

**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: 2015-1123-05

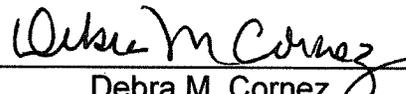
OAL Matter Type: Emergency (E)

Summary of Rulemaking - This emergency regulatory action will expand the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 64 square miles in the Daly City area of San Mateo County, expanding into San Francisco County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state already under quarantine for the ACP.

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 11/24/2015 and will expire on 5/24/2016. The Certificate of Compliance for this action is due no later than 5/23/2016.

Date: November 24, 2015



Debra M. Cornez
Director

Original: Karen Ross

Copy: Sara Khalid

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

EMERGENCY

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2015-1123-05E
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For use by Office of Administrative Law (OAL) only

2015 NOV 23 P 2:43

OFFICE OF ADMINISTRATIVE LAW REGULATIONS

NOTICE

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

NOV 24 2015

2:01 PM

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)
REPEAL
TITLE(S) 3

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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 <i>Kevin Masuhara</i>	DATE 11/19/15
TYPED NAME AND TITLE OF SIGNATORY Kevin Masuhara, Deputy Secretary of Administration and Finance	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 24 2015

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

....

(10) In San Mateo and San Francisco Counties, in the Daly City area: Beginning at the intersection of the California Coast at 37.750938 latitude and -122.510413 longitude and an Imaginary Line; then, starting easterly along said line to its intersection with Ortega Street; then, easterly along said street to its intersection with 14th Avenue; then, northerly along said avenue to its intersection with Moraga Street; then, easterly along said street to its intersection with 9th Avenue; then, northerly along said avenue to its intersection with Lawton Street; then, easterly along said street to its intersection with Warren Drive; then, southeasterly along said drive to its intersection with Oak Park Drive; then, southeasterly along said drive to its intersection with Clarendon Avenue; then, northeasterly along said avenue to its intersection with Twin Peaks Boulevard; then, southeasterly along said boulevard to its intersection with Burnett Avenue; then, southeasterly along said avenue to its intersection with Hopkins Avenue; then, southeasterly along said avenue to its intersection with Argent Alley; then, easterly along said alley to its intersection with Market Street; then, southerly along said street to its intersection with Portola Drive; then, southwesterly along said drive to its intersection with Diamond Heights Boulevard; then, northeasterly along said boulevard to its intersection with Clipper Street; then, northeasterly along said street to its intersection with Diamond Street; then, southerly along said street to its intersection with 29th Street; then, easterly along said street to its intersection with Church Street; then, southerly along said street to its intersection with 30th Street; then, easterly along said street to its intersection with Mission Street; then, southwesterly along said street to its intersection with Cortland Avenue; then, southeasterly along said street to its intersection with US Highway 101; then, southerly along said highway to its intersection with the San Mateo - San Francisco County Line; then easterly along said line to its intersection with the San Francisco Bay; then, southerly along the San Francisco Bay to its intersection with an Imaginary Line at 37.639081 latitude and -123.391011 longitude; then, southeasterly along said line to its intersection with N Access Road; then, westerly along said road to its intersection with the San Francisco Bay Trail at 37.638012 latitude and -122.402684 longitude; then, southerly along said trail to its intersection with San Bruno Avenue E; then, southwesterly along said avenue to its intersection with US Highway 101; then, southeasterly along said highway to its intersection with E Millbrae Avenue; then, southwesterly along said avenue to its intersection with El Camino

Real; then, northwesterly along said camino to its intersection with Meadow Glen Avenue; then, southwesterly along said avenue to its intersection with Magnolia Avenue; then, northwesterly along said avenue to its intersection with Helen Drive; then, southwesterly along said drive to its intersection with Larkspur Drive; then, southwesterly along said drive to its intersection with an Imaginary Line at the terminus of said drive; then, southeasterly along said line to its intersection with Big Bend Drive; then, northwesterly along said drive to its intersection with Grand Teton Drive; then, westerly along said drive to its intersection with Park Pacifica Avenue; then, southerly along said avenue to its intersection with Aspen Drive; then, southwesterly along said drive to its intersection with Terra Nova Boulevard; then, northerly along said boulevard to its intersection with Alicante Drive; then, southwesterly along said drive to its intersection with Linda Mar Boulevard; then, northwesterly along said boulevard to its intersection with Peralta Road; then, southwesterly along said road to its intersection with San Pedro Terrace Road; then, northwesterly along said road to its intersection with the City Boundary of Pacifica; then, northwesterly along said boundary to its intersection with the California Coast; then, northerly along said coast to the to the point of the beginning.

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

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