

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 3, 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 File No. 2013-0326-05 E

This regulatory action expands the quarantine area for Asian Citrus Psyllid (ACP) to include all of Santa Barbara County. The effect of this amendment will provide authority for the State to perform quarantine activities against ACP within this additional area and existing regulated areas.

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 4/4/2013 and will expire on 10/2/2013. The Certificate of Compliance for this action is due no later than 10/1/2013.

Date: 4/4/2013



Kathleen Eddy
Senior Counsel

For: DEBRA M. CORNEZ
Director

Original: Karen Ross
Copy: Stephen S. Brown

NOTICE PUBLICATION/REGULATIONS SUBMISSION

EMERGENCY

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2013-0326-05E
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ENDORSED FILED
IN THE OFFICE OF

2013 APR -4 PM 1:29

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only

2013 MAR 26 PM 4:30

OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY Food and Agriculture	AGENCY FILE NUMBER (if any) PH13001
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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	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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE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 30th day after filing with Secretary of State	<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 Stephen S. Brown	TELEPHONE NUMBER (916) 654-1017	FAX NUMBER (Optional) (916) 654-1018	E-MAIL ADDRESS (Optional) sbrown@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>Nate Dechoretz</i>	DATE 3/26/13
TYPED NAME AND TITLE OF SIGNATORY Nate Dechoretz, Deputy Secretary	

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ENDORSED APPROVED

APR 04 2013

Office of Administrative Law

Section 3435. Asian Citrus Psyllid Interior Quarantine.

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(b) Area Under Quarantine:

(1) In Riverside and San Bernardino Counties: [Continued]

~~(2) In Santa Barbara County: Beginning at the intersection of State Highway 154 and W Camino Cielo; then, starting northerly along W Camino Cielo to its intersection with Arroyo Burro Road; then, starting northwesterly along said road to its intersection with 34.541445 latitude and 119.763379 longitude; then, northeasterly along an imaginary line to its intersection with Forest Route 9N11 at 34.568698 latitude and 119.735980 longitude; then, starting northeasterly along said route to its intersection with an unnamed road at 34.703155 latitude and 119.652270 longitude; then, starting southerly along said road to its intersection with an unnamed road at 34.653282 latitude and 119.609705 longitude; then, starting northeasterly along said road to its intersection with an unnamed road at 34.670882 latitude and 119.521898 longitude; then, southeasterly along an imaginary line to its intersection with the boundary of Santa Barbara County at 34.656383 latitude and 119.441984 longitude; then, southerly along said boundary to its intersection with the coastline of California; then, starting northwesterly along said coastline to its intersection with 34.414310 latitude and 119.780191 longitude; then, northerly along an imaginary line to its intersection with Las Olas Drive at 34.414822 latitude and 119.779819 longitude; then, northeasterly along said drive to its intersection with Las Palmas Drive; then, starting northeasterly along said drive to its intersection with US Highway 101; then, northwesterly along said highway to its intersection with State Highway 154; then, starting northerly along said highway to the point of beginning.~~

~~(3) The entire counties of Imperial, Los Angeles, Orange, San Diego, Santa Barbara and Ventura.~~

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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.