at the end of said road; then, northeasterly along said line to its intersection with Benjamino Way; then, northeasterly along said way to its intersection with Tomasini Road; then, northwesterly along said road to its intersection with State Highway 1; then, southerly along said highway to its intersection with Education Drive; then, northerly along said drive to its intersection with Watson Drive; then, northeasterly along said drive to its intersection with Pennington Creek Road; then, northeasterly along said road to the point of beginning.

(B) In the Cayucos area:

(C) In the Paso Robles area: Beginning at the intersection of San Marcos Road and Mahoney Road; then, starting northerly along Mahoney Road to its intersection with Texas Road; then, easterly along Texas Road to its intersection with an Imaginary Line at 35.703904 latitude and

-120.726699 longitude; then, easterly along said line to its intersection with an Unnamed Road at 35.703746 latitude and -120.713821 longitude; then, southerly along said road to its intersection with San Marcos Road; then, northeasterly along said road to its intersection with US Highway 101; then, northerly along said highway to its intersection with Mission Street; then, northeasterly along said street to its intersection with River Road; then, southeasterly along said road to its intersection with Estrella Road; then, easterly along said road to its intersection with Jardine Road; then, southerly along said road to its intersection with Weeping Willow Way; then, easterly along said way to its intersection with Whispering Oak Way; then, southerly along said way to its intersection with Dry Creek Road; then, southerly along said road to its intersection with State Highway 46; then, easterly along said highway to its intersection with Branch Road; then, southerly along said road to its intersection with Union Road; then, westerly along said road to its intersection with Hidden Acre Lane; then, southerly along said lane to its intersection with an Imaginary Line at 35.703746 latitude and -120.713821 longitude; then, southerly along said line to its intersection with Stoney Place at 35.615511 latitude and -120.587880 longitude; then, westerly along said place to its intersection with Dresser Ranch Place; then, southwesterly along said place to its intersection with Linne Road; then, southerly along said road to its intersection with High Ridge Road; then, southerly along said road to its intersection with Stagecoach Road; then, southerly along said road to its intersection with Creston Road; then, westerly along said road to its intersection with S El Pomar Road; then, southerly along said road to its intersection with El Pomar Drive; then, northwesterly along said drive to its intersection with an Unnamed Road at 35.557481 latitude and -120.678411 longitude; then northerly along said road to its intersection with an Unnamed Road at 35.561281 latitude and -120.678390 longitude; then, westerly along said road to its intersection with Vaquero Road; then, southerly along said road to its intersection with Vaquero Road at 35.559344 latitude and -120.688692 longitude; then, westerly along an Imaginary Line to its intersection with Phillips Road; then, westerly along said road to its intersection with N Main Street; then, southerly along said street to its intersection with Gibson Road; then, westerly along said road to its intersection with Old Country Road; then, southwesterly along said road to its intersection with Las Tablas Road; then, northwesterly along said road to its intersection with Booker Road; then, northeasterly along said road to its intersection with Green Valley Road; then, northeasterly along said road to its intersection with Oakdale Road; then, westerly along said road to its intersection with Las Tablas Willow Creek Road; then, northwesterly along said road to its intersection with Niderer Road; then, northerly along said road to its intersection with Kiler Canyon Road; then, westerly along said road to its intersection with Peachy Canyon Road; then, northerly along said road to its intersection with an

Unnamed Road at 35.626240 latitude and -120.778841 longitude; then, northwesterly along said road to its intersection with Hidden Mountain Road at 35.633351 latitude and -120.780756 longitude; then, northerly along said road to its intersection with Adelaida Road; then, easterly along said road to its intersection with an Unnamed Road at 35.660567 latitude and -120.770940 longitude; then, northerly along an Unnamed Road to its intersection with an Imaginary Line at 35.679764 latitude and -120.806051 longitude; then, northwesterly along said line to its intersection with Chimney Rock Road at 35.681594 latitude and -120.809827 longitude; then, northeasterly along said road to its intersection with Nacimiento Lake Drive; then, easterly along said drive to its intersection with San Marcos Road; then, northeasterly along said road 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.