

**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: 2016-0421-03**

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

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This emergency action by the Department of Food and Agriculture expands the quarantine area for Asian Citrus Psyllid (ACP) "Diaphorina citri" in the Madera area of Madera County and into Fresno County. The expansion of the Madera area quarantine will also encompass the Sumner Hill and Fresno areas of Madera and Fresno counties, which are being combined into the Madera area. This amendment will expand this quarantine area by approximately 61 square miles for a combined total of approximately 421 square miles.

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 4/25/2016 and will expire on 10/25/2016. The Certificate of Compliance for this action is due no later than 10/24/2016.

Date: April 25, 2016



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Kevin D. Hull  
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	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-		2016-0421-03E

For use by Office of Administrative Law (OAL) only

2016 APR 21 P 3:09  
OFFICE OF ADMINISTRATIVE LAW

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

APR 25 2016  
1:42 P.M.

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY 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 <input type="checkbox"/> 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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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	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)			
<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 4/20/16
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**

APR 25 2016

Office of Administrative Law

Amend the following section:

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

....

(b) Area Under Quarantine:

(1) In Fresno County:

....

~~(B) In the Fresno area: Beginning at the intersection of N Chateau Fresno Avenue and W Shaw Avenue; then, starting easterly along said avenue to its intersection with N Grantland Avenue; then, northerly along said avenue to its intersection with N Parkway Drive; then, northwesterly along said drive to its intersection with W Herndon Avenue; then, northeasterly along said avenue to its intersection with N Brawley Avenue; then, northerly along said avenue to its intersection with W Locust Avenue; then, easterly along said avenue to its intersection with N Dewey Avenue; then, northerly along said avenue to its intersection with W Birch Avenue; then, easterly along said avenue to its intersection with N Valentine Avenue; then, northerly along said avenue to its intersection with W Alluvial Avenue; then, easterly along said avenue to its intersection with W Minarets Avenue; then, southeasterly along said avenue to its intersection with N Lead Avenue; then, northerly along said avenue to its intersection with W Alluvial Avenue; then, easterly along said avenue to its intersection with N Marks Avenue; then, northerly along said avenue to its intersection with W Alluvial Avenue; then, easterly along said avenue to its intersection with an Imaginary Line at the end of said avenue; then, northeasterly along said line to its intersection with W Alluvial Avenue at the beginning of said avenue; then, easterly along said avenue to its intersection with N Palm Avenue; then, southerly along said avenue to its intersection with W Locust Avenue; then, easterly along said avenue to its intersection with N San Pablo Avenue; then, southerly along said avenue to its intersection with W Beechwood Avenue; then, easterly along said avenue to its intersection with N Blackstone Avenue; then, southerly along said avenue to its intersection with E Herndon Avenue; then, easterly along said avenue to its intersection with N Cedar Avenue; then, southerly along said avenue to its intersection with E Shaw Avenue; then, easterly along said avenue to its intersection with N Maple Avenue; then, southerly along said avenue to its intersection with E Gettysburg Avenue; then, easterly along said avenue to its intersection with Willow Avenue; then, southerly along said avenue to its intersection with N Chestnut Diagonal; then, southwesterly along said~~

~~Diagonal to N Chestnut Avenue; then, southerly along said avenue to its intersection with S Chestnut Avenue; then, southerly along said avenue to its intersection with E Butler Avenue; then, westerly along said avenue to its intersection with S Cedar Avenue; then, southerly along said avenue to its intersection with E Jensen Bypass; then, westerly along said bypass to its intersection with E Jensen Avenue; then, westerly along said avenue to its intersection with State Highway 41; then, southerly along said highway to its intersection with E North Avenue; then, westerly along said avenue to its intersection with W North Avenue; then, westerly along said avenue to its intersection with S Brawley Avenue; then, northerly along said avenue to its intersection with W Annadale Avenue; then, westerly along said avenue to its intersection with S Cornelia Avenue; then, northerly along said avenue to its intersection with W Jensen Avenue; then, westerly along said avenue to its intersection with S Bryan Avenue; then, northerly along said avenue to its intersection with W Kearney Boulevard; then, westerly along said boulevard to its intersection with S Grantland Avenue; then, northerly along said avenue to its intersection with W Whitesbridge Avenue; then, westerly along said avenue to its intersection with N Chateau Fresno Avenue; then, northerly along said avenue to the point of the beginning.~~

....

(6) In Madera and Fresno counties, in the ~~Sumner Hill~~Madera area: Beginning at the intersection of Road 26 and Berenda Creek; then, starting northwesterly along said creek to its intersection with Avenue 26; then, easterly along said avenue to its intersection with Road 29; then, southerly along said road to its intersection with Road 603; then, easterly along said road to its intersection with Road 400; then, southwesterly along said road to its intersection with Mud Spring Creek; then, southerly along said creek to its intersection with an imaginary line; then, southerly along said line to its intersection with Madera Canal at 37.055748 latitude and -119.892804 longitude; then, southeasterly along said canal to its intersection with Hildreth Creek; then easterly along said creek to its intersection with an Unnamed Road at 37.023763 latitude and -119.821226 longitude; then, southerly along said road to its intersection with Wide Awake Ranch Road; then, northeasterly along said road to its intersection with County Road 208; then, continuing northeasterly along said road to its intersection with Road 211; then, southerly along said road to its intersection with Millerton Road; then, easterly along said road to its intersection with Road 206; then, southeasterly along an Imaginary Line to its intersection with an Unnamed Road at 36.995336 latitude

and -119.678535 longitude; then, southerly along said road to its intersection with Millerton Road; then, southeasterly along said road to its intersection with Auberry Road; then, southwesterly along said road to its intersection with Friant Kern Canal; then, southerly along Friant Kern Canal to its intersection with an Imaginary Line at 36.920765 latitude and -119.674831 longitude; then, westerly along said line to its intersection with N Armstrong Avenue at 36.920790 latitude and -119.676413 longitude; then, southerly along said avenue to its intersection with E Appaloosa Avenue; then, southwesterly along said avenue to its intersection with E Copper Avenue; then, westerly along said avenue to its intersection with N Willow Avenue; then, southerly along said avenue to its intersection with E International Avenue; then, westerly along said avenue to its intersection with N Maple Avenue; then, southerly along said avenue to its intersection with N Sommerville Drive; then, southeasterly along said drive to its intersection with E Perrin Avenue; then, westerly along said avenue to its intersection with E Shepherd Avenue; then, continuing westerly along said avenue to its intersection with N Friant Road; then, southwesterly along said road to its intersection with E Audubon Drive; then, westerly along said drive to its intersection with W Nees Avenue; then, westerly on said avenue to its intersection with N Palm Avenue; then, southerly along said avenue to its intersection with W Locust Avenue; then, easterly along said avenue to its intersection with N San Pablo Avenue; then, southerly along said avenue to its intersection with W Beechwood Avenue; then, easterly along said avenue to its intersection with N Blackstone Avenue; then, southerly along said avenue to its intersection with E Herndon Avenue; then, easterly along said avenue to its intersection with N Cedar Avenue; then, southerly along said avenue to its intersection with E Shaw Avenue; then, easterly along said avenue to its intersection with N Maple Avenue; then, southerly along said avenue to its intersection with E Gettysburg Avenue; then, easterly along said avenue to its intersection with Willow Avenue; then, southerly along said avenue to its intersection with N Chestnut Diagonal; then, southwesterly along said Diagonal to N Chestnut Avenue; then, southerly along said avenue to its intersection with S Chestnut Avenue; then, southerly along said avenue to its intersection with E Butler Avenue; then, westerly along said avenue to its intersection with S Cedar Avenue; then, southerly along said avenue to its intersection with E Jensen Bypass; then, westerly along said bypass to its intersection with E Jensen Avenue; then, westerly along said avenue to its intersection with State Highway 41; then, southerly along said highway to its

intersection with E North Avenue; then, westerly along said avenue to its intersection with W North Avenue; then, westerly along said avenue to its intersection with S Brawley Avenue; then, northerly along said avenue to its intersection with W Annadale Avenue; then, westerly along said avenue to its intersection with S Cornelia Avenue; then, northerly along said avenue to its intersection with W Jensen Avenue; then, westerly along said avenue to its intersection with S Bryan Avenue; then, northerly along said avenue to its intersection with W Kearney Boulevard; then, westerly along said boulevard to its intersection with S Grantland Avenue; then, northerly along said avenue to its intersection with W Whitesbridge Avenue; then, westerly along said avenue to its intersection with N Chateau Fresno Avenue; then, northerly along said avenue to its intersection with W Shields Avenue; then, westerly along said avenue to its intersection with N Jameson Avenue; then, northerly along said avenue to its intersection with W Shaw Avenue; then, westerly along said avenue to its intersection with N Goldenrod Avenue; then, northerly along said avenue to its intersection with W Barstow Avenue and an Imaginary Line; then, northerly along said line to its intersection with the San Joaquin River at 36.815807 latitude and -120.042842 longitude; then, northwesterly along said river to its intersection with N Madera Avenue; then, northerly along said avenue to its intersection with Avenue 6; then, easterly along said avenue to its intersection with Road 29 1/2; then, northerly along said road to its intersection with Avenue 11; California 41 N; then, northerly along California 41 N to its intersection with Avenue 9; then, westerly along said avenue to its intersection with Road 40 1/2; then, northerly along said road to its intersection with an Unnamed Road at 36.887673 latitude and -119.810952 longitude; then, westerly along said road to its intersection with an Unnamed Road at 36.887418 latitude and -119.829548 longitude; then, northerly along said road to its intersection with Avenue 10; then, westerly along said avenue to its intersection with Road 39; then, northerly along said road to its intersection with Root Creek; then, southwesterly along said creek to its intersection with an Unnamed Road at 36.901189 latitude and -119.848547 longitude; then, southerly along said road to its intersection with Avenue 10; then, westerly along said avenue to its intersection with Road 38; then, southerly along said avenue to its intersection with Avenue 9; then, westerly along said avenue to its intersection with Road 33 1/2; then, northerly along said road to its intersection with an Unnamed Creek at 36.887744 latitude and -119.938725 longitude; then, westerly along said creek to its

~~intersection with Road 32; then, northerly along said road to its intersection with Avenue 40; then, westerly~~easterly along said avenue to its intersection with Road 30 1/2; then, northerly along said road to its intersection with Avenue 12; then, westerly along said avenue to its intersection with Road 30; then, northerly along said road to its intersection with Avenue 13; then, westerly along said avenue to its intersection with Main Canal; then, northerly along said canal to its intersection with Road 29; then, northerly along said road to its intersection with Avenue 15 1/2; then, westerly along said avenue to its intersection with Storey Road; then, westerly along said road to its intersection with E Yosemite Avenue; then, southwesterly along said avenue to its intersection with E Cleveland Avenue; then, northwesterly along said avenue to its intersection with Raymond Road; then, northeasterly along said road to its intersection with Road 28; then, northerly along said road to its intersection with Ellis Street; then, westerly along said street to its intersection with N Lake Street; then, northerly along said street to its intersection with Avenue 17; then, westerly along said avenue to its intersection with Road 26; then, northerly along said road 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.