

**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: 2017-0412-03

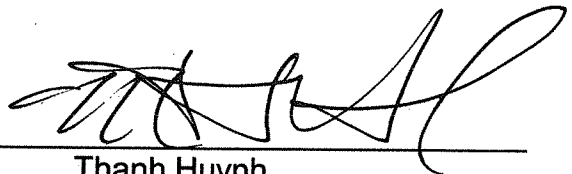
OAL Matter Type: Emergency (E)

This emergency rulemaking by the Department of Food and Agriculture expands a quarantine area for the Asian Citrus Psyllid (ACP), *Diaphorina citri*, in the El Sobrante, Pleasant Hill, and Vallejo areas to Contra Costa, Alameda, Solano, and Napa Counties. This quarantine area is being expanded by approximately 150 square miles in response to the identification of one adult ACP on March 16, 2017. This action provides authority for the State to perform quarantine activities against ACP within this 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 4/18/2017 and will expire on 10/17/2017. The Certificate of Compliance for this action is due no later than 10/16/2017.

Date: April 18, 2017



Thanh Huynh
Senior 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 2017-0412-03E
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For use by Office of Administrative Law (OAL) only

2017 APR 12 P 2:23
 OFFICE OF
 ADMINISTRATIVE LAW

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

APR 18 2017
1:45pm

NOTICE REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY Department of Food and Agriculture	AGENCY FILE NUMBER (if any)
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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 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 §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 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 4/11/17
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

APR 18 2017

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Quarantine.

....

(b) Area Under Quarantine:

....

(13) In Alameda and Contra Costa Counties,:

(A) ~~In~~ the Oakland area:

(B) ~~In the El Sobrante and Pleasant Hill areas:~~

(17) In Contra Costa, Alameda, Solano, and Napa Counties, in the El Sobrante, Pleasant Hill, and Vallejo areas: Beginning at the intersection of Interstate 680 and Burlington Northern and Santa Fe Railroad; then, starting northeasterly along said railroad to its intersection with Solano Way; then, southeasterly along said way to its intersection with Arnold Industrial Way; then, easterly along said way to its intersection with Peralta Road; then, southerly along said road to its intersection with California State Route 4; then, northeasterly along said route to its intersection with California State Route 242; then, southerly along said route to its intersection with Olivera Road; then, southeasterly along said road to its intersection with E Olivera Road; then, southeasterly along said road to its intersection with Willow Pass Road; then, northeasterly along said road to its intersection with Clayton Way; then, southeasterly along said way to its intersection with West Street; then, northeasterly along said street to its intersection with Wilson Lane; then, southeasterly along said lane to its intersection with Denkinger Road; then, southwesterly along said road to its intersection with Treat Boulevard; then, southwesterly along said boulevard to its intersection with Newhall Community Park Boundary at 37.960863 latitude and -121.994921 longitude; then, southeasterly along said boundary to its intersection with Ayers Road; then, southerly along said road to its intersection with Ygnacio Valley Road; then, southeasterly along said road to its intersection with Alberta Way; then, southerly along said way to its intersection with Pine Hollow Road; then, southeasterly along said road to its intersection with Discovery Way; then, southwesterly

along said way to its intersection with an Unnamed Road; then, southerly along said road to its intersection with Crystal Ranch Drive and an Imaginary Line; then, southwesterly along said line to its intersection with N Gate Road at 37.898206 latitude and -121.988202 longitude; then, southeasterly along N Gate Road to its intersection with an Imaginary Line at 37.883019 latitude and -121.973891 longitude; then, westerly along said line to its intersection with an Unnamed Road at 37.881421 latitude and -122.001418 longitude; then, southwesterly along said road to its intersection with Dorchester Lane; then, southeasterly along said lane to its intersection with Stonegate Drive; then, southerly along said drive to its intersection with Livorna Road; then, southwesterly along said road to its intersection with Livorna Road W; then, southwesterly along said road to its intersection with an Imaginary Line at the end of said road; then, southwesterly along said line to its intersection with the beginning of Quail Hill Court; then, northwesterly along said court to its intersection with Grey Eagle Drive; then, southerly along said drive to its intersection with Terra Granada Drive; then, southerly along said drive to its intersection with Horsemans Canyon Drive; then, southerly along Horsemans Canyon Drive to its intersection with an Imaginary Line at 37.847387 latitude and -122.059080 longitude; then, southwesterly along said line to its intersection with Valley Hill Drive at the beginning of said drive; then, westerly along said drive to its intersection with Bollinger Canyon; then, northwesterly along said canyon to its intersection with Saint Marys Road; then, southwesterly along said road to its intersection with Rheem Boulevard; then, northwesterly along said boulevard to its intersection with Glorietta Boulevard; then, northerly along said boulevard to its intersection with Acalanes Road; then, northerly along said road to its intersection with Hidden Valley Road; then, northwesterly along said road to its intersection with an Unnamed Road; then, westerly along said road to its intersection with Saint Stephens Drive; then, northerly along said drive to its intersection with Las Vegas Road; then, westerly along said road to its intersection with La Espiral; then, westerly along said espiral to its intersection with Camino Sobrante; then, northwesterly along said camino to its intersection with Miner Road; then, northerly along said road to its intersection with Lombardy Lane; then, northerly along said lane to its intersection with Tarry Lane; then, northerly along said lane to its intersection with Bear Ridge Road; then, westerly along said road to its intersection with an Unnamed Road;

then, northerly along said road to its intersection with Bear Creek Road; then, southwesterly along said road to its intersection with Wildcat Canyon Road; then, westerly along said road to its intersection with Nimitz Way; then, northwesterly along said way to its intersection with Curran Trail; then, southwesterly along said trail to its intersection with Brook Road; then, northwesterly along said road to its intersection with Lake Anza Road; then, northerly along said road to its intersection with Central Park Drive; then, northwesterly along said drive to its intersection with Canon Drive; then, southwesterly along said drive to its intersection with Woodmont Avenue; then, northwesterly along said avenue to its intersection with Spruce Street; then, southerly along said street to its intersection with Marin Avenue; then, southwesterly along said avenue to its intersection with Solano Avenue; then, westerly along said avenue to its intersection with an Imaginary Line at the end of said avenue; then, westerly along said line to its intersection with the San Francisco Bay at 37.888720 latitude and -122.309756 longitude; then, northerly along said bay to its intersection with the Contra Costa County Boundary; then, northerly along said boundary to its intersection with the Solano County Boundary; then, northwesterly along the Solano County Boundary to its intersection with the Napa County Boundary; then, northeasterly along said boundary to its intersection with the Southern Pacific Railroad; then, southeasterly along said railroad to its intersection with the Union Pacific Railroad; then, northeasterly along said railroad to its intersection with the Southern Pacific Railroad; then, northeasterly along said railroad to its intersection with the Union Pacific Railroad; then, easterly along said railroad to its intersection with Red Top Road; then, southeasterly along said road to its intersection with Lopes Road; then, southerly along said road to its intersection with Gold Hill Road; then, southerly along said road to its intersection with Lopes Road; then, easterly along an Imaginary Line to its intersection with Interstate 680; then, southerly along said interstate to the point of the beginning.

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

Reference: Sections 401.5, 407, 5301, 5302, 5321 and 5322, Food and Agricultural Code.