

**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 CERTIFICATE OF
COMPLIANCE**

**Government Code Sections 11349.1 and
11349.6(d)**

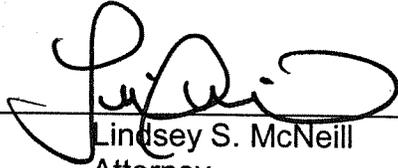
OAL Matter Number: 2015-0827-01C

**OAL Matter Type: Certificate of Compliance
(C)**

This Certificate of Compliance filing by the Department of Food and Agriculture (DFA) makes permanent the prior emergency regulatory action (OAL file no. 2015-0227-02E) that expanded the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 50 square miles in Fresno County. The amendment provided 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 a portion of Fresno, Kern, Madera, Santa Clara, San Joaquin, and San Luis Obispo counties that were already under quarantine for the ACP, totaling approximately 51,332 square miles.

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code.

Date: September 16, 2015



Lindsey S. McNeill
Attorney

For: DEBRA M. CORNEZ
Director

Original: Karen Ross
Copy: Sara Khalid

NOTICE PUBLICATION/REGULATIONS SUBMISSION

CERT

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2015-0410-05	REGULATORY ACTION NUMBER 2015-0827-01C	EMERGENCY NUMBER
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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

SEP 16 2015

1:55 PM

2015 AUG 27 A 9:21
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)	
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 2015, 172		PUBLICATION DATE 4/24/2015	

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) 2015-0227-02E	
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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 checked="" 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 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)

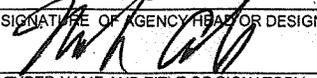
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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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 	DATE 8-24-15
TYPED NAME AND TITLE OF SIGNATORY Nick Condos, Director, Plant Health and Pest Prevention Services	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

SEP 16 2015

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Interior Quarantine.

....

(b) Area Under Quarantine:

(1) In Fresno County, along the southern boundary: Beginning at the intersection of ~~E South Avenue and S Crawford Avenue~~; then, ~~starting northerly along said avenue to its intersection with E Adams Avenue~~; then, ~~easterly along said avenue to its intersection with Wakefield Avenue~~; then, ~~northerly along said avenue to its intersection with Clayton Avenue~~; then, ~~easterly along said avenue to its intersection with an imaginary line~~; then, ~~easterly along said line to its intersection with the western point of Clayton Avenue~~; then, ~~easterly along said avenue to its intersection with Cove Road~~; then, ~~northerly along said road to its intersection with E Lincoln Avenue~~; then, ~~easterly along said avenue to its intersection with the Fresno County Boundary line~~; then, ~~southerly along said line to its intersection with the Fresno County Boundary Line~~; then, ~~southwesterly along said line to its intersection with S Zediker Avenue~~; then, ~~northerly along said avenue to its intersection with E Mountain View Avenue~~; then, ~~easterly along said avenue to its intersection with an Unnamed Road~~; then, ~~northerly along said road to its intersection with E Saginaw Avenue~~; then, ~~easterly along said avenue to its intersection with S Smith Avenue~~; then, ~~northerly along said avenue to its intersection with Smith Avenue~~; then, ~~northerly along said avenue to its intersection with E Floral Avenue~~; then, ~~easterly along said avenue to its intersection with S Lac Jac Avenue~~; then, ~~northerly along said avenue to its intersection with E ~~Hunstman~~Huntsman Avenue~~; then ~~easterly along said avenue to the intersection of E Huntsman Avenue and an imaginary line at 36.582513 latitude and -119.469480 longitude~~; then, ~~northerly along an imaginary line to its intersection with an imaginary line at 36.584895 latitude and -119.469415 longitude~~; then, ~~easterly along said line to its intersection with an imaginary line at 36.584889 latitude and -119.468819 longitude~~; then, ~~northerly along said line to its intersection with an imaginary line at 36.586110 latitude and -119.468803 longitude~~; then, ~~easterly along said line to its intersection with Kings River Road at 36.586113 latitude and -119.466519 longitude~~; then, ~~southerly along said road to its intersection with W Olson Avenue~~; then, ~~easterly along said avenue to its intersection with S Reed Avenue~~; then, ~~northerly along said avenue to its intersection with 11th Street~~; then, ~~northeasterly along said street to its intersection with E Manning Avenue~~; then, ~~easterly along said ~~street~~avenue to its intersection with N Buttonwillow Avenue~~; then, ~~northerly along said avenue to its intersection~~

with E Parlier Avenue; then, easterly along said avenue to its intersection with S Alta Avenue; then, northerly along said avenue to its intersection with S Alta Avenue at 36.658277 latitude and -119.394528 longitude; then, westerly along said avenue to its intersection with S Pedersen Avenue; then, northerly along said avenue to its intersection with E American Avenue; then, easterly along said avenue to its intersection with Navelencia Avenue; then, northerly along said avenue to its intersection with Muscat Avenue; then, easterly along said avenue to its intersection with Crawford Avenue; then, northerly along said avenue to its intersection with Jensen Avenue; then, easterly along said avenue to its intersection with Cove Avenue; then, northerly along said avenue to its intersection with E Kings Canyon Road; then, northeasterly along said road to its intersection with Ruth Hill Road; then, southeasterly along said road to its intersection with George Smith Road; then, southerly along said road to its intersection with Ruth Hill Road; then, easterly along said road to its intersection with an Unnamed Creek at 36.724959 latitude and -119.223776 longitude; then, southeasterly along said creek to its intersection with an Unnamed Creek at 36.692470 latitude and -119.201567 longitude; then, southerly along said creek to its intersection with an Unnamed Creek at 36.689633 latitude and -119.203035 longitude; then, southeasterly along said creek to its intersection with the Fresno County Boundary Line; then, westerly along said line to its intersection with the Fresno County Boundary line; then, southerly along said line to its intersection with the Fresno County Boundary line; then westerly along said line to its intersection with the Fresno County Boundary Line E South Avenue; then, easterly along said avenue 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.