

FINAL STATEMENT OF REASONS
DEPARTMENT OF FOOD AND AGRICULTURE
SUBMISSION OF REGULATIONS PERTAINING TO
Title 3, California Code of Regulations
Section 3591.20, Subsections (a), (b), (c) and (d)
Light Brown Apple Moth Eradication Area

Update of Initial Statement of Reasons/Policy Statement Overview

The initial statement of reasons/policy statement overview is still valid.

Summary of and Response to Objections or Comments Regarding the Regulations

No public hearing was held or requested. The summary of and response to each objection or comment received during the written comment period are as follows:

The Department received two written comments during the public comment period.

Comment

Section 3591.20(d)(1) should be changed grammatically to improve clarity and there are no substantive changes suggested.

Response

The Department concurs with this comment and made the suggested grammatical changes to the text of the regulation.

Comment

The use of the pesticide chlorpyrifos should be avoided.

Response

This comment is beyond the scope of this rulemaking which does not specify or mandate the use of a specific pesticide.

Mandate on Local Agencies and School Districts

The Department of Food and Agriculture has determined that Section 3591.20 does not impose a new mandate on local agencies or school districts. The adoption of this regulation, establishing State eradication authority in Alameda and Contra Costa counties, does not impose a new mandate on the local agencies. Therefore, no reimbursement is required for Section 3591.20 under Section 17561 of the Government Code.

The Department also has determined that no savings or increased costs to any state agency, 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, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

The cost impact of the changes in the regulations on a representative private person or business is not expected to be significantly adverse. The Department has also determined that this action 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.

Assessment

The Department has made an assessment that this amendment to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Alternatives Considered

The Department of Food and Agriculture has determined that no alternative considered would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.