

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 3, 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

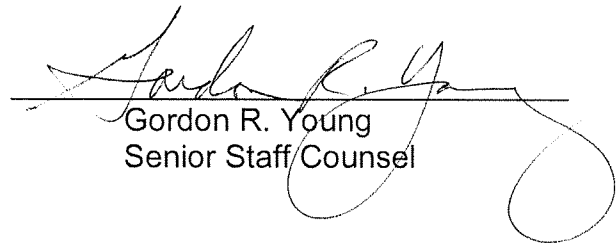
OAL File No. 2012-0202-02 E

This emergency action expands the existing Asian citrus psyllid (ACP), (*Diaphorina citri*) interior quarantine area by approximately 144 square miles in San Diego County. The expansion surrounds the latest find of an ACP in San Clemente, CA. The total proposed quarantine area will become approximately 20,706 square miles.

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 2/6/2012 and will expire on 8/7/2012. The Certificate of Compliance for this action is due no later than 8/6/2012.

Date: 2/6/2012


Gordon R. Young
Senior Staff Counsel

For: DEBRA M. CORNEZ
Assistant Chief Counsel/Acting Director

Original: Karen Ross

Copy: Stephen S. Brown

NOTICE PUBLICATION/REGULATIONS SUBMISSION

EMERGENCY

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2012-0202-02E
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For use by Office of Administrative Law (OAL) only	
<p style="text-align: center;">2012 FEB -2 PM 3:50</p> <p style="text-align: center;">OFFICE OF ADMINISTRATIVE LAW</p> <p style="text-align: center;">NOTICE</p>	<p style="text-align: center;">REGULATIONS</p>

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

FEB 6 2012 *JOBM AS*

DEBRA BOWEN
Secretary of State

AGENCY WITH RULEMAKING AUTHORITY Food and Agriculture	AGENCY FILE NUMBER (if any) PH12002
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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)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</td> <td>ADOPT</td> </tr> <tr> <td></td> <td>AMEND</td> </tr> <tr> <td></td> <td>3435(b)</td> </tr> <tr> <td></td> <td>REPEAL</td> </tr> <tr> <td>TITLE(S)</td> <td></td> </tr> <tr> <td>3</td> <td></td> </tr> </table>	SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT		AMEND		3435(b)		REPEAL	TITLE(S)		3	
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	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 §511346.2-11347.3 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)

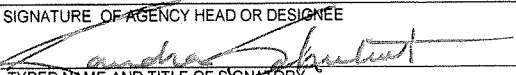
<input type="checkbox"/> Effective 30th day after filing with Secretary of State	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. 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 Stephen S. Brown	TELEPHONE NUMBER (916) 654-1017	FAX NUMBER (Optional) (916) 654-1018	E-MAIL ADDRESS (Optional) sbrown@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 2/2/12
TYPED NAME AND TITLE OF SIGNATORY Sandra Schubert, Undersecretary	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

Feb 06 2012

Office of Administrative Law

Section 3435. Asian Citrus Psyllid Interior Quarantine.

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(b) Area Under Quarantine:

(1) The entire County of San Diego except:

~~(A) Beginning at the intersection of the California coastline with the boundary of San Diego County; then, starting northeasterly along the boundary of San Diego County to its intersection with Sky Ranch Road; then, starting southerly along said road to its intersection with De Luz Murrieta Road; then, starting southwestery along said road to its intersection with De Luz Road; then, starting southerly along said road to its intersection with Roblar Truck Trail; then, southwestery along an imaginary line to its intersection with Las Pulgas Road and Las Pulgas Creek; then, starting southwestery along said creek to its intersection with Las Flores Creek; then, starting southwestery along said creek to its intersection with US Interstate 5; then, starting southeasterly along said interstate to its intersection with the Santa Margarita River; then, starting westerly along said river to its intersection with the California coastline; then, starting northwesterly along said coastline to the point of beginning.~~

~~(B) Beginning at the boundary line of San Diego County at 33.427262 latitude and -116.770375 longitude; then easterly along said boundary line to its intersection with 33.427076 latitude and -116.467260 longitude; then, southeasterly along an imaginary line to its intersection with Horse Camp Road; then, starting southwestery along said road to its intersection with De Anza Trail; then, southerly along said trail to its intersection with Cayote Way; then, westerly along said way to its intersection with Anza Park Trail; then, easterly along said trail to its intersection with Stagecoach Way; then, southerly along said way to its intersection with Borrego Springs Road; then, starting southerly along said road to its intersection~~

with Yaqui Pass Road; then, starting southerly along said road to its intersection with State Highway 78; then, southwesterly along said highway to its intersection with State Highway 79; then, starting northwesterly along said highway to its intersection with an unnamed road at 33.338920 latitude and -116.719413 longitude; then starting northeasterly along said road to its intersection with the boundary line of the Cleveland National Forest; then, starting westerly along said boundary to its intersection with 33.362319 latitude and - 116.719026 longitude; then, northwesterly along an imaginary line to the point of beginning.

(2) In Riverside and San Bernardino Counties: [Continued]

(3) In Santa Barbara County: [Continued]

(4) The entire counties of Imperial, Los Angeles, Orange and Ventura.

[Continued]

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