

**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: 2016-0819-03

OAL Matter Type: Emergency (E)

This emergency regulatory action by the Department of Food and Agriculture expands the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 97 square miles in the Lockeford area of San Joaquin County and 120 square miles in the Escalon area of San Joaquin County. The amendment 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 8/24/2016 and will expire on 2/22/2017. The Certificate of Compliance for this action is due no later than 2/21/2017.

Date: August 24, 2016



Lindsey S. McNeill
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 2016-0819-03E
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For use by Office of Administrative Law (OAL) only

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

AUG 24 2016

2:07 PM

2016 AUG 19 A 9 32
OFFICE OF ADMINISTRATIVE LAW

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 <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 Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE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)	
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"/> 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) _____

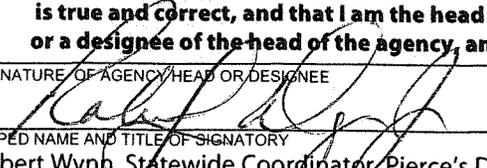
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

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 8/16/16
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

AUG 24 2016

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

....

(4) In San Joaquin County, in the Lodi and Lockeford areas: Beginning at the intersection of W Highway 12 and Star Street; then, starting westerly along said highway 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 said 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 State Route 88; then, southwestly along said route to its intersection with State Route 12; then, northeasterly along said route to its intersection with N Johnson Road; then, southerly along said road to its intersection with an Unnamed Creek at 38.179286 latitude and -121.041040 longitude; then, southeasterly along said creek to its intersection with Mokelumne Aqueduct; then, southerly along an Imaginary Line to its intersection with Brandt Road at 38.156560 latitude and -121.018803 longitude; then, southerly along said road to its intersection with Brandt Road at 38.148506 latitude and -121.018775 longitude; then, southerly along an Imaginary Line to its intersection with E Harney Lane at 38.104518 latitude and -121.018785 longitude; then, westerly along said lane to its intersection with N Clements Road; then, southerly along said road to its intersection with Frazier Road; then, westerly along said road to its intersection with N Tully Road; then, southerly 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

~~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; 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~~

~~to its intersection with an Unnamed Road at 37.820514 latitude and -121.400432 longitude; then, southeasterly along said road to its intersection with Old River at 37.81133 latitude and -121.384726 longitude; then, northeasterly along said river to its intersection with the San Joaquin River; then, northeasterly along the San Joaquin River to its intersection with an Imaginary Line at 37.847742 latitude and -121.324609 longitude; then, easterly along said line to its intersection with Frewert Road; then, easterly along said road to its intersection with S Manthey Road; then, northerly along said road to its intersection with Roth Road; then, easterly along said road to its intersection with the tracks of Southern Pacific Railroad; then, northerly along said railroad to its intersection with French Camp Slough; then, southeasterly along said slough to its intersection with North Fork Little Johns; then, northeasterly along said fork to its intersection with S Jack Tone Road; then, southerly along said road to its intersection with Wildwood Road; then, easterly along said road to its intersection with Murphy Road; then, southerly along said road to its intersection with E River Road; then, westerly along said road to its intersection with Calhoun Avenue; then, southerly along said avenue to its intersection with W Colony Road; then, westerly along said road to its intersection with N Jack Tone Road; then, southerly along said road to its intersection with 37.748774 latitude and -121.142330 longitude; then, southwestery along an imaginary line to its intersection with S Olive Avenue at 37.741951 latitude and -121.155915 longitude; then, southerly along said avenue to its intersection with W Ripon Road; then, westerly along said road to its intersection with S Frederick Road; then, southerly along said road to its intersection with E Hutchinson Road; then, westerly along said road to its intersection with S Austin Road; then, southerly along said road to its intersection with Melton Road; then, westerly along said road to its intersection with S Manteca Road; then, northerly along said road to its intersection with Perrin Road; then, westerly along said road to its intersection with Hays Road; then, northerly along said road to its intersection with Dennis Way; then, northeasterly along Dennis Way to its intersection with an Imaginary Line at 37.749484 latitude and -121.288816 longitude; then, westerly along said line to its intersection with the San Joaquin River at 37.749446 latitude and -121.293060 longitude; then, southwestery along said river to its intersection with the BCID Canal; then, southwestery along said canal to its intersection with S Bird~~

then, easterly along said road to its intersection with S Manthey Road; then, northerly along said road to its intersection with Roth Road; then, easterly along said road to its intersection with the tracks of Southern Pacific Railroad; then, northerly along said railroad to its intersection with French Camp Slough; then, southeasterly along said slough to its intersection with North Fork Little Johns; then, northeasterly along said fork to its intersection with S Jack Tone Road; then, southerly along said road to its intersection with Wildwood Road; then, easterly along said road to its intersection with Murphy Road; then, southerly along said road to its intersection with Dodds Road; then, easterly along said road to its intersection with S Van Allen Road; then, northerly along said road to its intersection with E Gawne Road; then, easterly along said road to its intersection with S Escalon Bellota Road; then, southerly along said road to its intersection with Carter Road; then, easterly along said road to its intersection with 26 Mile Road; then, southerly along said road to its intersection with Eastman Road; then, northeasterly along said road to its intersection with 28 Mile Road; then, northerly along said road to its intersection with E Sonora Road; then, southeasterly along said road to its intersection with Kennedy Road; then, northeasterly along said road to its intersection with Willms Road; then, southerly along said road to its intersection with OID South Main Canal; then, southwesterly along said canal to its intersection with an Unnamed Road at 37.776265 latitude and -120.734044 longitude; then, southerly along said road to its intersection with an Unnamed Road at 37.762896 latitude and -120.731244 longitude; then, southerly along an Imaginary Line to its intersection with the Sierra Railroad at 37.759229 latitude and -120.731228 longitude; then, southeasterly along said railroad to its intersection with Warnerville Road; then, westerly along said road to its intersection with an Unnamed Road at 37.740081 latitude and -120.747371 longitude; then, southerly along said road to its intersection with an Unnamed Road at 37.736462 latitude and -120.747435 longitude; then, westerly along said road to its intersection with Emery Road; then, southerly along said road to its intersection with an Unnamed Road at 37.725484 latitude and -120.756504 longitude; then, southerly along said road to its intersection with an Unnamed Road at 37.718213 latitude and -120.756534 longitude; then, westerly along said road to its intersection with Ellenwood Road; then, southerly along said road to its intersection with Claribel Road; then, westerly along said road to its intersection with Crow

and -121.142330 longitude; then, southwesterly along an Imaginary Line to its intersection with S Olive Avenue at 37.741951 latitude and -121.155915 longitude; then, southerly along said avenue to its intersection with W Ripon Road; then, westerly along said road to its intersection with S Frederick Road; then, southerly along said road to its intersection with E Hutchinson Road; then, westerly along said road to its intersection with S Austin Road; then, southerly along said road to its intersection with Melton Road; then, westerly along said road to its intersection with S Manteca Road; then, northerly along said road to its intersection with Perrin Road; then, westerly along said road to its intersection with Hays Road; then, northerly along said road to its intersection with Dennis Way; then, northeasterly along Dennis Way to its intersection with Dennis Way at 37.749484 latitude and -121.288816 longitude; then, westerly along an Imaginary Line to its intersection with the San Joaquin River at 37.749446 latitude and -121.293060 longitude; then, southeasterly along said river to its intersection with the BCID Canal; then, southwesterly along said canal to its intersection with S Bird Road; then, southerly along said road to its intersection with W Vernalis Road; then, westerly along said road to its intersection with S Chrisman Road; then, southerly along said road to its intersection with W Vernalis Road; then, northwesterly along an Imaginary Line to its intersection with W Corral Hollow Road at 37.629646 latitude and -121.515829 longitude; then, westerly along said road to its intersection with the San Joaquin County Boundary; then, northerly along said boundary to the point of the beginning.

~~(A) In the Oakdale area: Beginning at the intersection of Dodds Road and 26 Mile Road; then, starting northeasterly along said road to its intersection with Eastman Road; then, northeasterly along said road to its intersection with 28 Mile Road; then, northerly along said road to its intersection with E Sonora Road; then, southeasterly along said road to its intersection with Kennedy Road; then, northeasterly along said road to its intersection with Willms Road; then, southerly along said road to its intersection with Old South Main Canal; then, southwesterly along said canal to its intersection with an Unnamed Road at 37.776265 latitude and -120.734044 longitude; then, southerly along said Unnamed Road to its intersection with an Imaginary Line at 37.762896 latitude and -120.731244 longitude; then, southerly along said line to its intersection with the Sierra Railroad at 37.759229 latitude and -120.731228 longitude; then, southeasterly along said railroad to~~

southerly along said road to its intersection with Mid Lateral Canal 6; then, easterly along said canal to its intersection with Squire Wells Way; then, southerly along said way to its intersection with Claribel Road; then, easterly along said road to its intersection with Roselle Avenue; then, southerly along said avenue to its intersection with Plainview Road; then, easterly along said road to its intersection with Litt Road; then, southerly along said road to its intersection with Sylvan Avenue; then, easterly along said avenue to its intersection with Claus Road; then, southerly along said road to its intersection with Garner Road; then, southerly along said road to its intersection with Finch Road; then, easterly along said road to its intersection with Codoni Avenue; then, southerly along said avenue to its end at its intersection with an Imaginary Line; then, southerly along said line to its intersection with the Tuolumne River at 37.619257 latitude and -120.910933 longitude; then, southwesterly along said river to its intersection with Mitchell Road; then, southerly along said road to its intersection with Fowler Road; then, westerly along said road to its intersection with Moffet Road; then, southerly along said road to its intersection with Caswell Avenue; then, westerly along said avenue to its intersection with Central Avenue; then, southerly along said avenue to its intersection with E Whitmore Avenue; then, westerly along said avenue to its intersection with Blaker Road; then, southerly along said road to its intersection with Hackett Road; then, westerly along said road to its intersection with Morgan Road; then, southerly along said road to its intersection with E Service Road; then, westerly along said road to its intersection with W Service Road; then, westerly along said road to its intersection with an Unnamed Road at 37.580529 latitude and -121.077023 longitude; then, northerly along said road to its intersection with an Imaginary Line and an Unnamed Road at 37.584539 latitude and -121.076655 longitude; then, northerly along said line to its intersection with the Tuolumne River at 37.584909 latitude and -121.076928 longitude; then, southwesterly along said river to its intersection with the Tuolumne River at 37.582705 latitude and -121.105159 longitude; then, northerly along an Imaginary Line to its intersection with Young Road at 37.584151 latitude and -121.105217 longitude; then, northerly along said road to its intersection with Paradise Road; then, westerly along said road to its intersection with S Hart Road; then, northerly along said road to its intersection with N Hart Road; then, northerly along said