

**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: 2015-1218-03**

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

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This emergency regulatory action will expand the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 114 square miles in the Mettler area of Kern 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 entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare and Ventura, and portions of Fresno, Kern, Madera San Joaquin, San Luis Obispo, San Francisco, San Mateo and Santa Clara counties that are 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 12/21/2015 and will expire on 6/21/2016. The Certificate of Compliance for this action is due no later than 6/20/2016.

Date: December 21, 2015

  
\_\_\_\_\_  
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 <b>Z-</b>	REGULATORY ACTION NUMBER	EMERGENCY NUMBER <b>2015-1218-03E</b>
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For use by Office of Administrative Law (OAL) only

<p>2015 DEC 18 P 3: 32</p> <p>OFFICE OF ADMINISTRATIVE LAW</p>	<p><b>NOTICE</b></p>
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**ENDORSED - FILED**  
In the office of the Secretary of State of the State of California

**DEC. 21 2015**

*2:10 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)
<b>OAL USE ONLY</b> <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	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)	
<b>SECTION(S) AFFECTED</b> (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)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))

Effective on filing with Secretary of State

\$100 Changes Without Regulatory Effect

Effective other (Specify) \_\_\_\_\_

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)

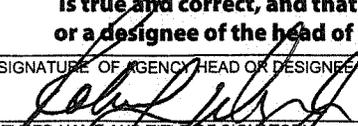
Fair Political Practices Commission

State Fire Marshal

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 12/17/15
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 21 2015**

Office of Administrative Law

Amend the following section:

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

....

(b) Area Under Quarantine:

....

(2) In Kern County:

(F) In the Mettler area: Beginning at the intersection of Kern County Drain Ditch and Copus Road; then, starting easterly along said road to its intersection with Shallock Road; then, southerly along said road to its intersection with Valpredo Road; then, easterly along said road to its intersection with an Unnamed Road at 35.076762 latitude and -119.082692 longitude; then, southerly along said road to its intersection with an Unnamed Road at 35.062746 latitude and -119.082607 longitude; then, easterly along said road to its intersection with an Unnamed Road at 35.062739 latitude and -119.078175 longitude; then, southerly along said road to its intersection with Maricopa Highway at the end of said road; then, easterly along said highway to its intersection with an Unnamed Road at 35.059103 latitude and -119.064689 longitude; then, southerly along said road to its intersection with the California Aqueduct at 35.044165 latitude and -119.064921 longitude; then, southeasterly along the California Aqueduct to its intersection with an Imaginary Line at 35.025020 latitude and -118.994544 longitude; then, southwesterly along said line to its intersection with Pleito Creek at 34.924999 latitude and -119.081841 longitude; then, northwesterly along an Imaginary Line to an Unnamed Road at 34.959795 latitude and -119.281730 longitude; then, northeasterly along said road to its intersection with Cappello; then, continuing northeasterly along Cappello to its intersection with an Unnamed Road at 35.032933 latitude and -119.242319 longitude; then, easterly along said road to its intersection with an Unnamed Road at 35.033043 latitude and -119.228817 longitude; then, northerly along said road to its intersection with an Unnamed Road at 35.040224 latitude and -119.228944 longitude; then, easterly along said road to its intersection with an Unnamed Road at 35.040306 latitude and -119.224478 longitude; then, northerly along said road to its intersection with an Unnamed Road at 35.062042 latitude and

-119.224789 longitude; then, easterly along said road to its intersection with an Unnamed Road at 35.062083 latitude and -119.222592 longitude; then, northerly along said road to its intersection with an Unnamed Road at 35.069313 latitude and -119.222619 longitude; then, easterly along said road to its intersection with an Unnamed Road at 35.069619 latitude and -119.198237 longitude; then, northerly along an Unnamed Road to its intersection with an Imaginary Line at 35.074261 latitude and -119.198328 longitude; then, continuing northerly along said line to its intersection with an Unnamed Road at 35.076902 latitude and -119.198432 longitude; then, easterly along said road to its intersection with Kern County Drain Ditch; then, northerly along said ditch 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.