

**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 section: 3435(b)
Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0727-02E

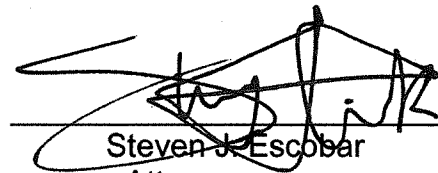
OAL Matter Type: Emergency (E)

This emergency rulemaking by the Department of Food and Agriculture (the "Department") both expands the quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* in the Fresno area of Fresno County and creates the quarantine area for ACP in the Parlier area of Fresno County. The quarantine areas are expanded by approximately 15 square miles in response to the identification of two adult ACPs in the Fresno area and one adult ACP in the Parlier area on June 16, 2016. This emergency action provides authority for the State to perform quarantine activities against ACP within these additional areas.

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 8/1/2016 and will expire on 1/31/2017. The Certificate of Compliance for this action is due no later than 1/30/2017.

Date: August 1, 2016



Steven J. Escobar
Attorney

For: Debra M. Cornez
Director

Original: Karen Ross
Copy: Sara Khalid

EMERGENCY

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

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 2016-0727-02E
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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

AUG 01 2016

1:59PM

2016 JUL 27 P 12:22
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	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)			
<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 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 01 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

....

(5) In Madera and Fresno counties, in the Madera, Fresno, Selma, Clovis, Parlier, and Reedley areas: Beginning at the intersection of Road 26 and Berenda Creek; then, starting northwesterly along said creek to its intersection with Avenue 26; then, easterly along said avenue to its intersection with Road 29; then, southerly along said road to its intersection with Road 603; then, easterly along said road to its intersection with Road 400; then, southwesterly along said road to its intersection with Mud Spring Creek; then, southerly along said creek to its intersection with an imaginary line; then, southerly along said line to its intersection with Madera Canal at 37.055748 latitude and -119.892804 longitude; then, southeasterly along said canal to its intersection with Hildreth Creek; then easterly along said creek to its intersection with an Unnamed Road at 37.023763 latitude and -119.821226 longitude; then, southerly along said road to its intersection with Wide Awake Ranch Road; then, northeasterly along said road to its intersection with County Road 208; then, continuing northeasterly along said road to its intersection with Road 211; then, southerly along said road to its intersection with Millerton Road; then, easterly along said road to its intersection with Road 206; then, southeasterly along an Imaginary Line to its intersection with an Unnamed Road at 36.995336 latitude and -119.678535 longitude; then, southerly along said road to its intersection with Millerton Road; then, southeasterly along said road to its intersection with Auberry Road; then, southwesterly along said road to its intersection with Friant Kern Canal; then, southerly along Friant Kern Canal to its intersection with an Imaginary Line at 36.920765 latitude and -119.674831 longitude; then, westerly along said line to its intersection with N Armstrong Avenue at 36.920790 latitude and -119.676413 longitude; then, southerly along said avenue to its intersection with E Appaloosa Avenue; then, southwesterly along said avenue to its intersection with E Copper Avenue; then, easterly along said avenue to its intersection with Carson Avenue; then, northeasterly along an Imaginary Line to its intersection with Friant Kern Canal at 36.905522 latitude and -119.656850 longitude;

then, southeasterly along an Imaginary Line to its intersection with Mendocino Avenue at 36.897501 latitude and -119.584596 longitude; then, southeasterly along said avenue to its intersection with Tollhouse Road; then, northeasterly along said road to its intersection with Academy Oaks Lane; then, southerly along said lane to its intersection with Oak Knoll Lane; then, easterly along said lane to its intersection with an Unnamed Road; then, southerly along said road to its intersection with E Shepherd Avenue; then, westerly along E Shepherd Avenue to its intersection with an Imaginary Line at 36.866346 latitude and -119.532315 longitude; then, southerly along said line to its intersection with E Teague Avenue at 36.859084 latitude and -119.532390 longitude; then, easterly along said avenue to its intersection with an Imaginary Line at the end of said avenue; then, southeasterly along said line to its intersection with an Unnamed Road at 36.855440 latitude and -119.527884 longitude; then, southerly along said road to its intersection with E Nees Avenue; then, easterly along E Nees Avenue to its intersection with an Imaginary Line at 36.851735 latitude and -119.525696 longitude; then, southerly along said line to its intersection with an Unnamed Road at 36.848079 latitude and -119.525675 longitude; then, easterly along said road to its intersection with E Nees Avenue; then, southerly along E Nees Avenue to its intersection with an Imaginary Line at 36.838834 latitude and -119.518873 longitude; then, southerly along said line to its intersection with Friant Kern Canal and N Zediker Avenue; then, southerly along said avenue to its intersection with E Ashlan Avenue; then, westerly along said avenue to its intersection with N Newmark Avenue; then, southerly along said avenue to its intersection with E Dakota Avenue; then, westerly along said avenue to its intersection with N Madsen Avenue; then, southerly along said avenue to its intersection with E Shields Avenue; then, easterly along said avenue to its intersection with N Zediker Avenue; then, southerly along said avenue to its intersection with E Olive Avenue; then, westerly along said avenue to its intersection with N Newmark Avenue; then, southerly along said avenue to its intersection with E Belmont Avenue; then, westerly along said avenue to its intersection with N Fancher Avenue; then, northerly along said avenue to its intersection with E Olive Avenue; then, westerly along said avenue to its intersection with N Temperance Avenue; then, northerly along said avenue to its intersection with Mill Ditch; then, southwesterly along said ditch to its intersection with N Armstrong Avenue; then, southerly along said avenue to its

per agency
request

I.J.E.,

07-29-2016

~~intersection with E Floradora Avenue; then, westerly along said avenue to its intersection with N Fowler Avenue; then, northerly along said avenue to its intersection with E Clinton Avenue; then, westerly along said avenue to its intersection with N Fowler Avenue; then, northerly along said avenue to its intersection with E Shields Avenue; then, westerly along said avenue to its intersection with N Clovis Avenue; then, southerly along said avenue to its intersection with Burlington Northern and Santa Fe Railroad; then, easterly along said railroad to its intersection with N Sunnyside Avenue; then, southerly along said avenue to its intersection with California State Route 180 W; then, easterly along said route to its intersection with N Fowler Avenue; then, southerly along said avenue to its intersection with E Grant Avenue; then, easterly along said avenue to its intersection with N Laverne Avenue; then, southeasterly along said avenue to its intersection with N Armstrong Avenue; then, southerly along said avenue to its intersection with an Imaginary Line at the end of said avenue; then, southerly along said line to its intersection with E Platt Avenue and N Douglas Avenue; then, southerly along said avenue to its intersection with E Balch Avenue; then, easterly along said avenue to its intersection with N Douglas Avenue; then, southwestery along said avenue to its intersection with N Armstrong Avenue; then, southerly along said avenue to its intersection with E Kings Canyon Road; then, easterly along said road to its intersection with S Temperance Avenue; then, southerly along said avenue to its intersection with an Unnamed Road at 36.686456 latitude and -119.663938 longitude; then, westerly along said road to its intersection with an Unnamed Road at 36.686463 latitude and -119.668408 longitude; then, southerly along said road to its intersection with E Central Avenue; then, easterly along said avenue to its intersection with S Temperance Avenue; then, southerly along said avenue to its intersection with an Unnamed Road at 36.670794 latitude and -119.663929 longitude; then, westerly along said road to its intersection with an Unnamed Road at 36.670847 latitude and -119.672887 longitude; then, southerly along said road to its intersection with an Unnamed Road at 36.667294 latitude and -119.672974 longitude; then, westerly along said road to its intersection with Briggs Canal; then, southwestery along said canal to its intersection with an Unnamed Road at 36.666221 latitude and -119.677419 longitude; then, southerly along said road to its intersection with an Unnamed Road at 36.659896 latitude and -119.677518 longitude; then, westerly along said road to its intersection with~~

S Fowler Avenue; then, southerly along said avenue to its intersection with E Jefferson Avenue; then, westerly along said avenue to its intersection with an Unnamed Road at 36.656289 latitude and -119.686484 longitude; then, southerly along said road to its intersection with an Unnamed Road at 36.652673 latitude and -119.686507 longitude; then, westerly along said road to its intersection with an Unnamed Road at 36.652683 latitude and -119.690988 longitude; then, southerly along said road to its intersection with S Sunnyside Avenue; then, southerly along said avenue to its intersection with E Clayton Avenue; then, westerly along said avenue to its intersection with S Minnewawa Avenue; then, southerly along said avenue to its intersection with E Adams Avenue; then, easterly along said avenue to its intersection with S Kenneth Avenue; then, southerly along said avenue to its intersection with E Sumner Avenue; then, easterly along said avenue to its intersection with N Sumner Avenue; then, southeasterly along said avenue to its intersection with W Merced Street; then, northeasterly along said street to its intersection with E Merced Street; then, northeasterly along said street to its intersection with E Adams Avenue; then, easterly along said avenue to its intersection with S Temperance Avenue; then, northerly along said avenue to its intersection with E Lincoln Avenue; then, easterly along said avenue to its intersection with S McCall Avenue; then, northerly along said avenue to its intersection with E Jefferson Avenue; then, easterly along said avenue to its intersection with S Del Rey Avenue; then, northerly along said avenue to its intersection with E Central Avenue; then, easterly along said avenue to its intersection with S Greenwood Avenue; then, northerly along said avenue to its intersection with Garfield Ditch; then, northeasterly along said ditch to its intersection with Lonetree Channel; then, northerly along said channel to its intersection with an Unnamed Creek at 36.685839 latitude and -119.547373 longitude; then, northeasterly along said creek to its intersection with an Unnamed Creek at 36.686441 latitude and -119.544226 longitude; then, southerly along an Unnamed Creek to its intersection with an Imaginary Line at 36.685951 latitude and -119.544365 longitude; then, easterly along said line to its intersection with an Unnamed Road at 36.685955 latitude and -119.542905 longitude; then, northeasterly along an Unnamed Road to its intersection with an Imaginary Line at 36.689814 latitude and -119.533930 longitude; then, northerly along said line to its intersection with E North Avenue; then, easterly along said avenue to its intersection with

~~S Channel Road; S Del Rey Avenue; then, southerly along said avenue to its intersection with E Clayton Avenue; then, easterly along said avenue to its intersection with S Indianola Avenue; then, southerly along said avenue to its intersection with E Adams Avenue; then, easterly along said avenue to its intersection with S Academy Avenue; then, southerly along said avenue to its intersection with E South Avenue; then, easterly along said avenue to its intersection with S Mendocino Avenue; then, easterly along an Imaginary Line to its intersection with E South Avenue at 36.619337 latitude and -119.538535 longitude; then, easterly along said avenue to its intersection with S Nemark Avenue; then, northerly along said avenue to its intersection with E Fantz Avenue; then, easterly along said avenue to its intersection with S Zediker Avenue; then, northerly along S Zediker Avenue to its intersection with an Imaginary Line at 36.655333 latitude and -119.520447 longitude; then, easterly along said line to its intersection with the Kings River at 36.655342 latitude and -119.515529 longitude; then, northwesterly along said river to its intersection with E Goodfellow Avenue; then northwesterly along said avenue to its intersection with S Channel Road; then, northeasterly along said road to its intersection with E Annadale Avenue; then, easterly along said avenue to its intersection with S Riverbend Avenue; then, northerly along said avenue to its intersection with S Rainbow Avenue; then, northeasterly along said avenue to its intersection with E Kings Canyon Road; then, southeasterly along said road to its intersection with an Unnamed Creek at 36.724238 latitude and -119.458169 longitude; then, northerly along said creek to its intersection with the Sherwood Forest Golf Club Boundary at 36.731738 latitude and -119.453655 longitude; then, northerly along said boundary to its intersection with N Frankwood Avenue; then, northerly along N Frankwood Avenue to its intersection with an Imaginary Line at 36.741600 latitude and -119.438971 longitude; then, southeasterly along said line to its intersection with Porter Avenue at 36.737305 latitude and -119.367516 longitude; then, southeasterly along an Imaginary Line to its intersection with E Kings Canyon Road at 36.723515 latitude and -119.304626 longitude; then, easterly along E Kings Canyon Road to its intersection with Ruth Hill Road; then, southeasterly along said road to its intersection with George Smith Road; then, southerly along said road to its intersection with Ruth Hill Road; then, easterly along said road to its intersection with an Unnamed Creek at 36.724959 latitude and -119.223776 longitude;~~

then, southeasterly along said creek to its intersection with an Unnamed Creek at 36.692470 latitude and -119.201567 longitude; then, southerly along said creek to its intersection with an Unnamed Creek at 36.689633 latitude and -119.203035 longitude; then, southeasterly along said creek to its intersection with the Fresno County Boundary Line; then, westerly along said line to its intersection with the Fresno County Boundary line; then, southerly along said line to its intersection with the Fresno County Boundary line; then westerly along said line to its intersection with the Fresno County Boundary Line; then, southwesterly along said line to its intersection with Boston Avenue and Elkhorn Avenue; then, westerly along said avenue to its intersection with S Fowler Avenue; then, northerly along said avenue to its intersection with E Clarkson Avenue; then, westerly along said avenue to its intersection with S Clovis Avenue; then, northerly along said avenue to its intersection with E Conejo Avenue; then, westerly along said avenue to its intersection with S Peach Avenue; then, northerly along said avenue to its intersection with E Floral Avenue; then, westerly along said avenue to its intersection with S Henderson Road; then northwesterly along said road to its intersection with S Hayes Avenue; then, northerly along said avenue to its intersection with W Central Avenue; then, westerly along said avenue to its intersection with S Chateau Fresno Avenue; then northerly along said avenue to W Jensen Avenue; then, easterly along said avenue to its intersection with S Bryan Avenue; then, northerly along said avenue to its intersection with W California Avenue; then, westerly along said avenue to its intersection with S Westlawn Avenue; then, northerly along said avenue to its intersection with W Whitesbridge Avenue; then, westerly along said avenue to its intersection with N Dickenson Avenue; then, northerly along said avenue to its intersection with W Shields Avenue; then, westerly along said avenue to its intersection with N Jameson Avenue; then, northerly along said avenue to its intersection with W Shaw Avenue; then, westerly along said avenue to its intersection with N Goldenrod Avenue; then, northerly along said avenue to its intersection with W Barstow Avenue and an Imaginary Line; then, northerly along said line to its intersection with the San Joaquin River at 36.815807 latitude and -120.042842 longitude; then, northwesterly along said river to its intersection with N Madera Avenue; then, northerly along said avenue to its intersection with Avenue 6; then, easterly along said avenue to its intersection with Road 29 1/2; then, northerly along said

road to its intersection with Avenue 11; then, easterly along said avenue to its intersection with Road 30 1/2; then, northerly along said road to its intersection with Avenue 12; then, westerly along said avenue to its intersection with Road 30; then, northerly along said road to its intersection with Avenue 13; then, westerly along said avenue to its intersection with Main Canal; then, northerly along said canal to its intersection with Road 29; then, northerly along said road to its intersection with Avenue 15 1/2; then, westerly along said avenue to its intersection with E Yosemite Avenue; then, southwesterly along said avenue to its intersection with E Cleveland Avenue; then, northwesterly along said avenue to its intersection with Raymond Road; then, northeasterly along said road to its intersection with Road 28; then, northerly along said road to its intersection with Ellis Street; then, westerly along said street to its intersection with N Lake Street; then, northerly along said street to its intersection with Avenue 17; then, westerly along said avenue to its intersection with Road 26; then, northerly 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.