

**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: 2016-0510-04**

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

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In this emergency rulemaking action, the Department of Food and Agriculture ("DFA") proposes to amend section 3435(b) of title 3 of the California Code of Regulations to expand the existing quarantine area for the Asian Citrus Psyllid ("ACP"), *Diaphorina citri*, in the San Luis Obispo County. This quarantine area expansion is in response to the identification of two adult ACPs from a trap in the San Luis Obispo area on April 8, 2016. The effect of this 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, San Bernardino, San Diego, Santa Barbara, Riverside, Tulare, and Ventura, and portions of Fresno, Kern, Madera, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Alameda, and Stanislaus counties that were already under quarantine for ACP, totaling approximately 53,772 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 5/12/2016 and will expire on 11/9/2016. The Certificate of Compliance for this action is due no later than 11/8/2016.

Date: May 12, 2016



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Nicole C. Carrillo  
Attorney

Original: Karen Ross  
Copy: Sara Khalid

For: Debra M. Cornez  
Director

**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>2016-0510-04E</b>
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For use by Office of Administrative Law (OAL) only

<p><b>NOTICE</b></p>	<p><b>REGULATIONS</b></p>
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**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

**MAY 12 2016**

**2:03PM**

**2016 MAY 10 P 3:46**

OFFICE OF  
ADMINISTRATIVE LAW

**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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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)			
<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 5/9/16
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**

**MAY 12 2016**

Office of Administrative Law

Amend the following section:

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

....

(b) Area Under Quarantine:

....

(3) In San Luis Obispo County:

(A) In the San Luis Obispo area: Beginning at the intersection of Pennington Creek and Pennington Creek Road; then, starting northeasterly along said creek to its intersection with the Boundary of Camp San Luis Obispo Military Reserve; then, northeasterly along said boundary to its intersection with the Boundary of Los Padres National Forest; then, easterly along said boundary to its intersection with an imaginary line at 35.368614 latitude and -120.655669 longitude; then, northeasterly along said line to its intersection with Tassajara Creek Road and US Highway 101; then, from said intersection starting southeasterly along an imaginary line to its intersection with an Unnamed Road at 35.348476 latitude and -120.578149 longitude; then, southeasterly along an imaginary line to its intersection with Burrito Creek Road and Burrito Creek; then, from said intersection southerly along an imaginary line to its intersection with the beginning of Villa Creek; then, southeasterly along said creek to its intersection with East Corral de Piedra Creek; then, continuing southerly along said creek to its intersection with an Imaginary Line at 35.218567 latitude and -120.576673 longitude; ~~from said intersection starting southwesterly along an imaginary line to its intersection with an Unnamed Creek at 35.240160 latitude and -120.579871 longitude; then, southwesterly along said creek to its intersection with an imaginary line at 35.237027 latitude and -120.585502 longitude; then, westerly along said line to its intersection with an Unnamed Road at 35.237682 latitude and -120.588860 longitude; then, southerly along said road to its intersection with Righetti Road; then, southerly along said road to its intersection with Orcutt Road; then, southerly along said road to its intersection with Morretti Canyon Road; then, northeasterly along Morretti Canyon Road at 35.219222 latitude and -120.578414 longitude to its intersection with an Imaginary line; then, southeasterly along said line to its intersection with Lopez Drive at 35.187861 latitude and -~~

120.495282 longitude; then, southerly along an imaginary line to its intersection with Huasna Road at 35.131060 latitude and -120.480605 longitude; then, southeasterly along Huasna Road to its intersection with Huasna Townsite Road; then, southeasterly along said road to its intersection with an Imaginary Line at the end of said road; then, southeasterly along said line to its intersection with Dakota Lane at 35.102212 latitude and -120.419975 longitude; then, southeasterly along Dakota Lane to its intersection with Suey Creek Road at 35.038410 latitude and -120.377224 longitude; then, easterly along an Imaginary Line to its intersection with an Unnamed Creek at 35.040447 latitude and -120.350645 longitude; then, southeasterly along an Imaginary Line to its intersection with Alamo Creek Road at 35.031736 latitude and -120.306580 longitude; then, southeasterly along an Imaginary Line to its intersection with San Luis Obispo County Boundary at 35.015390 latitude and -120.289950 longitude; then, westerly along said boundary to its intersection with the Coast of California; then, northwesterly along the Coast of California to its intersection with an Imaginary Line at 35.157182 latitude and -120.678934 longitude; then, northeasterly along said line to its intersection with Terrace Avenue; then, northeasterly along said avenue to its intersection with Shell Beach Road; then, northwesterly along said road to its intersection with Spyglass Drive; then, northeasterly along said drive to its intersection with US Highway 101; then, northerly along said highway to its intersection with Avila Beach Drive; then, northwesterly along said drive to its intersection with San Luis Bay Drive; then, northerly along said drive to its intersection with Bay Laurel Place; then, northwesterly along said place to its intersection with Blue Heron Drive; then, northerly along said drive to its intersection with Lupine Canyon Road; then, northwesterly along said road to its intersection with Hartford Canyon Road; then, southwesterly along said road to its intersection with Shooting Star Lane; then northwesterly along said lane to its intersection with an Imaginary Line at the end of said lane; then, northwesterly along said line to its intersection with Pecho Creek at 35.217244 latitude and -120.770287 longitude; then, continuing northwesterly along an Imaginary Line to its intersection with an Unnamed Road at 35.269651 latitude and -120.803424 longitude; then, northerly along said road to its intersection with Clark Valley Road; then, northerly along said road to its intersection with Los Osos Valley Road; then, westerly along said road to its

intersection with Turri Road; then, northerly 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 Benjamino Way; then, northeasterly along said way to its intersection with Tomasini Road; then, northwesterly along said road to its intersection with State Highway 1; then, southerly along said highway to its intersection with Education Drive; then, northerly along said drive to its intersection with Watson Drive; then, northeasterly along said drive to its intersection with Pennington Creek Road; then, northeasterly along said road to the point of 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.