

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 03, California Code of Regulations

Adopt sections:

Amend sections: 3435(b)

Repeal sections:

**NOTICE OF APPROVAL OF CERTIFICATE OF
COMPLIANCE**

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

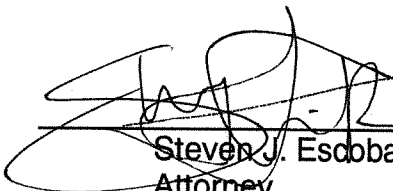
OAL Matter Number: 2015-0410-04

**OAL Matter Type: Certificate of Compliance
(C)**

This Certificate of Compliance by the Department of Food and Agriculture (the "Department") makes permanent the prior emergency regulatory action (OAL File No. 2014-1013-05E) that expanded the quarantine area for the Asian Citrus Psyllid ("ACP") *Diaphorina citri* by approximately 35 square miles in the Bakersfield area of Kern County. This amendment provides authority for the state to perform quarantine activities against ACP within this additional area.

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

Date: May 6, 2015



Steven J. Escobar
Attorney

For: DEBRA M. CORNEZ
Director

Original: Karen Ross
Copy: Sara Khalid

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-2015-0106-03	REGULATORY ACTION NUMBER 2015-0410-04C	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
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ENDORSED - FILED
In the office of the Secretary of State
of the State of California

MAY 06 2015

1:54 PM

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 Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2015 42	PUBLICATION DATE 1/23/2015

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Section 3435 Asian Citrus Psyllid Interior Quarantine	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2014-1013-05E
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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)
	REPEAL
TITLE(S) 3	

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 Sara Khalid	TELEPHONE NUMBER 916-403-6625	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Sara.Khalid@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 4-6-15
TYPED NAME AND TITLE OF SIGNATORY Nick Condos, Director, Plant Health and Pest Prevention Services	

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ENDORSED APPROVED

MAY 06 2015

Office of Administrative Law

Amend the following section:

Section 3435. Asian Citrus Psyllid Quarantine.

....

(b) Area Under Quarantine:

....

(2) In Kern County:

(A) In the Bakersfield area: Beginning at the intersection of Buena Vista Road and Campus Park Drive; then, starting easterly along said drive to its intersection on Mountain Vista Drive; then, northerly along said drive to its intersection with White Lane; then, easterly along said lane to its intersection with Old River Road; then, northerly along said road to its intersection with Ridge Oak Drive; then, easterly along said drive to its intersection with Mountain Oak Road; then, northerly along said road to its intersection with Scarlet Oak Boulevard; then, northeasterly along said boulevard to its intersection with McInnes Boulevard; then, easterly along said boulevard to its intersection with Nantes Way; then, northerly along said way to its intersection with Versailles Drive; then, easterly along said drive to its intersection with Haggin Oaks Blvd; then, northerly along said boulevard to its intersection with Ming Avenue; then, easterly along said avenue to its intersection with El Portal Drive; then, northerly along said drive to its intersection with Alley No 5; then, easterly along said alley to its intersection with Ashe Road; then, northerly along said road to its intersection with Desert Hills Avenue; then, easterly along said avenue to its intersection with Bermuda Street; then, easterly along said street to its intersection with Demaret Avenue; then, northeasterly along said avenue to its intersection with New Stine Road; then, northerly along said road to its intersection with California Avenue; then, northeasterly along said avenue to its intersection with Oak Street; then, northerly along said street to its intersection with 21st Street; then, easterly along said street to its intersection with Union Avenue; then, northerly along said avenue to its intersection with Sumner Street; then, southeasterly along said street to its intersection with Beale Avenue; then, southerly along said avenue to its intersection with E Truxton Avenue; then, southeasterly along said avenue to its intersection with Edison Highway; then, easterly along said highway to its intersection with Southern Pacific

Railroad; then, southerly along said railroad to its intersection with Redbank Road; then, easterly along said road to its intersection with Weedpatch Highway; then, southerly along said highway to its intersection with E Wilson Road; then, easterly along said road to its intersection with S Vineland Road; then, southerly along said road to its intersection with Mountain View Road; then, westerly along said road to its intersection with Habecker Road; then, southerly along said road to its intersection with McKee Road; then, westerly along said road to its intersection with Weedpatch Highway; then, southerly along said highway to its intersection with Panama Road; then, westerly along said road to its intersection with Burlington Northern and Santa Fe railroad; then, southerly along said railroad to its intersection with an imaginary line at 35.253487 latitude and -118.923160 longitude; then, southerly along said line to its intersection with Di Giorgio Road at 35.252382 latitude and -118.923250 longitude; then, westerly along said road then, northerly along said road to its intersection with Sanders Lane; then, easterly along said lane to its intersection with La Puente Drive; then, northerly along said drive to its intersection with Sundale Avenue; then, easterly along said avenue to its intersection with New Stine Road; then, southerly along said road to its intersection with Fjord Drive; then, easterly along said drive to its intersection with Fjord Street; then, easterly along said street to its intersection with Stine Road; then, southerly along said road to its intersection with Ming Avenue; then, easterly along said avenue to its intersection with Benton Street; then, southerly along said street to its intersection with Bradley Avenue; then, easterly along said avenue to its intersection with S H street; then, southerly along said street to its intersection to its intersection with Southgate Drive; then, easterly along said drive to its intersection with S Chester Avenue; then, southerly along said avenue to its intersection with Wilson Road; then, easterly along said road to its intersection with Watts Drive; then, easterly along said drive to its intersection with Madison Street; then, southerly along said street to its intersection with E Planz Road; then, easterly along said road to its intersection with S Mount Vernon Avenue; then, southerly along said avenue to its intersection with E Panama Lane; then, easterly along said lane to its intersection with S Fairfax Road; then, southerly along said road to its intersection with Buena Vista Boulevard; then, westerly along said boulevard to its intersection with Adobe Road; then, southerly along said road to its intersection with E Bear Mountain Boulevard; then,

westerly along said boulevard to its intersection with S Union Avenue; then, southerly along said avenue to its intersection with Kern Island Drain; then, westerly along said drain to its intersection with an imaginary line at 35.180690 latitude and -119.020540 longitude; then, southerly along said line to its intersection with Millux Road at 35.804110 latitude and -119.028090 longitude; then, southerly along said road to its intersection with Old River Road; then, northerly along said road to its intersection with Bear Mountain Boulevard; then, westerly along said boulevard to its intersection with Interstate 5; then, northwesterly along said interstate to its intersection with Buena Vista Canal; then, northeasterly along said canal to its intersection with Taft Highway; then, easterly along said highway to its intersection with S Allen Road; then, northerly along said road to its intersection with Pensinger Road; then, northerly along an imaginary line to its intersection with Southern Pacific Railroad at 35.310620 latitude and -119.145270 longitude; then, easterly along said line to the point of the beginning.

....

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