

In Title 3, Division 4, Chapter3, adopt Section 3434 to read:

Section 3434. Light Brown Apple Moth Interior Quarantine.

A quarantine is established against the following pest, its hosts and possible carriers.

(a) Pest. Light brown apple moth (*Epiphyas postvittana*),

(b) Area Under Quarantine.

(1) In the counties of Alameda and Contra Costa: Beginning at the intersection of Richmond Parkway and Parr Boulevard; then, easterly, northeasterly and southeasterly along Parr Boulevard to its intersection with Road 20; then, southeasterly and southerly along Road 20 to its intersection with Rumrill Boulevard; then, northeasterly along Rumrill Boulevard to its intersection with San Pablo Avenue; then, northeasterly along San Pablo Avenue to its intersection with Robert Miller Drive; then, easterly and northeasterly along Robert Miller Drive to its intersection with Hilltop Drive; then, southeasterly and easterly along Hilltop Drive to its intersection with U.S. Interstate 80; then, southerly along U.S. Interstate 80 to its intersection with El Portal Drive; then, southeasterly along El Portal Drive to its intersection with San Pablo Dam Road; then, northeasterly, northerly, northeasterly, easterly and southeasterly along San Pablo Dam Road to its intersection with Camino Pablo; then, southeasterly along Camino Pablo to its intersection with State Highway 24; then, southwesterly and westerly along State Highway 24 to its intersection with State Highway 13; then, southeasterly along State Highway 13 to its intersection with Redwood Road; then westerly along Redwood Road to its intersection with 35th Avenue; then, southwesterly along 35th Avenue to its intersection with U.S. Interstate 580; then, southeasterly along U.S. Interstate 580 to its intersection with High Street; then, southwesterly along High Street to its intersection with U.S. Interstate 880; then, southeasterly along U.S. Interstate 880 to its intersection with Hegenberger Road; then, southwesterly along Hegenberger Road to its intersection with Airport Drive; then, southwesterly along Airport Drive to its intersection with the boundary line of the Oakland International Airport; then, southeasterly, southwesterly, southerly, southwesterly, southerly and

southwesterly along the boundary line of the Oakland International Airport to its southern most point; then, northwesterly along an imaginary line to its intersection with the intersection of the Alameda County and San Francisco County boundary lines; then, northwesterly along the San Francisco County boundary line to its intersection with the Contra Costa County boundary line; then, northwesterly along the Contra Costa County boundary line to its intersection with U.S. Interstate 580; then, northeasterly along an imaginary line to the point of beginning.

(2) In the county of Marin:

(A) In the Mill Valley Area: Beginning at the intersection of Corte Madera Avenue and Redwood Avenue; then, northwesterly along Redwood Avenue to its intersection with Tamalpais Drive; then, southeasterly, easterly and northeasterly along Tamalpais Drive to its intersection with San Clemente Drive; then, southeasterly along San Clemente Drive to its intersection with Paradise Drive; then, southeasterly along Paradise Drive to its intersection with Prince Royal Drive; then, southerly, southwesterly, southeasterly and northeasterly along Prince Royal Drive to its intersection with Endeavor Drive; then, southeasterly, southerly, southeasterly and southerly along Endeavor Drive to its intersection with Ridge Court; then, southeasterly along an imaginary line to its intersection with the northern most point of Reed Ranch Road; then, southwesterly, southeasterly, southerly, southwesterly, southerly and southeasterly along Reed Ranch Road to its intersection with the Northwestern Pacific Railroad tracks; then, southeasterly along the Northwestern Pacific Railroad tracks to its intersection with the boundary line of the Richardson Bay Lineal Park; then, southeasterly and southwesterly along the boundary line of the Richardson Bay Lineal Park to its intersection with the Northwestern Pacific Railroad tracks; then, southwesterly along an imaginary line to its intersection with the intersection of Bridgeway and Donahue Street; then, southwesterly, northerly, northwesterly, southwesterly, northwesterly and southwesterly along Donahue Street to its intersection with Alta Trail; then, southerly along Alta Trail to its intersection with the boundary line of the Golden Gate National Recreation

Area; then, northwesterly, southerly, westerly, southerly, southwesterly, westerly, southerly, southwesterly, northerly, westerly, northerly, northeasterly, northwesterly, westerly, southerly, southeasterly, southwesterly, northwesterly, westerly, southerly, northwesterly, southwesterly, westerly, northeasterly, northwesterly, southwesterly, westerly, southwesterly, southeasterly, southerly, southwesterly, northwesterly, southwesterly, northwesterly, southwesterly, northwesterly, southerly, northwesterly, northeasterly, northerly, westerly, northwesterly, northeasterly, northwesterly, northeasterly and northwesterly along the boundary line of the Golden Gate National Recreation Area to its intersection with State Highway 1; then, southwesterly, southerly and southwesterly along State Highway 1 to its intersection with the Panoramic Highway; then, southwesterly, southerly, westerly, northerly, northwesterly and northerly along the Panoramic Highway to its intersection with Sequoia Valley Road; then, northerly, northwesterly, northeasterly, northwesterly, northeasterly, northwesterly, northerly, northwesterly, northeasterly, northerly and northwesterly along Sequoia Valley Road to its intersection with Walsh Drive; then, northeasterly along Walsh Drive to its intersection with Edgewood Avenue; then, northeasterly, southeasterly and easterly along Edgewood Avenue to its intersection with Marion Avenue; then, northwesterly along Marion Avenue to its intersection with Florence Avenue; then, northeasterly and southeasterly along Florence Avenue to its intersection with Molino Way; then, northeasterly along Molino Way to its intersection with the boundary line of Old Mill Park; then, northeasterly along the boundary line of Old Mill Park to its intersection with Throckmorton Avenue; then, northeasterly along Throckmorton Avenue to its intersection with E. Blithdale Avenue; then, southeasterly along E. Blithdale Avenue to its intersection with Carmelita Avenue; then, northerly along Carmelita Avenue to its intersection with Buena Vista Avenue; then, easterly, northeasterly, northwesterly, northeasterly, easterly, northeasterly and northwesterly along Buena Vista Avenue to its intersection with Vista Linda Drive; then, northeasterly along Vista Linda Drive to its intersection with Sheridan Court; then, northerly and westerly along Sheridan Court to its western most point; then, northerly along an imaginary line to its intersection with

the intersection of Billys Lane and Summit Drive; then, northwesterly and northeasterly along Summit Drive to its intersection with Redwood Avenue; then, northeasterly, southeasterly, northeasterly, southerly, northeasterly, northerly, westerly, northerly and northeasterly along Redwood Avenue to the point of beginning.

(B) In the Novato area: Beginning at the intersection of Novato Creek Road and Novato Boulevard; then, northeasterly along an imaginary line to its intersection with the intersection of M03N07W03 (Base/Meridian, Township, Range and Section) and M03N07W02; then, easterly along M03N07W02 to its intersection M03N07W01; then, southeasterly along an imaginary line to its intersection with the western most point of Nunes Drive; then, northeasterly and southeasterly along Nunes Drive to its intersection with Wood Hollow Drive; then, southeasterly, southerly and southeasterly along Wood Hollow Drive to its intersection with Redwood Boulevard; then, southerly and southwestery along Redwood Boulevard to its intersection with Vallejo Avenue; then, northwesterly along Vallejo Avenue to its intersection with 7th Street; then, southerly and southwestery along 7th Street to its intersection with Tamalpais Avenue; then, southwestery along Tamalpais Avenue to its intersection with Hill Road; then, southeasterly along Hill Road to its intersection with Canyon Road; then, southwestery, northwesterly, westerly and southwestery along Canyon Road to its western most point; then, southwestery along an imaginary line to its intersection with the intersection of Mcclay Road and Indian Valley Road; then, northwesterly along Indian Valley Road to its intersection with Wilson Avenue; then, southwestery along Wilson Avenue to its intersection with Maestro Road; then, northwesterly, northerly and southwestery along Maestro Road to its western most point; then, westerly along an imaginary line to its intersection with the intersection of Cabro Ridge with Cabro Court; then, southwestery along Cabro Court to its intersection with Plata Court; then northwesterly and northerly along Plata court to its intersection with Santa Maria Drive; then, northwesterly along Santa Maria Drive to its intersection with Amber Court; then, northwesterly along an imaginary line from the intersection of Amber Court and Santa Maria

Drive to the southern most point of W. Brooke Drive; then, northerly, northwesterly and westerly along W. Brooke Drive to its intersection with Wild Horse Valley Road; then, northwesterly along Wild Horse Valley Road to its intersection with Vineyard Road; then, southwesterly along Vineyard Road to its intersection with Verissimo Drive; then, northwesterly along Verissimo Drive to its intersection with Ravine Way; then, northwesterly along an imaginary line from the intersection of Verissimo Drive and Ravine Way to the point of beginning.

(C) In the San Rafael area: Beginning at the intersection of U.S. Interstate 580 and U.S. Highway 101; then, northwesterly, northerly and northwesterly along U.S. Highway 101 to its intersection with N. San Pedro Road; then, northeasterly, northwesterly, northeasterly, southeasterly and easterly along N. San Pedro Road to its intersection with the western boundary line of China Camp State Park; then, northeasterly, southeasterly, easterly, southeasterly, and northeasterly along said boundary line to its intersection with the boundary line of McNear's Beach Park; then, southeasterly, northeasterly and southeasterly along the boundary line of McNear's Beach Park to its southern most point on San Pablo Bay; then, easterly along an imaginary line to its intersection with boundary line of Marin County; then, southwesterly and southerly along the boundary line of Marin County to its intersection with U.S. Interstate 580; then, westerly and northwesterly along U.S. Interstate 580 to the point of beginning.

(D) In the Sausalito area: Beginning at the intersection of U.S. Highway 101 and Rodeo Avenue; then, northeasterly, easterly and southeasterly along Rodeo Avenue to its intersection with Woodward Avenue; then, southerly and southeasterly along Woodward Avenue to its intersection with Spring Street; then, northeasterly along Spring Street to its intersection with Bridgeway; then, southeasterly along Bridgeway to its intersection with the boundary line of Dunphy Park; then, northeasterly along the boundary line of Dunphy Park to its intersection with the coastline of Richardson Bay; then, southeasterly, northeasterly, southerly, southeasterly, northeasterly, southeasterly, southerly, southeasterly, northeasterly and southeasterly along the coastline of Richardson

Bay to its intersection with the coastline of San Francisco Bay; then, southerly, southwesterly, southerly, southeasterly, southerly, southeasterly, southerly, westerly, northwesterly, southwesterly, southeasterly, southwesterly, southerly, and southwesterly along the coastline of San Francisco Bay to its intersection with U.S. Highway 101; then, northerly along U.S. Highway 101 to its intersection with the northern boundary line of the Golden Gate Recreation Area; then, northwesterly, westerly, northeasterly and northwesterly along the boundary line of the Golden Gate Recreation Area to its intersection with Rodeo Avenue; then, northerly and southeasterly along Rodeo Avenue to the point of beginning.

(3) In the county of San Francisco: Beginning at the intersection of Point Lobos Avenue and Merrie Way; then, northerly along Merrie Way to its northern most point; then, northeasterly along an imaginary line to its intersection with the intersection of U.S. Highway 101 and the San Francisco County boundary line; then, southeasterly along an imaginary line to its intersection with the intersection of U.S. Interstate 80 and the shoreline of Yerba Buena Island; then, southerly along an imaginary line to the eastern most point of Earl Street; then, southwesterly along Earl street to its intersection with Inness Avenue; then, northwesterly along Inness Avenue to its intersection with Ingalls Street; then, southwesterly, southeasterly, southwesterly, westerly and southwesterly along Ingalls Street to its intersection with Palou Avenue; then, northwesterly along Palou Avenue to its intersection with 3rd Street; then, southwesterly along 3rd Street to its intersection with Thornton Avenue; then, westerly along Thornton Avenue to its intersection with Bayshore Boulevard; then, northwesterly along Bayshore Boulevard to its intersection with Silver Avenue; then, southwesterly along Silver Avenue to its intersection with U.S. Highway 101; then, northwesterly along U.S. Highway 101 to its intersection with U.S. Interstate 280; then southwesterly along U.S Interstate 280 to its intersection with Ocean Avenue; then, westerly, northwesterly and westerly along Ocean Avenue to its intersection with Sunset Boulevard; then, northerly along Sunset Boulevard to its intersection with Taraval Street; then, westerly along Taraval Street to its intersection with the Upper Great Highway; then, northerly along the Upper Great

Highway to its intersection with the Great Highway; then, northerly along the Great Highway to its intersection with Point Lobos Avenue; then, northerly, northwesterly, westerly and northeasterly along Point Lobos Avenue to the point of beginning.

(4) In the county of Santa Clara: Beginning at the intersection of El Camino Real and Embarcadero Road; then, northeasterly along Embarcadero Road to its intersection with Waverly Street; then, northwesterly along Waverly Street to its intersection with Channing Avenue; then, northeasterly and easterly along Channing Avenue to its intersection with Newel Road; then, northerly and northeasterly along Newell Road to its intersection with Woodland Avenue; then, southeasterly, northeasterly, southeasterly and northeasterly along Woodland Road to its intersection with W. Bayshore Road; then, southeasterly, southerly westerly and southwesterly along W. Bayshore to its intersection with Embarcadero Road; then, northeasterly along Embarcadero Road to its intersection with Faber Place; then, southeasterly along Faber Place to its southern most point; then, southeasterly along an imaginary line to its intersection with the eastern most point of San Antonio Road; then, southerly along San Antonio Road to its intersection with Terminal Boulevard; then, westerly along Terminal Boulevard to its intersection with San Antonio Road; then, southerly along San Antonio Road to its intersection with the Central Expressway; then, southeasterly along the Central Expressway to its intersection with S. Rengstorff Avenue; then, southwesterly along S. Rengstorff Avenue to its intersection with W. El Camino Real; then, southeasterly along W. El Camino Real to its intersection with El Monte Avenue; then, southwesterly and southerly along El Monte Avenue to its intersection with N. El Monte Avenue; then southwesterly along N. El Monte Avenue to its intersection with S. El Monte Avenue; then, southwesterly along S. El Monte Avenue to its intersection with S. El Monte Road; then, southwesterly along S. El Monte Road to its intersection with U.S. Interstate 280; then, northwesterly, westerly, northwesterly, northerly and northwesterly along U.S. Interstate 280 to its intersection with Page Mill Road; then, northeasterly, northerly and northeasterly along Page Mill Road to its

intersection with Junipero Serra Boulevard; then, northwesterly along Junipero Serra Boulevard to its intersection with Campus Drive; then, easterly, northeasterly, southeasterly, northeasterly and northwesterly along Campus Drive to its intersection with Galvez Street; then, northeasterly along Galvez Street to its intersection with Embarcadero Road; then, northeasterly along Embarcadero Road to the point of beginning.

(c) Articles and Commodities Covered. The following are declared to be hosts and possible carriers of light brown apple moth.

(1) All nursery stock.

(2) All green waste residues from any plants.

(3) All fresh garlands, wreaths, cut flowers and greens produced within the area under quarantine.

(4) All harvested commodities derived from the following plants and produced within the area under quarantine:

Abies spp. (firs used as Christmas trees)

Actinidia spp. (Chinese gooseberry, kiwi fruit)

Apium spp. (cut celery)

Asparagus spp. (cut asparagus)

Beta spp. (beets with tops or cut greens)

Brassica spp. (vegetables such as: broccoli, cauliflower, cabbage, cress, kale, mustard, etc.)

Capsicum spp. (fruit of chili, pepper and pimento)

Citrus spp. (citrus fruit such as: clementine, lemon, lime, orange, grapefruit, mandarin, pomelo, tangerine, tangelo, etc.)

Crataegus spp. (hawthorn fruit)

Cydonia spp. (quince fruit)

Cyphomandra spp. (fruit of tamarillo, tree tomato, tomato tree)

Daucus spp. (carrots with tops)

Diospyros spp. (persimmon fruit)

Eriobotrya spp. (loquat fruit)

Eugenia spp. (fruit of cherry of the Rio Grande, Lilly Pilly, Surinam cherry)

Feijoa spp. (fruit of feijoa or pineapple guava)

Ficus spp. (fig fruit)

Fortunella spp. (kumquat fruit)

Fragaria spp. (strawberry fruit)

Helianthus spp. (Jerusalem artichoke tuber)

Humulus spp. (hops)

Juglans spp. (California black walnut, butternut and English walnuts with husks)

Laurus spp. (leaves of sweet bay for use as an herb)

Litchi spp. (litchi fruit)

Lycopersicum spp. (tomato fruit)

Malus spp. (apple fruit)

Mangifera spp. (mango fruit)

Medicago spp. (alfalfa hay or fodder)

Melilotus spp. (white sweet clover, yellow sweet clover hay or fodder)

Mentha spp. (mint, peppermint, spearmint for use as herbs)

Passiflora spp. (Fruit of banana passionflower, passionfruit, poka)

Pastinaca spp. (parsnip with tops)

Persea Americana (avocado fruit)

Petroselinum spp. (parsley for use as an herb)

Phaseolus spp. (beans in the pod of green bean, kidney bean, lima bean, snap bean, string bean, etc.)

Picea spp. (cut spruce for use as Christmas trees)

Pisum spp. (peas in the pod of garden pea, English pea, snow pea, sugar pea, etc.)

Pinus spp. (cut pines for use as Christmas trees)

Prunus spp. (stone fruit such as almonds with husks, apricot, sour and sweet cherries, nectarine, peach, plums, etc.)

Pseudotsuga spp. (cut Douglas-fir for use as Christmas trees)

Pyrus spp. (fruit of Asian pear, pear, sand pear, etc.)

Ribes spp. (currant and gooseberry fruit)

Rosa spp. (rose hips)

Rubus spp. (fruit of blackberry, boysenberry, raspberry, etc.)

Salvia spp. (cut sage for use as an herb)

Sambucus spp. (elderberry fruit)

Solanum spp. (pepino fruit, potato tubers)

Trifolium spp. (clover hay or fodder)

Vaccinium spp. (fruit of bilberry, blueberry, cranberry, huckleberry)

Vicia spp. (broad beans in the pod)

Vitis spp. (table and wine grape fruit)

Zea spp. (corn in the husk)

(5) Any other harvested plant parts which by scientific investigation is shown to be capable of sustaining light brown apple moth in any stage of development.

(6) Possible carriers shall include all appliances used in the growing, harvesting, processing and hauling of the host plants and plant parts and any green waste residues including but not limited to tractors, trailers, trucks, planting, picking and pruning equipment and processing machinery and any other article, thing or means of conveyance when it is determined by the Secretary or county agricultural commissioner to present a hazard of spreading live life stages of the light brown apple moth.

(7) Exemptions. The following articles are exempt from the provisions of this subsection:

(A) Seed extracted from fruit;

(B) Defoliated dormant bare-rooted nursery stock;

(C) Defoliated dormant nursery stock in containers where all leaf litter and any weeds have been removed;

(D) Privately-owned indoor decorative houseplants; and,

(E) Dying or dead plant material (green waste) that has been processed or handled or treated in a manner approved by the Secretary to eliminate live life stages of the light brown apple moth and is moved directly to a city or county sanitary landfill or State licensed compost facility within the quarantine area.

(d) Restrictions.

(1) Articles and commodities covered in subsection (c)(1), (2), (3), (4) and (5) are prohibited movement within or from the area under quarantine except as provided in (A), (B), (C), (D) and (E) below:

(A) If accompanied by a certificate issued by an authorized agricultural official affirming that the articles and commodities originated from a site or facility which is apparently free from light brown apple moth.

(B) If accompanied by a certificate issued by an authorized agricultural official affirming that the articles and commodities have been inspected or treated in a manner approved by the Department and are apparently free from light brown apple moth.

(C) If purchased at a retail sales location and accompanied by a sales receipt.

(D) If the article or commodity was produced outside the area under quarantine and is being moved through the area under quarantine by direct route and without delay in vehicles or containers which prevent exposure to infestation of the article or commodity to light brown apple moth while en route through the area.

(E) If the article or commodity covered is moved under the terms of a special permit as authorized under Title 3, Section 3154 of the California Code of Regulations.

(2) Articles and commodities covered in subsection (c)(6) are prohibited movement within or from the area under quarantine except if cleaned and treated to the satisfaction of the Department or county agricultural commissioner.

Note: Authority: Sections 407, 5301, 5302, and 5322, Food and Agricultural Code
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4/19/07