

**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 section: 3435(b)

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0627-02E

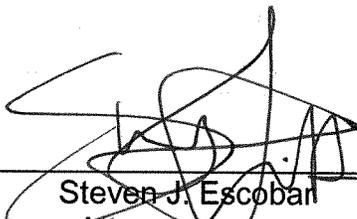
OAL Matter Type: Emergency (E)

This emergency rulemaking by the Department of Food and Agriculture (the "Department") expands the quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* in the Lodi area of San Joaquin County. The Lodi quarantine area is being expanded by approximately 34 square miles in response to the identification of one adult ACP on June 2, 2016. This emergency action provides authority for the State to perform quarantine activities against ACP within this additional 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 6/28/2016 and will expire on 12/28/2016. The Certificate of Compliance for this action is due no later than 12/27/2016.

Date: June 28, 2016



Steven J. Escobar
Attorney

For: 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

STD. 400 (REV. 01-2013)

EMERGENCY

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2016-0627-02E
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For use by Office of Administrative Law (OAL) only

2016 JUN 27 A 11:05

OFFICE OF ADMINISTRATIVE LAW

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

JUN 28 2016
1:47 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 <input type="checkbox"/> 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 §§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)
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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 6/23/16
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

JUN 28 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Quarantine.

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(b) Area Under Quarantine:

(4) In San Joaquin County:

(A) In the Lodi area: Beginning at the intersection of W Highway 12 and Star Street; then, starting westerly along said street to its intersection with I-5 North; then, northerly along said interstate to its intersection with W Peltier Road; then, easterly along said road to its intersection with the Union Pacific Railroad; then, northwesterly along the Union Pacific Railroad to its intersection with N Nowell Road; then, northeasterly along said road to its intersection with N New Hope Road; then, northerly along said road to its intersection with the San Joaquin County Boundary; then, southeasterly along said boundary to its intersection with S Lincoln Way and N Lower Sacramento Road; then, southeasterly along said road to its intersection with E Liberty Road; then, easterly along said road to its intersection with Kennefick Road; then, southerly along said road to its intersection with E Collier Road; then, easterly along said road to its intersection with N Dustin Road; ~~W Peltier Road and N Bender Road~~; then, ~~northerly along N Bender Road to its intersection with E Jahant Road~~; then, ~~easterly along said road to its intersection with N Lower Sacramento Road~~; then, ~~southerly along said road to its intersection with E Jahant Road~~; then, ~~starting easterly along said road to its intersection with N State Highway 99th W Frontage Road~~; then, ~~northerly along said road to its intersection with E Woodson Road~~; then, ~~southeasterly along said road to its intersection with Jahant Road~~; then, ~~easterly along said road to its intersection with N Dustin Road~~; then, ~~southerly along said road to its intersection with E Peltier Road~~; then, ~~easterly along said road to its intersection with N Tretheway Road~~; then, ~~southerly along said road to its intersection with E Acampo Road~~; then, ~~southerly along said road to its intersection with N Tretheway Road~~; then, ~~southerly along an imaginary line to its intersection with N Tretheway Road~~, then ~~southerly along said road to its intersection with E Kettleman Lane~~; then, ~~easterly along said lane to its intersection with CA Hwy 88~~;

then, southwesterly along said highway to its intersection with Bear Creek; then, starting southwesterly along said creek to its intersection with N Alpine Road; then, starting southeasterly along said road to its intersection with E Eight Mile Road; then, westerly along said road to its intersection with CCT Railroad; then, southerly along said railroad to its intersection with Leonardini Road; then, northeasterly along said road to its intersection with Suburban Road; then, southerly along said road to its intersection with Cherokee Road; then, southwesterly along said road to its intersection with Overheiser Road; then, southeasterly along said road to its intersection with E Waterloo Road; then, southwesterly along said road to its intersection with Beyer Lane; then, southerly along said lane to its intersection with E Fremont Street; then, southwesterly along said street to its intersection with N Filbert Street; then, southerly along said street to its intersection with E Scotts Avenue; then, westerly along said avenue to its intersection with Court Street; then, northerly along said street to its intersection with E Hazelton Avenue; then, westerly along said avenue to its intersection with S Wilson Way; then, southerly along said way to its intersection with Dr Martin Luther King Jr Boulevard; then, westerly along said boulevard to its intersection with French Camp Turnpike; then, southwesterly along said turnpike to its intersection with W 8th Street; then, westerly along said street to its intersection with the boundary of Van Buskirk Municipal Golf Course; then, westerly along said boundary to its intersection with the San Joaquin River; then, northwesterly along said river to its intersection with W Highway 4; then, westerly along said highway to its intersection with S Inland Drive; then, northerly along said drive to its intersection with W McDonald Road; then, westerly along said road to its intersection with Neugebauer Road; then, northeasterly along said road to its intersection with an Imaginary Line at 37.995802 latitude and -121.444962 longitude; then, northerly along said Imaginary Line to its intersection with Rindge Tract at 37.999479 latitude and -121.445344 longitude; then, northerly along said tract to its intersection with W Rindge Road; then, northeasterly along said road to its intersection with Rindge Tract; then, easterly along said tract to its intersection with W Rindge Road and N Rio Blanco Road; then, northerly along N Rio Blanco Road to its intersection with W Eight Mile Road; then, easterly along said road to its intersection with Stefani Road; then, northerly along said road to its intersection with Pixley Slough; then, easterly along

said slough to its intersection with Telephone Cut; then, easterly along said cut to its intersection with Thornton Road; then, northerly along said road ~~then, starting northerly along said road to its intersection with 38.086980 latitude and 121.370173 longitude; then, northerly along an imaginary line to its intersection with the southernmost point of N Ray Road; then, northerly along said road to its northern point; then, northerly along an imaginary line to its intersection with the southern point of N Ray Road; then, northerly along an imaginary line to its intersection with the southern point of N Ray Road; then, northerly along said road to its intersection with W Peltier Road; then, easterly 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.