

**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 sections: 3435(b)**

**Repeal sections:**

**NOTICE OF APPROVAL OF EMERGENCY  
REGULATORY ACTION**

**Government Code Sections 11346.1 and  
11349.6**

**OAL Matter Number: 2017-0106-03**

**OAL Matter Type: Emergency (E)**


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This emergency rulemaking by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* by adding the Fairfield area of Napa and Solano Counties. This adds a quarantine area of approximately 120 square miles in response to the identification of one adult ACP on December 21, 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 1/10/2017 and will expire on 7/11/2017. The Certificate of Compliance for this action is due no later than 7/10/2017.

Date: January 10, 2017

  
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Peggy J. Gibson  
Senior Attorney

For: Debra M. Cornez  
Director

Original: Karen Ross

Copy: Sara Khalid

# EMERGENCY

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

## NOTICE PUBLICATION/REGULATION SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER	EMERGENCY NUMBER <b>2017-0106-03E</b>
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**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

**JAN 10 2017**  
1:50 PM

For use by Office of Administrative Law (OAL) only

**2017 JAN -6 P 2:45**

**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)	
<b>OAL USE ONLY</b>	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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SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 3435(b)
	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) _____
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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 	DATE 1/4/17
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**

**JAN 10 2017**

Office of Administrative Law

Amend the following section:

**Section 3435. Asian Citrus Psyllid Quarantine.**

....

(b) Area Under Quarantine:

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(13) In Solano and Napa Counties, in the Fairfield area: Beginning at the intersection of Suisun Valley Road and the Napa/Solano County Line; then, easterly along said line to its intersection with Gordon Valley Road; then, northerly along said road to its intersection with Grapevine Lane; then, northeasterly along said lane to its intersection with Ledgewood Creek Road; then, easterly 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 the Napa/Solano County Line at 38.349803 latitude and -122.070573 longitude; then, easterly along an Imaginary Line to its intersection with Sunny Hills Lane at 38.348778 latitude and -122.033330 longitude; then, easterly along said lane to its intersection with Pleasants Valley Road; then, northerly along said road to its intersection with Foothill Drive; then, southeasterly along said drive to its intersection with Alamo Drive; then, southeasterly along said drive to its intersection with Interstate 80; then, northeasterly along said interstate to its intersection with Davis Street; then, southerly along said street to its intersection with Marshall Road; then, southeasterly along said road to its intersection with Peabody Road; then, southeasterly along said road to its intersection with Southwood Drive; then, easterly along said drive to its intersection with Tulare Drive; then, southerly along said drive to its intersection with Alamo Drive; then, easterly along said drive to its intersection with Farmington Drive; then, southerly along said drive to its intersection with Nut Tree Road; then, southerly along said road to its intersection with Opal Way; then, easterly along said way to its intersection with Cogburn Circle; then, easterly along said circle to its intersection with Vanden Road; then, southerly along Vanden Road to its intersection with an Imaginary Line 38.311890 latitude and -121.943408 longitude; then, southeasterly along said Line to its intersection with an Unnamed Creek at 38.310649 latitude and -121.942591 longitude; then, southeasterly

along said creek to its intersection with N Gate Road; then, southerly along said road to its intersection with the Sacramento Northern Railroad; then, easterly along said railroad to its intersection with Creed Road; then, westerly along said road to its intersection with Denverton Road; then, southeasterly along said road to its intersection with Rio Vista Road; then, westerly along said road to its intersection with Branscombe Road; then, southerly along said road to its intersection with an Unnamed Road at 38.209541 latitude and -121.942783 longitude; then, southerly along said road to its intersection with an Unnamed Road at 38.207373 latitude and -121.943483 longitude; then, southerly along said road to its intersection with an Imaginary Line; then southerly along said line to its intersection with an Unnamed Road at 38.194477 latitude and -121.943249 longitude; then, southwesterly along said road to its intersection with Grizzly Island Road; then, northwesterly along said road to its intersection with Grizzly Island Road at 38.198352 latitude and -122.006845 longitude; then, westerly along an Imaginary Line to its intersection with Suisun Slough at 38.197001 latitude and -122.045971 longitude; then, southwesterly along said slough to its intersection with Wells Slough; then, northwesterly along said slough to its intersection with Suisun Slough; then, northerly along said slough to its intersection with Suisun Creek; then, northerly along said creek to its intersection with Rockville Road; then, westerly along Rockville Road to its intersection with an Imaginary Line at 38.244448 latitude and -122.123672 longitude; then, northerly along said line to its intersection with an Unnamed Creek at 38.244875 latitude and -122.123653 longitude; then, northerly along said creek to its intersection with Putah South Canal; then, northerly along said canal to its intersection with Suisun Valley Road; then, northerly along said road to the point of the beginning.

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Note: Authority cited: Sections 401.5, 407, 5301, 5302 and 5322, Food and Agricultural Code. Reference: Sections 401.5, 407, 5301, 5302 and 5322, Food and Agricultural Code.