

Amend Section 3423(b) to read:

(b) Area Under Quarantine.

(1) [Reserved] An area shall be designated as under quarantine when survey results indicate an infestation is present, the Department has defined the infested area, and the local California County Agricultural Commissioner(s) is notified and requests the quarantine area be established. The Department shall also provide electronic and/or written notification of the area designation(s) to other California County Agricultural Commissioners and other interested or affected parties and post the area description to its website at: www.cdfa.ca.gov/plant/off/regulation.html. An interested party may also go to the above website and elect to receive automatic notifications of any changes in quarantine areas through the list serve option.

(2) In Orange and Los Angeles counties, in the Anaheim area: Beginning at the intersection of Lakewood Boulevard and Stewart and Gray Road; then, continuing east along Stewart and Gray Road to its intersection with Firestone Boulevard; then, southeasterly along said boulevard to its intersection with the San Gabriel River; then, northeasterly along said river to its intersection with Florence Avenue; then, southeasterly along said avenue to its intersection with Telegraph Road; then, southeasterly along said road to its intersection with Imperial Highway; then, easterly along said highway to its intersection with La Mirada Boulevard; then, southerly along said boulevard to its intersection with Foster Road; then, easterly along said road to its intersection with Adelfa Drive; then, southerly along said drive to its intersection with Rosecrans Avenue; then, easterly along said avenue to its intersection with N Parks Road; then, southerly along said road to its intersection with W Bastanchurry Road; then, northeasterly along said road to its intersection with N Euclid Street; then, southeasterly along said street to its intersection with Malvern Avenue; then, easterly along said avenue to its intersection with W Chapman Avenue; then, easterly along said avenue to its intersection with E Chapman Avenue; then, easterly along said avenue to its intersection with N Lemon Street; then, southerly along said street to its intersection with N Anaheim Boulevard; then, southerly along said boulevard to its intersection with

W La Palma Avenue; then, easterly along said avenue to its intersection with N Anaheim Boulevard; then, southeasterly along said boulevard to its intersection with S Anaheim Boulevard; then, southeasterly along said boulevard to its intersection with W Katella Avenue; then, westerly along said avenue to its intersection with S Harbor Boulevard; then, southerly along said boulevard to its intersection with Harbor Boulevard; then, southerly along said boulevard to its intersection with State Highway 22; then, southwesterly along said highway to its intersection with Magnolia Street; then, southerly along said street to its intersection with Westminster Avenue; then, westerly along said avenue to its intersection with Westminster Boulevard; then, westerly along said boulevard to its intersection with US Interstate 405; then, northwesterly along said interstate to its intersection with N Lakewood Boulevard; then, northerly along said boulevard to its intersection with Carson Street; then, westerly along said street to its intersection with E Carson Street; then, westerly along said street to its intersection with Paramount Boulevard; then, northerly along said boulevard to its intersection with N Paramount Boulevard; then, northerly along said boulevard to its intersection with Paramount Boulevard; then, northerly along said boulevard to its intersection with Alondra Boulevard; then, easterly along said boulevard to its intersection with Downey Avenue; then, northerly along said avenue to its intersection with Somerset Avenue; then, easterly along said avenue to its intersection with Lakewood Boulevard; then, northerly along said boulevard to the point of beginning. An infestation is present when:

A. In urban areas either eggs, a larva, a pupa, a mated female or eight or more adult Oriental fruit flies of either sex are detected within three miles of each other and within one life cycle and all detections shall be more than 4.5 miles from any commercial host production area; or

B. In rural or commercial host production areas either eggs, a larva, a pupa, a mated female or six or more adult Oriental fruit flies of either sex are detected within three miles of each other and within one life cycle; or

C. Satellite infestations: a detection of a single life stage of Oriental fruit fly within any established quarantine area may be considered a satellite infestation and may be used as the epicenter using an additional 4.5 mile radius surrounding the detection to expand the quarantine area.

(3) In San Joaquin County, in the Stockton area: Beginning at the intersection of US Interstate 5 and Pixley Slough; then, easterly along said slough to its intersection with Telephone Cut Creek; then, easterly along said creek to its intersection with an unnamed irrigation canal and Thornton Road; then, easterly along said canal to its intersection with N Davis Road; then, northerly along said road to its intersection with 38.079384 latitude and -121.333454 longitude; then, easterly along an imaginary line to its intersection with an unnamed road at 38.079315 latitude and -121.314074 longitude; then, easterly along said road to its intersection with N Lower Sacramento Road; then, northerly along said road to its intersection with E Armstrong Road; then, easterly along said road to its intersection with N Micke Grove Road; then, southerly along said road to its intersection with Pixley Slough; then, starting southeasterly along said slough to its intersection with State Highway 99; then, northerly along said highway to its intersection with E Live Oak Road; then, starting easterly along said road to its intersection with the CCT Railroad tracks; then, southerly along said tracks to its intersection with 38.074263 latitude and -121.242560 longitude; then easterly along an imaginary line to its intersection with 38.074450 latitude and -121.237938 longitude; then, southerly along an imaginary line to its intersection with Bear Creek at 38.067358 latitude and -121.237946 longitude; then, starting easterly along said creek to its intersection with N Alpine Road; then, starting southeasterly along said road to its intersection with the Calaveras River; then, starting northeasterly along said river to its intersection with Pezzi Road; then, southeasterly along said road to its intersection with State Highway 88; then, starting southwesterly along said highway to its intersection with E Baker Road; then, easterly along said road to its intersection with N Confer Road; then, starting southerly along said road to its intersection with E Fairchild Road; then, southwesterly along said road to its intersection with Burge Road; then, southeasterly along said road to its intersection with the STKN Term and E Railroad tracks; then, starting southwesterly along said tracks to its intersection with N Alpine Road; then, starting southeasterly along said road to its intersection with E Main street; then, southwesterly along said street to its intersection with Gillis Road; then, southeasterly along said road to its intersection with State Highway 4; then, starting southwesterly along said highway to its intersection with E 8th Street; then, starting southwesterly

along said street to its southwestern most point; then, southwesterly along an imaginary line to its intersection with the northeastern most point of Cloyne Court; then, southwesterly along said court to its intersection with Peralta Avenue; then, northwesterly along said avenue to its intersection with E 8th Street; then, starting southwesterly along said street to its intersection with S Fresno Avenue; then, northerly along said avenue to its intersection with W Charter Way; then, southwesterly along said way to its intersection with the western shoreline of the San Joaquin River; then, starting northwesterly along said shoreline to its intersection with the AT and SF Railroad tracks; then, westerly along said tracks to its intersection with S Inland Drive; then, starting northerly along said drive to its intersection with W McDonald Road; then, westerly along said road to its intersection with S Holt Road; then, northerly along said road to its intersection with N Holt Road; then, northerly along said road to its intersection with Windmill Cv; then, northerly along an imaginary line to its intersection with the shoreline of the San Joaquin River at 37.996548 latitude and -121.420624 longitude; then, starting southwesterly along said shoreline to its intersection with 38.041977 latitude and -121.419706 longitude; then, northwesterly along an imaginary line to its intersection with the shoreline of the South Mokelumne River at 38.043848 latitude and -121.419661 longitude; then, starting northwesterly along said shoreline to its intersection with W Eight Mile Road; then easterly along said road to its intersection with US Interstate 5; then, northwesterly along said interstate to the point of the beginning. The initial area under quarantine shall be a minimum of a 4.5 mile radius surrounding the qualifying detections being used as an epicenter. Commercial host properties shall not be split by the quarantine boundary line and the boundary line shall be expanded beyond the 4.5 miles as necessary to encompass such host material in its entirety. Wherever possible, known accepted mapping features, including but not limited to roads, streets, highways, creeks, streams, rivers, canals, city, county, State, park and forest boundary lines are used first and if there are no acceptable features such as these then imaginary lines with or without latitude and longitude points may be used.

(4) Any interested party or local entity may appeal an area designation by submission to the Department of a written request for review of the designation accompanied by clear and convincing evidence justifying a change in the designation.

The appeal must be filed no later than ten (10) working days following receipt of the notice of designation. The Department must respond with a written decision no later than ten (10) working days following receipt of the appeal. During the pending of the appeal, the designation under appeal shall remain in effect.

(5) The infested area designation shall be removed if no additional life stages are detected by trapping or visual surveys for three life cycles after the last detection within the quarantine area.

(6) A life cycle is an estimate of insect phenology based on a heat degree day temperature driven model. Base developmental temperature thresholds are used in this model's calculations and it estimates the generation time period necessary for the completion of a generation of Oriental fruit fly. Daily minimum and maximum temperatures are used to produce a sine curve over a 24-hour period. The degree days for that day are estimated by calculating the area above the threshold and below the curve, assuming that the temperature curve is symmetrical around the maximum temperature. For Oriental fruit fly the Department uses the lifecycle model with 47.1 °Fahrenheit base developmental temperature and 1125 degree days Fahrenheit per generation.