

**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: 2016-1219-03

OAL Matter Type: Emergency (E)

The emergency action by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 15 square miles in the Kingsburg area of Kings County. The effect of this action provides authority for the state to perform quarantine activities against ACP within this area, along with the many already 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 12/22/2016 and will expire on 6/21/2017. The Certificate of Compliance for this action is due no later than 6/20/2017.

Date: December 22, 2016



Nicole C. Carrillo
Attorney

For: Debra M. Cornez
Director

Original: Karen Ross
Copy: Sara Khalid

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

EMERGENCY

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2016-1219-03E
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

DEC 22 2016

2:06 PM

For use by Office of Administrative Law (OAL) only

2016 DEC 19 P 3:56

OFFICE OF
ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	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)
	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) _____
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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 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 <i>Robert Wynn</i>	DATE 12/15/16
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

DEC 22 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

...

(10) In Kings County:

(A) In the Kettleman City and Stratford areas: ...

(B) In the Hanford and Kingsburg areas: Beginning at the intersection of ~~S 8th Avenue~~ and ~~the Fresno/Kings/Tulare~~ Kings County Boundary Line; then, starting northeasterly along said line to its intersection with Kings County Boundary Line; then, southerly along said line to its intersection with the Kings County Boundary Line; then, easterly along said line to its intersection with the Kings County Boundary Line; then, southerly along said line to its intersection with Idaho Avenue; then, westerly along said avenue to its intersection with 5th Avenue; then, southerly along said avenue to its intersection with Jackson Avenue; then, westerly along said avenue to its intersection with 5 1/2 Avenue; then, southerly along said avenue to its intersection with Kent Avenue; then, westerly along said avenue to its intersection with 14th Avenue; then, northerly along said avenue to its intersection with Idaho Avenue; then, westerly along said avenue to its intersection with 15th Avenue; then, northerly along 15th Avenue to its intersection with Fargo Avenue; then, easterly along said avenue to its intersection with 14th Avenue; then, northerly along said avenue to its intersection with Flint Avenue; then, easterly along said avenue to its intersection with 13th Avenue; then, northerly along said avenue to its intersection with Elgin Avenue; then, easterly along said avenue to its intersection with 12th Avenue; then, northerly along said avenue to its intersection with Elder Avenue; then, northeasterly along Elder Avenue to its intersection with 9th Avenue; then, westerly along said avenue to its intersection with Excelsior Avenue; then, northerly along said avenue to its intersection with 10th Avenue; then, westerly along said avenue to its intersection with Dover Avenue; then, northerly along said avenue to its intersection with N 11th Avenue; then, northerly along an Imaginary Line

to its intersection with the Kings River at 36.424046 latitude and -119.654785 longitude;
then, northerly along said river to its intersection with 11 1/2 Avenue; then, northeasterly
along said avenue to its intersection with the Fresno County Boundary Line; then,
northeasterly along said line avenue to its intersection with 7th Avenue; then, southerly
along said avenue to its intersection with Flint Avenue; then, easterly along said avenue
to its intersection with 6th Avenue; then, northerly along said avenue to Elder Avenue;
then, easterly along said avenue to 5th Avenue; then, northerly along said avenue to
Excelsior Avenue; then, westerly along said avenue to its intersection with 7th Avenue;
then, northerly along said avenue to its intersection with Denver Avenue; then, westerly
along said avenue to its intersection with 8th Avenue; then, northerly along said avenue
to its intersection with an Imaginary Line at the terminus of said avenue; then, northerly
along said line to its intersection with Cairo Avenue and N 8th Avenue; then, northerly
along said avenue to its intersection with S 8th Avenue; then, northerly along said
avenue to the point of 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.