CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
PROPOSED CHANGES IN THE REGULATIONS

Title 3, California Code of Regulations
Section 3282
Lethal Yellowing of Palm State Exterior Quarantine.
INITIAL STATEMENT OF REASONS/
POLICY STATEMENT OVERVIEW

The California Department of Food and Agriculture (Department) proposes to amend Title 3, California Code of Regulations (CCR) Section 3282 Lethal Yellowing of Palm State Exterior Quarantine to expand and revise the names of the pests, update the host list, update the areas under quarantine, and amend the restrictions.

Description of the Public Problem, Administrative Requirement, or Other Condition or Circumstance the Regulation is Intended to Address

These regulations are intended to address the obligation of the Secretary of Food and Agriculture to protect the agricultural industry of California from the movement and spread within California of injurious plant pests as required by Food and Agricultural Code (FAC) Sections 401 and 403.

Purpose and Factual Basis

The specific purpose of amending California Code of Regulations (CCR) Section 3282 Lethal Yellowing of Palm Exterior Quarantine is to update multiple sections of the quarantine. Amendments will encompass changes in the taxonomy of the pathogen and the vector, the areas under quarantine, and the addition of new hosts that have been identified.

The factual basis for the determination by the Department that the amendment of Section 3282 is necessary is as follows:

Phytoplasmas are plant pathogenic bacteria that lack cell walls and have reduced genomes. Since they have not been cultured to date, they are classified as *Candidatus* Phytoplasma species. Phytoplasmas of various taxonomic designations have been associated with or shown to cause diseases in a wide range of cultivated and wild palm species. In recent years, newly reported declines or diseases of palms have been associated with novel phytoplasmas. These fatal diseases are referred to as "lethal yellowing" (LY) or "lethal bronzing" (LB) of palms.

The scientific name of the pathogen is C*andidatus* Phytoplasma palmae. LY and LB are caused by related strains of *Ca.* Phytoplasma palmae. The development of identification techniques, especially molecular identification, has helped characterize the different groups and subgroups of phytoplasmas associated with palms. Their taxonomy is based on their 16S ribosomal gene sequences. LY and LB phytoplasmas are classified in the 16SrIV group, and based on vectors, plant hosts, and variety, the 16SrIV group is further divided into lettered subgroups. *Candidatus* Phytoplasma palmae 16SrIV-subgroup A is the classic Caribbean strain responsible for Lethal Yellowing, and *Ca.* Phytoplasma palmae 16SrIV-subgroup D is responsible for Lethal Bronzing, and is also called Texas Phoenix Palm Decline. The taxonomic status and number of proposed species of palm phytoplasmas are prone to change.

Numerous plant species and/or varieties of palm can be infected with phytoplasmas. LY is an important disease of coconut palms. It also occurs on date palms, oil palms, and many diverse types of ornamental palms. LB is a major pathogen for date palms and California has an important date palm industry. The disease has been reported to affect not only yield and product quality but also plant survival. Phytoplasmas live in the phloem and can be found in the sieve elements of infected plants. Vectors play a crucial role in phytoplasma distribution and spread. The confirmed vector of both LY and LB in the United States is the American palm cixiid, *Haplaxius crudus* (van Duzee), which is not known to be in California. Although the species was initially assigned to the genus *Myndus* Stål, 1862, the currently preferred scientific name for this cixiid is *Haplaxius crudus*. The nymphs feed and complete

development on the roots of grasses and sedges, while the adults utilize the foliage of a wide range of palm species to feed and mate. Phytoplasmas can also spread via the movement of infected plant materials. When a mature palm is infected, it rapidly declines and then dies.

To protect California palms against infection and disease establishment in native and non-native palms that are vital to the date industry in the desert and ornamental plantings statewide, there is a need for an exterior quarantine against the movement of palm phytoplasmas, their vector, and infected or exposed hosts from areas where they are known to occur. A review of recent scientific studies has identified the need to expand the description of the pathogens, the host range, and the areas under quarantine.

Project Description

Section 3282 (a)

Section 3282 (a) updates how the lethal yellowing and lethal bronzing pest is defined. Since this regulation was original written further research has changed the understanding of what causes these plant diseases. The amendment now names the uncultured, phloem-limited phytoplasmas causing lethal yellowing and lethal bronzing. Accurate and current scientific names are essential in quarantine regulations to avoid ambiguity, maintain consistency with modern taxonomic literature, and ensure that regulated pests are correctly identified and effectively regulated. Less relevant information is being removed.

Section 3282 (b)

Section 3282(b) details how the area under quarantine will be designated and how the public can find up to date maps of infested areas. These maps will be available at the Department's Plant Health and Plant Protection Services website. The Department has successfully used this website with current actionable pests to communicate the quarantine areas to the public. The website https://www.cdfa.ca.gov/plant/ is more readily

available to the public and provides clearer communication than verbal descriptions of quarantine zones placed in regulation. The individual states and counties under quarantine are being removed as the website will provide the current information. The definition of “infestation” is also included so the public can be aware of the standards the Department is using.

Section 3282 (c)

Section 3282 (c) amendments will enable the Department to minimize the chances of lethal yellowing and lethal bronzing being moved to California from any active quarantine zone by having a host list that reflects current knowledge of palm susceptibility.

Articles and Commodities Covered. The current host list within the regulation are corrected as follows, these references are listed in the reference section as well:

a. *Corypha elata* – change to *Corypha utan*

Reference: Royal Botanic Gardens, Kew, *Corypha elata* Roxb., Corypha elata Roxb. | Plants of the World Online | Kew Science, visited 10/1/2026

b. Livingstonia rotundifolia – change to *Saribus rotundifolius*

Reference: Bacon, C.D. and Baker, W.J., 2011. *Saribus* resurrected. Palms, 55(3).

c. *Neodypsis decaryi,* triangle palm – change to *Chrysalidocarpus decaryi*

Reference: Eiserhardt, W.L., and Baker, W.J. 2022. Taxon 71: 1183

The scientific name of these palms has been changed since this regulation was created, these changes reflect the current scientific identification.

Update with species that were not previously known or included, as hosts of Ca. Phytoplasma palmae and the vector, and the list of new regulated plants is as follows, these references are listed in the reference section as well:

1. *Acrocomia aculeata* – coyol palm - Roca, M.M., Castillo, M.G., Harrison, N.A. and Oropeza, C., 2006. First report of a 16SrIV group phytoplasma associated with declining coyol palms in Honduras. Plant disease, 90(4), pp.526-526.
2. *Acrocomia mexicana* – cascabel palm - Narvaez, M., Córdova-Lara, I., Reyes-Martínez, C., Puch-Hau, C., Mota-Narvaez, L., Collí, A., Caamal, G., Harrison, N., Sáenz, L. and Oropeza, C., 2016. Occurrence of 16Sr IV Subgroup A Phytoplasmas in *Roystonea regia* and *Acrocomia mexicana* Palms with Lethal Yellowing-like Syndromes in Yucatán, Mexico. Journal of Phytopathology, 164(11-12), pp.1111-1115.
3. *Adonidia merrillii*- Ramos Hernandez, E., Lesher Gordillo, J.M., Oropeza Salin, C., Ortiz Garcia, C.F., Magana Alejandro, M.A., Sanchez Soto, S. and Garcia Estrada, Y., 2020. Detection and identification of phytoplasmas in the 16SrIV-A,-B, and-D subgroups in palms in Tabasco, Mexico. Plant Disease, 104(10), pp.2606-2612.
4. *Attalea butyracea* – wine palm -Ramos Hernandez, E., Lesher Gordillo, J.M., Oropeza Salin, C., Ortiz Garcia, C.F., Magana Alejandro, M.A., Sanchez Soto, S. and Garcia Estrada, Y., 2020. Detection and identification of phytoplasmas in the 16SrIV-A,-B, and-D subgroups in palms in Tabasco, Mexico. Plant Disease, 104(10), pp.2606-2612.
5. *Brahea brandegeei* - San Jose hesper palm - Poghosyan, A., J. Hernandez-Gonzalez, V. Lebsky, C. Oropeza, M. Narvaez, and J. L. Leon de La Luz. First report of 16SrIV palm lethal yellowing group phytoplasma (‘Candidatus Phytoplasma palmae’) in palmilla de taco (*Brahea brandegeei*) and palma colorada (*Washingtonia robusta*) in the state of Baja California Sur, Mexico. Plant Disease 103, no. 8 (2019): 2122.
6. *Butia capitata* - Pindo palm- Bahder, B.W., Soto, N., Helmick, E.E., Dey, K.K., Komondy, L., Humphries, A.R., Mou, D.F., Bailey, R., Ascunce, M.S. and Goss, E.M., 2019. A survey of declining palms (Arecaceae) with 16SrIV-

D phytoplasma to evaluate the distribution and host range in Florida. Plant Disease, 103(10), pp.2512-2519.

7. *Carludovica palmata* – Panama hat palm - Cordova, I., Oropeza, C., Almeyda, H. and Harrison, N.A., 2000. First report of a phytoplasma-associated leaf yellowing syndrome of palma jipi plants in southern Mexico. Plant Disease, 84(7), pp.807-807.
8. *Carpentaria acuminata* - Carpenteria palm- Bahder, B.W., Soto, N., Helmick, E.E., Dey, K.K., Komondy, L., Humphries, A.R., Mou, D.F., Bailey, R., Ascunce, M.S. and Goss, E.M., 2019. A survey of declining palms (Arecaceae) with 16SrIV-D phytoplasma to evaluate the distribution and host range in Florida. Plant Disease, 103(10), pp.2512-2519.
9. *Chelyocarpus chuco* - round leaf palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
10. *Cleome rutidosperma* - fringed spiderflower - Brown, S. E., and W. A. McLaughlin. 2011. Identification of lethal yellowing group (16SrIV) of phytoplasmas in the weeds *Stachytarpheta jamaicensis, Macroptilium lathyroides* and *Cleome rutidosperma* in Jamaica. Phytopathogenic Mollicutes 1(1):27-34.
11. *Coccothrinax readii* - Mexican silver palm - Narvaez, M., Cordova, I., Orellana, R., Harrison, N.A. and Oropeza, C., 2006. First report of a lethal yellowing phytoplasma in *Thrinax radiata* and *Coccothrinax readii* palms in the Yucatan Peninsula of Mexico. Plant Pathology, 55(292).
12. *Copernicia alba* – wax palm - Cancino, P.J.P. and Salin, C.M.O., 2016. Evaluación de la incidencia del amarillamiento letal del cocotero en Yucatán (Doctoral dissertation, Centro de Investigación Científica de Yucatán).
13. *Corypha taliera* – Tali palm - Córdova, I., Myrie, W., Ortíz, C.F. and Ramos, E., 2020. Dealing with Lethal Yellowing and Related. Coconut Biotechnology: Towards the Sustainability of the 'Tree of Life', p.169.

14. *Crysophila warsecewiczii* – root spine palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
15. *Cyanthillium cinereum* – little ironweed - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2008. First report of lethal yellowing group (16Sr IV) of phytoplasmas in *Vernonia cinerea* in Jamaica. Plant Disease, 92(7), pp.1132-1132.
16. *Cyphophoenix nucele* – Lifou palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
17. *Emilia fosbergii – Florida tassel flower* - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2008. First report of the presence of the lethal yellowing group (16Sr IV) of phytoplasmas in the weeds *Emilia fosbergii* and *Synedrella nodiflora* in Jamaica. Plant Pathology, 57(4).
18. *Howea forsteriana* – kentia palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
19. *Latania lontaroides* – red lantan palm -Harrison, N., Cordova, I., Richardson, P. and Dibonito, R., 1999. Detection and diagnosis of lethal yellowing. In Current advances in coconut biotechnology (pp. 183-196). Dordrecht: Springer Netherlands.
20. *Macroptilium lathyroides*- phasey bean - Brown, S.E., and McLaughlin, W.A. 2011. Identification of lethal yellowing group (16SrIV) of phytoplasmas in the weeds *Stachytarpheta jamaicensis, Macroptilium lathyroides,* and *Cleome rutidosperma* in Jamaica. Phytopathogenic Mollicutes 1(1): 27-34.
21. *Phoenix roebelenii* – pygmy date palm - Jeyaprakash, A., Sutton, B.D., Halbert, S.E. and Schubert, T.S., 2011. First report of a 16SrIV-D phytoplasma associated with Texas Phoenix palm decline on pigmy date palm (*Phoenix roebelenii*) in Florida. Plant disease, 95(11), pp.1475-1475.

22. *Pritchardia affinis* - Loulu fan palm - Harrison, N., Cordova, I., Richardson, P. and Dibonito, R., 1999. Detection and diagnosis of lethal yellowing. In Current advances in coconut biotechnology (pp. 183-196). Dordrecht: Springer Netherlands.
23. *Pritchardia pacifica* – *Fiji fan palm* - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
24. *Pritchardia remota* – Remota fan palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
25. Pritchardia thurstonii – Thurston palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
26. Pseudophoenix sargentii – buccaneer palm - Vázquez-Euán, R., Harrison, N., Narvaez, M. and Oropeza, C., 2011. Occurrence of a 16SrIV group phytoplasma not previously associated with palm species in Yucatan, Mexico. Plant Disease, 95(3), pp.256-262.
27. *Rhapidophyllum hystrix* – Needle palm - Mou, D.F., Helmick, E.E. and Bahder, B.W., 2022. Multilocus sequence analysis reveals new hosts of palm lethal decline phytoplasmas in Florida, USA. Plant Health Progress, 23(4), pp.399-408.
28. Roystonea regia – Cuban royal palm - Narvaez, M., Córdova-Lara, I., Reyes-Martínez, C., Puch-Hau, C., Mota-Narvaez, L., Collí, A., Caamal, G., Harrison, N., Sáenz, L. and Oropeza, C., 2016. Occurrence of 16Sr IV Subgroup A Phytoplasmas in *Roystonea regia* and *Acrocomia mexicana* Palms with Lethal Yellowing-like Syndromes in Yucatán, Mexico. Journal of Phytopathology, 164(11-12), pp.1111-1115.
29. Sabal mexicana – Mexican sabal palm - Vázquez-Euán, R., Harrison, N., Narvaez, M. and Oropeza, C., 2011. Occurrence of a 16SrIV group

phytoplasma not previously associated with palm species in Yucatan, Mexico. Plant Disease, 95(3), pp.256-262.

30. *Sabal palmetto* – Sabal palm - Mou, D.F., Helmick, E.E. and Bahder, B.W., 2022. Multilocus sequence analysis reveals new hosts of palm lethal decline phytoplasmas in Florida, USA. Plant Health Progress, 23(4), pp.399-408.
31. *Stachytarpheta jamaicensis* - light-blue snakeweed- Brown, S.E., and McLaughlin, W.A. 2011. Identification of lethal yellowing group (16SrIV) of phytoplasmas in the weeds *Stachytarpheta jamaicensis, Macroptilium lathyroides*, and *Cleome rutidosperma* in Jamaica. Phytopathogenic Mollicutes 1(1): 27-34.
32. *Syagrus romanzoffiana* – queen palm -Palma-Cancino, P.J., Ortiz-García, C.F., López-Olguín, J.F. and Aragón-García, A., 2025. Detection and characterization of palm lethal decline phytoplasmas, subgroups 16SrIV-A and-D, in *Phoenix canariensis* and *Syagrus romanzoffiana* in Puebla, Mexico. Journal of Plant Protection Research, pp.103-111.
33. *Synedrella nodiflora* – nodeweed - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2008. First report of the presence of the lethal yellowing group (16Sr IV) of phytoplasmas in the weeds *Emilia fosbergii* and *Synedrella nodiflora* in Jamaica. Plant Pathology, 57(4).
34. *Thrinax radiata* – Florida thatch palm - Narvaez, M., Cordova, I., Orellana, R., Harrison, N.A. and Oropeza, C., 2006. First report of a lethal yellowing phytoplasma in *Thrinax radiata* and *Coccothrinax readii* palms in the Yucatan Peninsula of Mexico. Plant Pathology, 55(2).
35. *Veitchia arecina* – Montgomery palm - Brown, S.E., Been, B.O. and McLaughlin, W.A., 2007. The lethal yellowing (16SrIV) group of phytoplasmas. Pest Technology, 1(1), pp.61-69.
36. *Washingtonia robusta* – Mexican fan palm - Poghosyan, A., Hernandez-Gonzalez, J., Lebsky, V., Oropeza, C., Narvaez, M. and Leon de La Luz, J.L., 2019. First report of 16SrIV palm lethal yellowing group phytoplasma (‘Candidatus Phytoplasma palmae’) in palmilla de taco (*Brahea brandegeei*)

and palma colorada (*Washingtonia robusta*) in the state of Baja California Sur, Mexico. Plant Disease, 103(8), p.2122.

There are also species that were added from the *EPPO (2026) Haplaxius crudus. EPPO datasheets on pests recommended for regulation*.

Acoelorraphe wrightii

Andropogon bicornis

Axonopus compressus

Cenchrus ciliaris

Cenchrus echinatus

Cenchrus purpureus

Chloris barbata

Chloris gayana

Chrysalidocarpus lutescens

Coccothrinax miraguama

Cynodon nlemfuensis

Cynodon plectostachyus

Digitaria abyssinica

Digitaria eriantha subsp. pentzii

Digitaria eriantha

Distichlis spicata

Echinochloa colonum

Elaeis guineensis

Eragrostis curvula

Eremochloa ophiuroides

Eustachys petraea

Fimbristylis cymosa

Hemarthria altissima

Hyparrhenia rufa

Leptochloa mucronata

Megathyrsus maximus

Panicum laxum

Paspalum conjugatum

Paspalum paniculatum

Paspalum virgatum

Ptychosperma elegans

Roystonea boringuena

Saccharum officinarum

Satakentia liukiuensis

Serenoa repens

Urochloa brizantha

Urochloa dictyoneura

Urochloa eminii

Urochloa fusca

Urochloa mutica

Zea mays

Susceptible palm trees, screw pine, and hosts of *Haplaxius crudus* (the vector of these palm phytoplasmas), and all parts capable of propagation, except seed, are the articles and commodities covered.

These species were found infected with lethal yellowing in published literature. Some are currently included in the regulation host list, some have scientific name changes, and some are new. By adding these species, the Department reduces the opportunities for these pathogens to enter the state and infect established palm trees and palm tree nurseries.

Section 3282 (d)

The Department is removing sections that allow grasses and sedges to be covered by a certificate of treatment. In the time this regulation has been in effect there is no records of a certificate of treatment being presented.

Current Laws & Regulations

Existing law, FAC section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code, which the Secretary is directed or authorized to administer or enforce.

Existing law, FAC section 5301, provides that the Secretary may establish, maintain, and enforce such quarantine regulations as they deem necessary to protect the agricultural industry of this state from pests. The regulations may establish a quarantine at the boundaries of this state or elsewhere within the state.

Existing law, FAC section 5302, provides that the Secretary may make and enforce such regulations as they deem necessary to prevent any plant or thing which is, or is liable to be, infested or infected by, or which might act as a carrier of, any pest, from passing over any quarantine line which is established and proclaimed pursuant to this division.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest, which is a mandated statutory goal.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

The Department is the only agency that can implement host-list and area changes. As required by Gov. Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of these regulations and has determined that it is not inconsistent or incompatible with existing State regulations.

Anticipated Benefits from This Regulatory Action

Preventing the artificial spread of lethal yellowing and lethal bronzing economically benefits all Californians and businesses involved in the production or sale of host material located outside the infested regulated area. Tourism in the unregulated area would not be negatively impacted by restrictions on access to parks that would be necessary either to prevent disease spread or to ensure protection from hazardous trees, or due to loss of the host trees that would affect parks' visual aesthetic. Local governments would not face unexpected costs when they must remove infected, dead, or hazardous trees in parks, parkways, along roadsides or adjacent to public buildings. Homeowners would not have to use protective sprays to protect their palms or face costs for the removal of hazardous trees and loss of their property values.

California Environmental Quality Act

Prior to conducting any action authorized by this regulation, the Department shall comply with the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 *et. seq*. as amended) and the State CEQA Guidelines (Title 14 California Code of Regulations Section 15000 *et. seq*.).

Mandate on Local Agencies or School Districts

The Department has determined that these regulations do not impose a mandate on local agencies or school districts.

Economic Impact Analysis (Government Code 11346.3(b))

The prevention of the spread of lethal yellowing and lethal bronzing in California through the regulation of host material and the vector via the amendment and implementation of

this regulation prevents economic harm to:

- the general public
- homeowners and community gardens
- agricultural industry
- the State's general fund.

By the Department neglecting to regulate the types of hosts, this pathogen pest could spread into the local environment via the surrounding non-agricultural ecosystems. This could adversely impact private and commercial landscape plantings, local, regional, state, and national parks, other recreational sites, open habitats, and wild lands. Affected plants could yellow, bronze, lose crop yield, and die.

The Creation or Elimination of Jobs within the State

The amendment is designed to minimize the spread of lethal yellowing and lethal bronzing in California through regulation of host material. Regulation activities are currently being performed by existing state staff throughout the State and this amendment will not significantly add or detract from work already being done. Therefore, the Department has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs in the State of California.

The Creation or Elimination of Businesses in California

The amendment is designed to minimize the spread of lethal yellowing and lethal bronzing in California through the regulation of host material. Regulation activities are currently being performed by existing state staff throughout the State and this amendment will not significantly add or detract from current business practices. Therefore, the Department has determined that this regulatory proposal will not have a significant impact on the creation of new businesses in the State of California.

The Expansion of Businesses in California

The amendment is designed to minimize the spread of lethal yellowing in California through the regulation of host material. Compliance activities are currently being performed by existing state staff throughout quarantine areas within the State. Therefore, the Department has determined that this regulatory proposal will not have a significant impact on the expansion of businesses currently doing business in the State of California.

Worker Safety

The amendment of this regulation is not expected to have an effect on worker safety.

Estimated Cost or Savings to Public Agencies or Affected Private Individuals or Entities

The Department has determined that Section 3282 does not impose a mandate on local agencies or school districts. All compliance activities shall be conducted by the Department. Therefore, no reimbursement is required under Section 17561 of the Government Code.

The Department also has determined that no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts and no nondiscretionary costs or savings to local agencies or school districts, will result from the amendment of Section 3282.

There are no reimbursable costs or savings under Part 7 (commencing with section 17500) of Division 4 of the Government Code to local agencies or school districts, and no nondiscretionary costs or savings to local agencies or school districts are anticipated from the adoption of this amendment.

The Department has determined that the proposed actions will not have a significant adverse economic impact on housing costs or California businesses, including the ability of California businesses to compete with businesses in other states.

Potential Impact to Homeowners and Community Gardens

Modifying the host list would result in no impacts to the general public because there are

already many common host species on the list. By having a host list that is maintained with the most current information, the Department has a higher likelihood of keeping the pest from spreading in California which will benefit homeowners and community gardens.

Potential Impacts to General Fund and Welfare

The proposed regulations do not have an immediate or definitive impact to the general fund or general welfare. They will make it more likely that lethal yellowing and lethal bronzing would be detected before an infestation can happen, and if there is an infestation, the Department can react quickly and effectively. Speed of response is key to eradicating incipient pest infestation. Programmatic delays potentially can lead to pest quarantines, as well as increased production costs and potential job loss. The agricultural industry is one of the economic engines in the state. Negative impacts to agriculture impact the state's economic recovery and the general welfare of the state. Additionally, any further job losses in this area would likely be felt by low-skilled workers whose employment options are already limited. The loss of any additional agricultural jobs would likely result in an increase in the State's public assistance obligations, which would also negatively impact the state's economic recovery.

Assessment

These conclusions are based upon the same analysis related to the adverse economic impact on business above. Further, the Department does not expect these actions to create jobs or businesses.

The Department has made an assessment that the amendment to these regulations would: (1) not create or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California,(3) not affect the expansion of businesses currently doing business within California, (4) is expected to benefit the health and welfare of California residents, (5) is expected to benefit the state's environment, and (6) not expected to benefit workers' safety.

Health and welfare: The proposed action will benefit the health and welfare of California residents by making it more likely that lethal yellowing and lethal bronzing does not become established within California. Speed of response is key to eradicating incipient pest infestation. Programmatic delays potentially can lead to extensive pest quarantines, as well as increased production costs and potential job loss.

The state's environment: The proposed action will benefit the state's environment by increasing the chance that lethal yellowing does not become established within California. If the Department neglects to regulate the types of hosts, this fungus pest could spread into the local environment via the surrounding non-agricultural ecosystems. This could adversely impact private and commercial landscape plantings, local, regional, state and national parks, other recreational sites, open habitats, and wild lands. Affected plants could become less vigorous and may produce fewer seeds. Plants/trees with low propagule output can result in major changes to plant community structure.

Alternatives Considered

The Department must determine that no alternative would be more effective in carrying out the purpose for which the action is proposed or would be as effective as well as less burdensome to affected private persons than the proposed actions.

The Department considered taking no action. If no action is taken, the host lists and areas under quarantine in Section 3282 will no longer be consistent with the current knowledge of known hosts and locations where the disease is established. This could lead to the Department not correctly applying any quarantines for lethal yellowing and lethal bronzing to all potential host material from all potential areas of concern. This would potentially result in further quarantines throughout the State with the concomitant economic and operational impacts on host commodity producers, vendors, and home growers.

Information Relied Upon

The Department is relying upon the following studies, reports, and documents in the

amendment of Section 3282:

1. Bacon, C.D. and Baker, W.J., 2011. *Saribus* resurrected. Palms, 55(3).

2. Bahder, B.W., Helmick, E.E., Harrison, N.A. and Elliott, M.L., 2019. Lethal Bronzing Disease (LBD): PP243/PP163, rev. 5/2019. EDIS, 2019, pp.3-3. (visited 9/16/2026) https://ask.ifas.ufl.edu/publication/PP163

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