

**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 CERTIFICATE OF
COMPLIANCE**

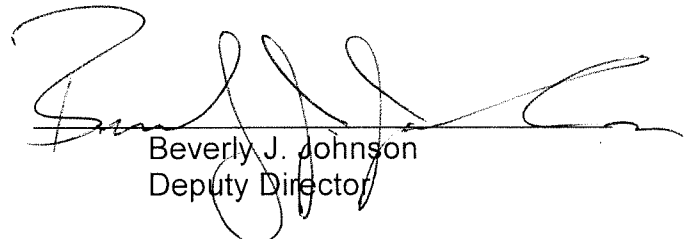
**Government Code Section 11349.1 and
11349.6(d)**

OAL File No. 2013-0508-01 C

The Department of Food and Agriculture (DFA) submitted this timely certificate of compliance to make permanent the emergency regulations adopted in OAL file no. 2012-1106-01E. This rulemaking amends Title 3, section 3435(b) of the California Code of Regulations to expand the quarantine area currently in the regulation.

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

Date: 6/19/2013



Beverly J. Johnson
Deputy Director

For: DEBRA M. CORNEZ
Director

Original: Karen Ross
Copy: Lindsay Rains

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-2013-0305-06	REGULATORY ACTION NUMBER 2013-0508-01C	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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2013 MAY 19 PM 2:12

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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 ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2013-11-2	PUBLICATION DATE 3-15-2013	

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) 2012-1106-01E
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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 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 Lindsay Rains	TELEPHONE NUMBER 916-654-1017	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) lindsay.rains@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>[Signature]</i>	DATE 05.08.2013
TYPED NAME AND TITLE OF SIGNATORY Robert Leavitt, Director, Plant Health and Pest Prevention Services	

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ENDORSED APPROVED

JUN 19 2013

Office of Administrative Law

Section 3435. Asian Citrus Psyllid Interior Quarantine.

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(b) Area Under Quarantine:

~~(1) The entire County of San Diego except: Beginning at the boundary line of San Diego County at 33.427262 latitude and 116.770375 longitude; then easterly along said boundary line to its intersection with 33.427076 latitude and 116.467260 longitude; then, southeasterly along an imaginary line to its intersection with Horse Camp Road; then, starting southwesterly along said road to its intersection with De Anza Trail; then, southerly along said trail to its intersection with Coyote Way; then, westerly along said way to its intersection with Anza Park Trail; then, easterly along said trail to its intersection with Stagecoach Way; then, southerly along said way to its intersection with Borrego Springs Road; then, starting southerly along said road to its intersection with Yaqui Pass Road; then, starting southerly along said road to its intersection with State Highway 78; then, southwesterly along said highway to its intersection with State Highway 79; then, starting northwesterly along said highway to its intersection with an unnamed road at 33.338920 latitude and 116.719413 longitude; then starting northeasterly along said road to its intersection with the boundary line of the Cleveland National Forest; then, starting westerly along said boundary to its intersection with 33.362319 latitude and 116.719026 longitude; then, northwesterly along an imaginary line to the point of beginning.~~

(21) In Riverside and San Bernardino Counties: beginning at the intersection of State Highway 2 and State Highway 138; then, starting southeasterly along State Highway 138 to its intersection with State Highway 173; then, starting easterly along State Highway 173 to its intersection with Arrowhead Lake Road; then, starting northeasterly along Arrowhead Lake Road to its intersection with the boundary of Mojave River Forks Regional Park; then, starting northerly along the boundary of Mojave River Forks Regional Park to its intersection with the boundary of the San Bernardino National Forest; then, starting easterly along the boundary of the San Bernardino National Forest to its intersection with Viscera Spring Road; then, starting easterly along an imaginary line to its intersection with the western most point of New

Dixie Mine Road; then, easterly along said road to its intersection with Novato Road; then, easterly along said road to its intersection with Willow Lane; then, easterly along said lane to its intersection with Novato Road; then, easterly along said road to its intersection with Acoma Trail; then, southerly along Acoma Trail to its intersection with Reche Road; then, easterly along said road to its intersection with Yucca Mesa Road; then, southerly along said road to its intersection with Napa Road; then, easterly along said road to its intersection with Moon Drive; then, easterly along said drive to its intersection with Giant Rock Road; then, southeasterly along said road to its intersection with Lear Avenue; then, southerly along said avenue to its intersection with 29 Palms Highway; then, easterly along said highway to its intersection with Utah Trail; then, northerly along Utah Trail to its intersection with Amboy Road; then, easterly along said road to its intersection with an unnamed road at 34.257406 latitude and -115.718707; then, northwesterly along unnamed road to its intersection with another unnamed road at 34.286850 latitude and -115.757426 longitude; then, northwesterly along said road to its intersection with the Bagdad Highway; then, northerly along said highway to its intersection with the National Trails Highway; then, northeasterly along an imaginary line to its intersection with US Interstate 40 at 34.717221 latitude and -115.766908 longitude; then, northeasterly along an imaginary line to its intersection with County Road 20731; then, northeasterly along said road to its intersection with Kelbaker Road; then, northeasterly along said road to its intersection with Hidden Hills Road; then, easterly along said road to its intersection with Essex Road; then, southeasterly along said road to its intersection with Sunflower Springs Road; then southeasterly along said road to its most southern point; then, southerly along an imaginary line to its intersection with Iron Mountain Pumping Plant Road; then, southeasterly along said road to its intersection with Power Line Road; then southwesterly along said road to its intersection with the boundary line of Riverside County; then, easterly along said boundary line to its intersection with Midland Road; then, southerly along an imaginary line to its intersection with the boundary line of Riverside County at Wiley Well Road; then, southerly along Utah Trail to its intersection with the boundary line of Riverside County at Gold Park; then, easterly along said boundary line to its intersection with 34.035318 latitude and -115.677352 longitude; then, southerly along an imaginary line to its

~~intersection with the boundary line of Joshua Tree National Park at 33.715501 latitude and 115.677352 longitude; then, easterly along an imaginary line to its intersection with Powerline Road and Hayfield Road; then, starting southerly along Hayfield Road to its intersection with an unnamed dirt road; then, southerly along said road to its intersection with US Interstate 10; then, starting northeasterly along said interstate to its intersection with 33.671111 latitude and 115.205269 longitude; then, southerly along an imaginary line to its intersection with the boundary line of Riverside County and The Bradshaw Trail; then, starting northwesterly along the boundary line of Riverside County to its intersection with the boundary line of San Bernardino County; then, starting westerly along the boundary line of San Bernardino County to its intersection with State Highway 2; then, starting southeasterly along State Highway 2 to the point of beginning.~~

(32) In Santa Barbara County: [Continued]

(43) The entire counties of Imperial, Los Angeles, Orange, San Diego and Ventura.

[Continued]

Note: Authority cited: Sections 407, 5301, 5302 and 5322, Food and Agricultural Code.

Reference: Sections 407, 5301, 5302 and 5322, Food and Agricultural Code.