



CALIFORNIA DEPARTMENT OF
FOOD AND AGRICULTURE

**Asian Citrus Psyllid and Huanglongbing Disease
Proposed Regulation Changes
And Response to Comments**

August 2016

Comments and Responses to Comments on the Proposed Regulations

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1. Introduction

The California Department of Food and Agriculture (CDFA) has prepared this “Comments and Responses to Comments on the Proposed Regulations Changes” document to respond to comments provided on the Asian Citrus Psyllid (California Code of Regulations, Title 3, Section 3435) and Huanglongbing Disease (California Code of Regulations, Title 3, Section 3439) proposed regulation changes.

- **1. Introduction.** This section describes the preparation and organization of the document.
- **2. Comments Received.** This section contains a breakdown of the number of each type of comments received on the proposed regulation changes.
- **3. Response to Comments.** This section contains CDFA’s response to the comments received and includes the obstacles needing to be overcome to move forward with the regional quarantine concept. Also included in the Response to Comments section is CDFA’s suggestions for improving the regional quarantine concept.
- **4. Appendix.**
 - **Attachment A. Power Point Presentation – Proposed Regulation Changes for Citrus Nursery Stock and Citrus Commodities.** This attachment contains the Power Point presentation summary of the proposed regulation changes as they apply to citrus nursery stock and citrus commodities. This Power Point is a combination of the two presentations presented at each of the proposed regulations scoping meetings. As the two presentations had many identical slides, the two presentations have been combined.
 - **Attachment B. Regulations Scoping Meeting Notes.** This attachment contains the notes taken at each proposed regulations scoping meeting, including a synopsis of the oral comments received at each meeting.
 - **Attachment C. Received Written Comments.** This attachment contains all of the written comments received regarding the proposed regulation changes.

Proposed Regulations Scoping Meetings

May 5 and 6, 2016
Tulare County Agricultural Commissioner's Office
4437 South Laspina St.
Tulare, CA 93274

May 13, 2016
UC Cooperative Extension – Ventura County
669 County Square Drive, Suite 100
Ventura, CA 93003

May 24, 2016
National Orange Show – L'Orange Room
680 South E Street
San Bernardino, CA 92408

June 1, 2016
California Department of Food and Agriculture – Headquarters
1220 N Street
Sacramento, CA 95814

2. Comments Received

A total of 84 oral and written comments on the proposed regulation changes for citrus nursery stock and citrus commodities were submitted with some crossover between the two regulated entities. In addition, several comments that were received echoed and supported one another. Below is a list of the types of comments and how many were received on each subject.

The number preceding each comment indicates how many of each type of comment was received.

2.1 Regional Quarantine

- 3 – Support regions as proposed for both citrus nursery stock and citrus commodities.
- 17 – San Luis Obispo County should be connected to the San Joaquin Valley region rather than Coastal Region for citrus commodities.
- 8 – Monterey and Santa Cruz Counties, without an ACP detection, should not be included in a region under quarantine for citrus commodities.
- 2 – San Benito County should be connected to the San Joaquin Valley Region for citrus commodities rather than the Bay Area Region.
- 1 – The San Joaquin Valley Region should not exist at this time due to low ACP population levels and natural geographic barriers to prevent infestation.
- 1 – Concerned with reduced funding should California become a statewide quarantine. Opposed to a change in the Federal Order.

2.2 Transporting Citrus Commodities

- 8 – Support the wet wash component as written.
- 5 – Suggest options beyond the wet wash component, such as a bin drench, be explored and evaluated.
- 13 – Oppose the wet wash component as written and/or wish to see “spray and move” method remain an option.

2.3 Citrus Nursery Stock

- 6 – Tagging should not be required when transporting citrus nursery stock between APHIS Approved exclusionary facilities or from an APHIS Approved exclusionary facility to a grower for direct planting.
- 2 – The 90-day treatment requirement should be removed for citrus nursery stock maintained in APHIS Approved exclusionary facilities.
- 4 – A better or more efficient tagging system should be implemented to simplify the regulation and reduce cost.

2.4 Huanglongbing Disease Quarantine

- 2 – Support HLB quarantine regulation change as proposed.

- 8 – 150 days is too long to allow retail nurseries in the HLB quarantine to carry outdoor citrus nursery stock.
- 3 – Retail nurseries in the HLB quarantine should not be allowed to carry outdoor citrus nursery stock.
- 1 – Support 150 day shelf life of outdoor citrus nursery stock in an HLB quarantine if treated at maximum label rate and within a short time period prior to shipment.

2.5 Enforcement

- 4 – Propose re-allocating resources from regulating citrus nurseries to better enforce the regulations governing the movement and processing of citrus commodities.
- 4 – Concerned with how the wet wash process will be enforced and regulated to control the spread of ACP.
- 1 – High profile packinghouses are currently well regulated and resources should be re-allocated to better enforce regulations governing citrus nurseries.

3. Response to Comments

3.1 Response to Comments on Regional Quarantine

The main obstacle preventing the transition to the regional quarantine concept is the requirement to change the Federal Order to move California to a statewide quarantine. The number of comments received on this matter creates an obstacle which must first be resolved.

Due to the number of comments received on the proposed quarantine regions, CDFA is proposing amended quarantine regions. The proposed changes will join San Luis Obispo and San Benito Counties to the central valley, Santa Cruz County will be in the Region Not Under Quarantine, and Ventura and Santa Barbara Counties will be joined with the southern region due geographical and scientific support.

3.2 Response to Comments on Transporting Citrus Commodities

While a number of comments support the wet wash component as proposed, a larger portion of the comments oppose the wet wash or propose other options, such as retaining the “spray and move” option or implementing a bin drench option. At this time, there is no scientific study to support a bin drench option. Therefore, the wet wash component will remain a requirement for citrus commodities moving from the Southern Region to the Northern/Central Region for final packing. Any desired options outside of the current proposal would first require scientific substantiation.

3.3 Response to Comments on Citrus Nursery Stock Regulations

The majority of the comments received regarding the proposed changes to the regulations governing citrus nursery stock were centered on tagging requirements for citrus originating from an APHIS approved exclusionary facility. With the proposed regulation changes, the current Quarantine Compliance (QC) Master Permits would remain in effect. Therefore, citrus nursery stock would not need to be tagged when moving between two APHIS approved facilities or from an APHIS approved facility to a grower for direct planting.

3.4 Response to Comments on Huanglongbing Disease Quarantine

As the majority of the comments suggest, there are no scientific studies to support the imidacloprid drench treatment remaining effective for 150 days. Additionally, comments were received objecting to allowing citrus nursery stock to be sold outdoors in an HLB quarantine at all. CDFA is amending the proposed regulation change to allow citrus nursery stock a 90 day, from date of treatment, sale period in an outdoor retail nursery in the HLB quarantine. No retreatment option will be allowed. If not sold within 90 days following treatment, the plant(s) will be declared a public nuisance and destroyed at the cost of the establishment.

3.5 Response to Comments on Enforcing the Proposed Regional Quarantine

As discussed in the scoping meetings, additional resources and infrastructure would be required to effectively and efficiently regulate the proposed regional quarantine concept.

3.6 CDFA is Suggesting the Following Changes to The Regulatory Quarantine Concept Proposal

New Proposed Regional Quarantine Regions

One set of quarantine regions for both citrus nursery stock and citrus commodities:

1. In the Southern Region:
The entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura.
2. In the Northern/Central Region:
The entire counties of Alameda, Fresno, Kern, Kings, Madera, Merced, Monterey, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Stanislaus, and Tulare.
3. Region Not Under Quarantine:
The entire counties of Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Inyo, Lake, Lassen, Marin, Mariposa, Mendocino, Modoc, Mono, Napa, Nevada, Placer, Plumas, Sacramento, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba.

New Proposed Section 3435.1 – Citrus Nursery Stock

If in an ACP quarantine and not maintained within a USDA approved structure:

Restrictions

1. Regulated nursery stock is prohibited movement from any region under quarantine, except if grown and maintained within a USDA approved insect resistant structure, and moved under terms of a special permit.
2. All nursery stock sold or distributed within a region under quarantine shall be treated and bear a label stating that it may not be moved outside of the quarantine region.

3. Regulated nursery stock originating within any area in the “Region Not Under Quarantine” is permitted free movement within the region. Host nursery stock may move to regions under quarantine under terms of a compliance agreement or special permit.

Additional Information

1. Applicable Quarantine Compliance Master Permits currently in place will remain in effect.
2. Each quarantine region is designated a unique tag color.

New Proposed Section 3435.2 – Citrus Commodities

Restrictions

1. Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit.
2. Regulated citrus commodities originating within the “Region Not Under Quarantine” are permitted unrestricted movement within and from the region.

Additional Information

1. All establishments handling citrus commodities in a region under quarantine must be under a compliance agreement.
2. Bulk citrus leaving the Southern Region for final packing and grading in the Northern/Central Region must be run through a wet wash process prior to shipment. This can occur in a field run wash line or packinghouse.
3. Bulk citrus leaving the Northern/Central Region for final packing and grading in the Southern Region may either be run through a wet wash prior to transport, or be moved under the “spray and move” option.
4. All loads prior to final packing or processing must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with a tarp.

New Proposed Section 3439 – Huanglongbing Disease

If in an HLB quarantine and not maintained within a USDA approved structure:

1. The maximum number of host containerized articles and commodities on the premise at a retail establishment at any one time is restricted to 250 plants.
2. All host nursery stock destined to a retail establishment in an HLB quarantined area must be treated with a Department approved soil drench and foliar spray.
3. All host nursery stock must bear a label identifying the variety of root and scion stock, date of treatment at which establishment, and stating it cannot be moved outside the quarantined area regulated for Huanglongbing Disease.
4. Host nursery stock has 90 days from the date of treatment to be sold at a retail establishment within an HLB quarantine. If not sold within the 90 day period after treatment, it will be declared a public nuisance and destroyed at the cost of the establishment.

4. Appendix

Attachment A. Power Point Presentation – Proposed Regulation Changes for Citrus Nursery Stock and Citrus Commodities.

California Department of Food and Agriculture

Asian Citrus Psyllid and Huanglongbing
Regulations Overview and Proposed Changes

- ▶ A copy of the proposed regulations and information regarding future scoping meetings can be found at:

<https://www.cdfa.ca.gov/plant/acp/index.html>

- ▶ Open comment period will immediately follow this presentation.

- ▶ Written questions or comments may also be submitted to:

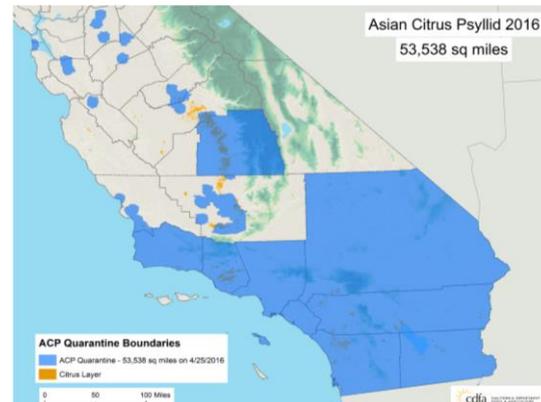
keith.okasaki@cdfa.ca.gov

Asian Citrus Psyllid and Huanglongbing in California

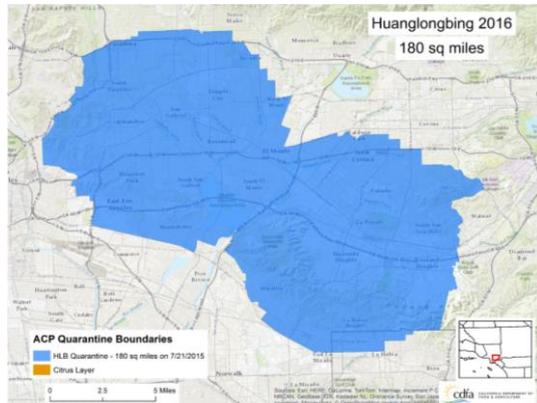
- ▶ 2008: Asian Citrus Psyllid (ACP) first detected in California in San Diego County.
- ▶ 2012: Huanglongbing (HLB) first detected in California in Los Angeles County.
- ▶ 2016: Total area under quarantine in California
 - ▶ ACP: 53,538 square miles
 - ▶ HLB: 180 square miles



ACP Quarantine Areas



HLB Quarantine Area



Current Asian Citrus Psyllid (ACP) Regulations Overview

- ▶ Single ACP detection triggers a quarantine with minimum 5 mile radius.
- ▶ Request for full county quarantine must come from County Agricultural Commissioner.
- ▶ Host nursery stock:
 - ▶ Cannot leave quarantine area if outdoor grown, unless transiting under permit to a non-contiguous ACP quarantine area
 - ▶ Must be treated every 90 days at production nurseries
 - ▶ Not eligible for sale in an HLB quarantine area if not maintained in an APHIS approved facility
- ▶ APHIS Approved facilities are permitted intrastate and interstate movement of host nursery stock.

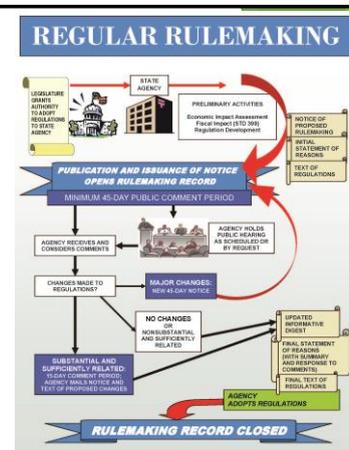
Current Regulations Overview

Host Citrus Commodities:

- ▶ Citrus commodities are prohibited movement from an ACP quarantine area except under permit.
- ▶ Free movement allowed to the packinghouse if within the same quarantine area.
- ▶ Citrus commodity shipments must be free of stems and leaves or moved under “spray and move” option to packinghouse outside of an ACP quarantine area.

Request for Rulemaking

CDFA received a written request to hold public meetings to review and update the citrus regulations and begin the rulemaking process.



Industry's Primary Issues and Concerns

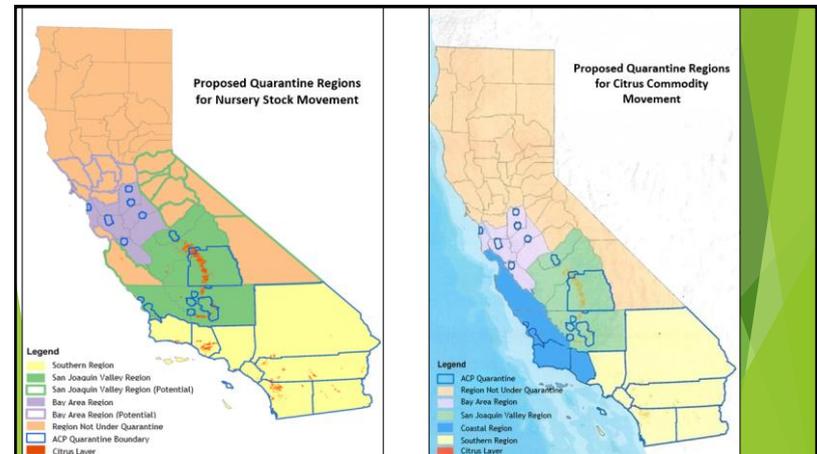
- ▶ Citrus commodity movement and nursery stock movement should be regulated independent of one another.
- ▶ Some areas of California are generally infested and therefore pose a higher risk of spreading ACP.
- ▶ To prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Kern County.
- ▶ Movement and safeguarding of host nursery stock between regions.

CDFA's Response to Industry's Regulation Change Proposal

- ▶ California Code of Regulations, Title 3, Section 3435 split in two
 - ▶ Section 3435.1 (Nursery Stock)
 - ▶ Section 3435.2 (Citrus Commodities)
- ▶ Free movement is permitted within a quarantine region.
- ▶ Each quarantine region poses a risk of spreading ACP and will therefore require mitigations moving from any quarantine region to another quarantine region.
- ▶ Counties currently without an ACP quarantine will be labeled as the "Region Not Under Quarantine."

Things to Consider

- ▶ For the proposed regional quarantine to become effective, a change must be made to the Federal Order to move California to a statewide quarantine.
- ▶ Restrictions on intrastate movement between regions would not apply to out of state shippers. Host material is eligible to be sent anywhere in California if meeting import requirements.
- ▶ Additional personnel and infrastructure would be required to regulate the proposed regional quarantine.



Quarantine Regions for Nursery Stock

- ▶ Southern Region:
 - ▶ The entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura.
- ▶ San Joaquin Valley Region:
 - ▶ The entire counties of Fresno, Kern, Kings, Madera, San Luis Obispo, and Tulare.
- ▶ Bay Area Region:
 - ▶ The entire counties of Alameda, Merced, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, and Stanislaus.
- ▶ Region Not Under Quarantine:
 - ▶ The entire counties of Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Inyo, Lake, Lassen, Marin, Mariposa, Mendocino, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba.

Quarantine Regions for Citrus Commodities

- ▶ Southern Region:
 - ▶ The entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego.
- ▶ San Joaquin Valley Region:
 - ▶ The entire counties of Fresno, Kern, Kings, Madera, and Tulare.
- ▶ Coastal Region:
 - ▶ The entire counties of Monterey, San Luis Obispo, Santa Barbara, Santa Cruz, and Ventura.
- ▶ Bay Area Region:
 - ▶ The entire counties of Alameda, Merced, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, and Stanislaus.
- ▶ Region Not Under Quarantine:
 - ▶ The entire counties of Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Inyo, Lake, Lassen, Marin, Mariposa, Mendocino, Modoc, Mono, Napa, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba.

Section 3435.1 (D) Restrictions

- ▶ Regulated nursery stock is prohibited movement from any area within the region under quarantine, except if moved under terms of a special permit.
- ▶ All nursery stock sold or distributed within a region under quarantine shall be treated and bear a label stating that it may not be moved outside the quarantine region.
- ▶ Regulated nursery stock originating within any area in the "Region Not Under Quarantine" is permitted free movement within the region. Host nursery stock may move to regions under quarantine under terms of a compliance agreement or special permit.

Section 3435.2 (D) Restrictions

- ▶ Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit.
- ▶ Regulated citrus commodities originating within the "Region Not Under Quarantine" are permitted unrestricted movement within and from the region.

Citrus Commodity Requirements

- ▶ All establishments handling citrus commodities in a region under quarantine must be under a compliance agreement.
- ▶ All bulk citrus must be run through a wet wash process prior to leaving the quarantine region for final packing and grading. This can occur in a field run wash line or a packinghouse.
 - ▶ No longer require field cleaning or "spray and move."
- ▶ All shipments prior to final packing from a region under quarantine to another must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with a tarp.

Current Huanglongbing (HLB) Regulations for Outdoor Citrus Nursery Stock

- ▶ Outdoor host nursery stock is not permitted in an HLB quarantine area.
- ▶ CDFA received a request from the citrus nursery industry to amend the California Code of Regulations, Title 3, Section 3439 Huanglongbing Disease to allow host nursery stock to be kept outdoors at retail nurseries within the HLB quarantine.

Proposed Section 3439 Huanglongbing Disease

If in an HLB quarantine and not maintained within an APHIS approved structure:

- ▶ The maximum number of host containerized articles and commodities on the premise at a RETAIL establishment at any one time is restricted to 250 plants.
- ▶ All host nursery stock destined to a retail establishment in an HLB quarantined area must be treated with a Department approved soil drench and foliar spray.
- ▶ All host nursery stock must bear a label identifying the variety of root and scion stock, date of treatment at which establishment, and stating it cannot be moved outside the quarantine area regulated for Huanglongbing Disease.
- ▶ Host nursery stock has 150 days from the date of treatment to be sold at a retail establishment within an HLB quarantine. If not sold within the initial 150 day period after treatment, host nursery stock must either be retreated or will be declared a public nuisance and destroyed by, and at the cost of, the establishment. Only one retreatment will be allowed. Retreatment extends the retail sale period for an additional 150 days. Host nursery stock not sold within the second 150 day period will be declared a public nuisance and destroyed by, and at the cost of, the establishment.

- ▶ A copy of the proposed regulations and information regarding future scoping meetings can be found at:

<https://www.cdfa.ca.gov/plant/acp/index.html>

- ▶ Written comments may be submitted to:

keith.okasaki@cdfa.ca.gov

Written comments may also be submitted to:

Keith Okasaki
Pest Exclusion
Department of Food and Agriculture
1220 N Street, Room 325
Sacramento, CA 95814

<https://www.cdfa.ca.gov/plant/acp/index.html>

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ACP DAMAGE
Photo: Photo courtesy of University of California - Merced photo

ASIAN CITRUS PSYLLID (ACP) / HUANGLONGBING (HLB)
Pest notice: 1-800-491-1399

The Asian citrus psyllid (ACP) is a pest that acts as a carrier or vector spreading "Huanglongbing" (HLB), a devastating disease of citrus trees. The bacterial disease is transmitted to healthy trees by the psyllid after it feeds on infested plant tissue.

ACP/HLB | Maps (USDA) | Treatment Areas | Quarantines | Regulation Updates

- Scoping Meeting Notice - May 13, 2015 (2015)
- Scoping Meeting Notice - May 5 and 6, 2015 (2015)

Comment period regarding the
proposed citrus regulation changes
is now open

Attachment B. Regulations Scoping Meeting Notes.

**California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting**

Tulare County Agricultural Department
4437 S. Laspina St.
Tulare, CA 93274

Thursday, May 5, 2016
9:00 a.m. – 5:00 p.m.

Attendees

Jeremy Bahne
Lanette Bankston
Arnold Berry
David Castella
Heidi Cervantis
Jessica Cesar
Ken Collins
Scott Cornet
David Cox
Melissa Cregan
Carlos DeLeon
Tom Delfino
Aaron Dillon

Wayne Elder
Todd Fitchette
Joel Gercin
Beth Grafton-Cardwell
Dennis Haines
Sean Hardy
Gavin Iacono
Brian Johnson
Marilyn Kinoshita
Leonard Massey
Tom Mulholland
Dayna Napolillo
Keith Okasaki

Norma Samano
Duane Schnabel
Nawal Sharma
Roger Smith
Chris Stambach
Georgios Vidalakis
Kim Wilenius
Dan Willey
Les Wright
Ray Yokomi
Judy Zaninovich

1. Introduction

Meeting was called to order at 9:13 a.m. by Duane Schnabel, Branch Chief of the CDFA Pest Exclusion Branch.

Schnabel welcomed attendees to the scoping meeting and provided general housekeeping information before beginning with introductions. Schnabel gave a brief history of Asian Citrus Psyllid (ACP) and Huanglongbing Disease (HLB) in California and then followed with current quarantine status.

2. Summary of Request for Rulemaking

Schnabel provided a summary of Industry's concerns and request for regulation changes. Industry wants the regulations governing citrus commodities and citrus nursery stock to be separated and kept independent of one another. Industry's goal is to prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Kern, Tulare, and Fresno Counties, as they feel some areas of California are generally infested and pose a higher risk of spreading ACP. Schnabel also presented the regular rulemaking process and showed the group that this scoping meeting is at the front end of the process, and that we would be receiving oral and written comments immediately after the presentation.

3. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Sections 3435 and 3439)

Schnabel provided CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the "Region Not Under Quarantine."

Schnabel stated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Schnabel reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

Maps of the two proposed regional quarantine schemes were shown. The makeup of regions is differs between the proposed regulation for nursery stock and citrus commodities.

While the host list for the proposed regulations would remain as current, Schnabel summarized the bulk of the proposed changes, which would occur in Section 3435.1 (D) – Restrictions. Regulated nursery stock is prohibited movement from any area within the region under quarantine, unless moved under terms of a special permit. All nursery stock sold or distributed within a region under quarantine must be treated and bear a label stating it cannot be moved outside the quarantine region. Regulated nursery stock originating within any area in the "Region Not Under Quarantine" is permitted free movement within the region and may move to regions under quarantine under terms of a compliance agreement or special permit.

Schnabel proceeded to summarize the current Section 3439 Huanglongbing Disease regulation stating that currently, outdoor host nursery stock is not permitted in an HLB quarantine area. CDFA received a request from the citrus nursery industry to amend this regulation to allow outdoor citrus nursery stock in the HLB quarantine area.

Schnabel presented CDFA's proposed Section 3439 changes to citrus nursery stock at retail nurseries in an HLB quarantine and not maintained in an APHIS approved structure. The maximum number of host nursery stock on the premise at any one time would be restricted to 250 plants. All citrus nursery stock destined for outdoor sale in an HLB quarantine area must be treated and bear a specific label. Host nursery stock has 150 days from the date of treatment to be sold at a retail establishment within the HLB quarantine. If not sold during the 150 day period, it must be retreated or would be considered a public nuisance and destroyed. Retreatment would extend the sale period an additional 150 days. Only one retreatment would be allowed and if not sold

after the second 150 day period, the plants would be considered a public nuisance and destroyed.

Schnabel concluded the presentation with informing the group the presentation would be made available online, as well as announcing the avenues for which written comments may be delivered.

4. Public Comment Period

Dan Willey, Fruitmentor, commented regarding the color scheme of the ACP tags not making sense. Willey feels the design of the tag of on the citrus tree in the nursery should make sense to the consumer and should alert them to not move the tree outside the quarantine region. To Willey, having five different colors for five regions does not make sense. As an example, the color of all of the tags in Texas are red.

Tom Delfino, California Citrus Nursery Society, seconded Willey's comments and added there are experts in designing labels to engage the consumer. Delfino restated the objective of the proposed regulations is to minimize the risk of spreading HLB or ACP to places where there are less or none by using citrus nursery stock of legitimate origin that is readily available and reasonably priced. Delfino suggested CDFA consider simplicity of the regulation and availability of information to minimize the cost.

Kim Wilenius, C&M Nursery, commented regarding the additional tagging coming from an APHIS approved structure. Currently, C&M is shipping citrus nursery stock out of their protected structure that is inspected by USDA every 30 days. When citrus nursery stock is to be shipped out, CDFA is present to inspect and supervise the loading of the trees. Wilenius believes that soon, all nurseries will be required to test the structures for HLB. Currently, citrus nursery stock from these structures can move anywhere and an additional tag is redundant and expensive for both the State and the nurseries.

Leonard Massey, B&Z Nursery, commented regarding the necessity of the labeling of budwood or cuttings, as well as the necessity of labeling between protected structures from one production nursery to another. As a part of the working group that came up with the suggested regulations change, the group had suggested a definition of citrus nursery stock "for the purpose of this proposal, nursery stock shall be defined as: citrus plants (grafted or self-rooted that have completed nursery production. For example, germination, propagation, or rooting and are ready for planting)." Using this definition would take care of all proposed required labeling.

Beth Grafton-Cardwell, University of California Riverside, commented that retail nurseries should not be allowed to have outdoor citrus, period. Insecticides do not last more than 90 days. The current regulations are "wonky" and nurserymen are, at times, treating almost 90 days prior to shipment. Pesticides will not give enough protection against ACP with HLB in their bodies. Therefore, retail nurseries within the HLB quarantine area should not have outdoor citrus. Grafton-Cardwell also suggested coming up with communication as to why the nursery and citrus commodity maps are

different. It would be good to have a paragraph of background as to why these maps look the way they do. Grafton-Cardwell stated she was on the citrus commodity board, but not part of the nursery group so she does not understand why they are different.

David Cox, L.E. Cook Nursery Co. (also past chair of California Association of Nurseries and Garden Centers), commented on his involvement of initial drafting of proposals that went through and stated the one thing that needs to be remembered from a retail and consumer perspective is people want to have citrus trees in their yard. They will have them one way or another and if a legal, proper source of plants is not provided, they will get citrus someplace else. The mechanism CDFA is describing helps achieve the goal of having clean, certified nursery stock available to the consumer so there is no concern of black market material, as described earlier. Cox also feels the tagging mechanism needs to be addressed in a different manner with what goes to retail, what goes from one production nursery to another for growing-on purposes, and what goes from a production nursery to a farmer. Cox feels the tagging does not need to be the same. There are different methods of trace back available at each of those levels.

Roger Smith, Tree Source, provided written comment, which was read to the group present at the scoping meeting.

Chris Stambach, California Citrus Mutual, commented that hearing previous comments raises concern with regards to treatment interval in the nurseries. The 150 days does not match what is recommended by UC advisors. Also, Stambach states the multiple treatments with the same material at the 150 day intervals is repetitive. The commodities are mixing treatments up so the psyllid does not build resistance. Stambach also states it is unwise to have open nursery stock in an HLB quarantine area and does not support this movement at all.

5. Intermission

Schnabel concluded the public comment period and thanked those for attending and providing oral and written remarks. Written comments may still be submitted via email or mail. All information for submission, as well as the presentation, will be available online Monday (May 9) morning. Intermission called at 10:23 a.m.

6. Re-Introduction

Meeting was called back to order at 10:46 a.m. by Duane Schnabel. Schnabel informed the group he would cover the citrus commodity side of the proposed regulation change. Many of the slides in the presentation are duplicates, so only the bulk of the proposed regulation changes would be covered.

7. Solicitation and Discussion of Proposed Changes to the Regulation (California Code of Regulations, Title 3, Section 3435)

Schnabel again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed

regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the “Region Not Under Quarantine.”

Schnabel restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Schnabel reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus commodity regions.

Schnabel summarized the bulk of the proposed changes for citrus commodities, which would occur in Section 3435.2 (D) – Restrictions. Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit. Regulated commodities originating within the “Region Not Under Quarantine” are permitted unrestricted movement within and from the region. In addition to the restrictions listed in Section 3435.2 (D), all establishments handling citrus commodities in a region under quarantine must be under a compliance agreement. All bulk citrus must be run through a wet wash process prior to leaving the quarantine region for final packing, grading or processing. This can occur in a field run wash line or packinghouse. CDFA will no longer require field cleaning or “spray and move.” All shipments prior to final packing from a region under quarantine to another must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with tarp.

Schnabel concluded the presentation with informing the group this presentation would also be made available online, as well as announcing the avenues for which written comments may be delivered.

8. Public Comment Period

Beth Grafton-Cardwell, UC Riverside, commented regarding the proposal of controls moving between the different regions and that treatment is not killing psyllids. Grafton-Cardwell states the need to take care in establishing the definition of washing the fruit must be very clear because with the “spray and move” program, or any program instituted, people will gravitate toward the path of minimal activity due to expense. There are many different ways to wash and clean fruit to disinfest psyllids. Work needs to be done to mitigate the risk, but that may not include requiring a wash. Instead, some type of blower or rollers may be more effective. Grafton-Cardwell states the need for a study to understand and ensure the effectiveness and of the safeguards that are put into place and that they are economical. Certain varieties of citrus do not

take well to being over-handled (mandarins and lemons) to prevent excessive damage to the fruit.

Aaron Dillon, Four Winds Growers, voiced his concern that there may not be enough information available online to make fully informed comments based on what is presented in the Power Point.

Beth Grafton-Cardwell, UC Riverside, commented it is still very confusing when information is put into text in regards to the current versus the proposed regulations. Grafton-Cardwell commented on the need for examples of nursery stock or commodity movement (intrastate and interstate) and the regulations associated with each. Practical and physical examples of what is currently happening and how regulations would change that would be helpful.

Georgious Vidalakis, Citrus Clonal Protection Program at UC Riverside, made general comments on citrus nurseries. The CCPP is running tests of the citrus nursery pest cleanliness programs for California. The CCPP has noticed a large decline in nurseries that are actively propagating citrus. Before the regulation change in 2010, the CCPP was actively testing 37-39 nurseries. After the regulation change, that number has dropped to 15-16 nurseries that have mother trees tested in this program. This number of nurseries invested in being part of the solution (building approved structures) and not part of the problem is significantly reduced. This reduction is largely due to the complicatedness of the regulations and the system and Vidalakis stressed the importance of simplifying the regulation. The principle of flooding the system with good and clean material is already happening in California. The CCPP, despite only having 15 nurseries, has 850 users that need access to clean material so it should be made available.

Kim Wilenius, C&M Nursery, commented that 90% of the citrus groves located in Nipomo haul their fruit for packing in the Central Valley. With the proposed changes, groves would have to run their fruit through a wet wash to be eligible to send fruit to the valley to be packed. Scientifically, Nipomo is still in the ACP eradication mode. Treatments are still applied to residences with very few refusals and very few detections. The SLO Ag Commissioner, when alerted to the fact SLO would be a part of the Coastal Region that could only ship fruit south to be packed, asked to be made part of the San Joaquin Valley Region. SLO is similar to the San Joaquin Valley Region in regards to the ACP population. Wilenius states the need for the regions to be based on science. If growers in SLO are forced to run fruit through wet wash, it may not be feasible. The simple answer may be to ship fruit down south for packing, but growers do not want to because packinghouses in south are generally full. One packinghouse offered to build a facility in SLO, but at the cost of the growers.

Roger Smith, Tree Source, commented the bulk citrus movement to date has not received adequate resources to be enforced like it should be. Smith highly recommends CDFR pull back from staffing inspections at citrus nurseries and have that mission passed to the Ag Commissioner, which was precedential. This would give

CDFA the opportunity to manage the much larger challenge of managing the bulk citrus movement. Smith states CDFA certainly has a role in the beginning part of establishing any nursery that is new to being under regulated status with compliance agreements. Once the nursery has a proven track record, CDFA should pull back and pass the day to day shipping responsibilities to the Ag Commissioner.

9. Conclusion

Schnabel closed the public comment session, stating written comments may be submitted up until the start of formal rulemaking. Schnabel thanked everyone for their attendance and input.

12:10 p.m.

**California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting**

Tulare County Agricultural Department
4437 S. Laspina St.
Tulare, CA 93274

Friday, May 6, 2016
9:00 a.m. – 5:00 p.m.

Attendees

Marc Bancroft
Jill Barrier
Paul Buldo
Brad Carmen
Vic Corkings
Scott Cornett
Melissa Cregan
Justin Golding

Subhas Hajeri
Sean Hardy
Gavin Iacono
Eric Meling
Chris Miller
Dayna Napolillo
Keith Okasaki
Phil Pierre

Jill Sebesta
Nawal Sharma
Chris Stambach
Keith Watkins
Scott Woods
Judy Zaninovich

1. Introduction

Meeting was called to order at 9:13 a.m. by Nawal Sharma, Program Manager of the CDFA, Emergency Quarantine Response Program.

Sharma welcomed attendees to the scoping meeting and provided general housekeeping information before beginning with introductions. Sharma gave a brief history of Asian Citrus Psyllid (ACP) and Huanglongbing Disease (HLB) in California and then followed with current quarantine status.

2. Summary of Request for Rulemaking

Sharma provided a summary of Industry's concerns and request for regulation changes. Industry wants the regulations governing citrus commodities and citrus nursery stock to be separated and kept independent of one another. Industry's goal is to prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Kern, Tulare, and Fresno Counties, as they feel some areas of California are generally infested and pose a higher risk of spreading ACP. Sharma also presented the regular rulemaking process and showed the group that this scoping meeting is at the front end of the process, and that we would be receiving oral and written comments immediately after the presentation.

3. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Section 3435)

Sharma again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and

safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the “Region Not Under Quarantine.”

Sharma restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Sharma reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus commodity regions.

Sharma summarized the bulk of the proposed changes for citrus commodities, which would occur in Section 3435.2 (D) – Restrictions. Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit. Regulated commodities originating within the “Region Not Under Quarantine” are permitted unrestricted movement within and from the region. In addition to the restrictions listed in Section 3435.2 (D), all establishments handling citrus commodities in a region under quarantine must be under a compliance agreement. All bulk citrus must be run through a wet wash process prior to leaving the quarantine region for final packing, grading or processing. This can occur in a field run wash line or packinghouse. CDFA will no longer require field cleaning or “spray and move.” All shipments prior to final packing from a region under quarantine to another must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with tarp.

Sharma concluded the presentation with informing the group this presentation would also be made available online, as well as announcing the avenues for which written comments may be delivered.

4. Public Comment Period

Paul Buldo, Airdrome Orchards, state he is under the assumption that the wet wash is not defined for what it will entail and inquired as to when it will be defined and what it will entail.

Keith Watkins, Bee Sweet Citrus, is a grower in the SLO area that currently moves all fruit to San Joaquin Valley for packing under the “spray and move” process. Per the SLO Ag Commissioner, the majority of the citrus fruit in the area also moves to the valley for packing. Watkins recommends SLO be connected to the San Joaquin Valley Region because the through of being tied to Ventura, which is under heavy ACP pressure, having free movement up and down the coast would cause additional infestations up and down the coast, including Monterey. Bee Sweet Citrus also supports area-wide spray programs, which CDFA cannot promote. Watkins states that

Monterey and Santa Cruz Counties, with no ACP detections at this time, should not be included in the quarantine at this time.

Eric Meling, Klink Citrus, commented Klink also brings fruit from the coast to the San Joaquin Valley for packing. Klink, at this time, supports the “spray and move” program. Meling states there are Nipomo growers that are concerned with travel of heavily infested shipments from Ventura going up to Salinas with free movement. Meling states Klink also has a grower in Hollister who would be impacted and may be forced to take his fruit to Airdrome in San Jose.

Scott Woods, Bee Sweet Citrus, voiced his concern that no committee members present at the meeting to hear the concerns of the bulk citrus industry. Woods stated his concern for the difference in maps between nursery stock and citrus commodities and the appearance of the maps being self-serving. Woods feels the same way about the highway of free movement between Ventura and Monterey and that the Coastal Region does not make sense.

Chris Stambach, California Citrus Mutual, commented that the current recommendations for regulating citrus commodities is unacceptable. In particular, cannot include Monterey and Santa Cruz Counties where there have been no detections. Doing so sets a bad precedent and would like to see that changed. Stambach states the board would like to see a tier program where there are higher levels of ACP there should be more aggressive pretreatment before movement where it’s washed. Areas with lesser pressure should have more options available to growers, such as leaving the “spray and move” in place. Stambach stated CCM continues to support the idea of a mandated area-wide spray program as that is the best way to stop the psyllid and HLB. Stambach also commented regarding enforcement of quarantines. There has been very heavy enforcement on the nursery side and very little on the commodity side. With recent finds at the juice plant and truck stops, something needs to be done to stop movement. Evidence points towards bulk transport and greater enforcement is needed (tarp trucks) to control the psyllid as best possible.

Eric Meling, Klink Citrus, commented regarding the proposed Coastal Region, specifically the free movement ability of fruit from Ventura County up and down the coast. If the same premise is used in the Central Valley to move around without spraying, moving fruit from Kern could be a huge problem.

Judy Zaninovich, CPDPC Kern County Grower Liaison, commented on the wet wash and tarping. CDFA has done traces as result to recent detection at a juice plant. Most traces have shown the fruit has been wet washed and gone through the packinghouse system. Zaninovich suggests the wording should be changed to require tarping immediately after the load is packed.

5. End of Public Comment Period

Sharma concluded the oral public comment period regarding changes to the citrus commodity regulation. Written comments may still be submitted via email or mail. All

information for submission, as well as the presentation, will be available online Monday (May 9) morning.

6. Re-Introduction

Sharma proceeded immediately with the Power Point presentation summarizing the proposed changes to the citrus nursery stock regulation. Sharma stated many of the slides in the presentation are duplicates, so only the bulk of the proposed regulation changes would be covered.

7. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Sections 3435 and 3439)

Sharma again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the "Region Not Under Quarantine."

Sharma restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Schnabel reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus nursery stock regions.

While the host list for the proposed regulations would remain as current, Sharma summarized the bulk of the proposed changes, which would occur in Section 3435.1 (D) – Restrictions. Regulated nursery stock is prohibited movement from any area within the region under quarantine, unless moved under terms of a special permit. All nursery stock sold or distributed within a region under quarantine must be treated and bear a label stating it cannot be moved outside the quarantine region. Regulated nursery stock originating within any area in the "Region Not Under Quarantine" is permitted free movement within the region and may move to regions under quarantine under terms of a compliance agreement or special permit.

Sharma proceeded to summarize the current Section 3439 Huanglongbing Disease regulation stating that currently, outdoor host nursery stock is not permitted in an HLB quarantine area. CDFA received a request from the citrus nursery industry to amend this regulation to allow outdoor citrus nursery stock in the HLB quarantine area.

Sharma presented CDFA's proposed Section 3439 changes to citrus nursery stock at retail nurseries in an HLB quarantine and not maintained in an APHIS approved structure. The maximum number of host nursery stock on the premise at any one time would be restricted to 250 plants. All citrus nursery stock destined for outdoor sale in an HLB quarantine area must be treated and bear a specific label. Host nursery stock has 150 days from the date of treatment to be sold at a retail establishment within the HLB quarantine. If not sold during the 150 day period, it must be retreated or would be considered a public nuisance and destroyed. Retreatment would extend the sale period an additional 150 days. Only one retreatment would be allowed and if not sold after the second 150 day period, the plants would be considered a public nuisance and destroyed.

Sharma concluded the presentation with informing the group the presentation would be made available online, as well as announcing the avenues for which written comments may be delivered.

8. Public Comment Period

Keith Watkins, Bee Sweet Citrus, commented on his opposition to extending the sale period of citrus nursery stock in an HLB quarantine area to 150 days as it poses a risk to the industry. The time period should be shortened, or better yet, feels there should be no citrus sold in this area.

Scott Woods, Bee Sweet Citrus, voiced his assumption that the reason for the entire regulation change is the anticipation of the HLB quarantine expanding. Woods cannot imagine all these changes being worth 180 square miles. Nursery industry is thinking about the future and if the quarantine expands, they want to be able to move citrus.

Chris Stambach, California Citrus Mutual, expanded on his comments from day 1 of the scoping meeting. Stambach contacted a grower in Riverside County yesterday afternoon who stated he could walk into any big box retail stores in Riverside today and under the current regulation of treating every 90 days, would find live psyllids on trees in the nursery. The Riverside grower is adamantly opposed to the regulation change. Stambach is working on a voluntary tree removal program in the HLB quarantine area but will discontinue work if citrus trees are allowed to move right back in post removal. CCM had growers from Florida visit California in February who stated Florida has four year old trees that are 100% infected and are being sprayed 12 times a year. Stambach expressed his understanding for the nurserymen's position but the citrus commodity is a \$3 billion industry that needs to protect as it is the last viable citrus industry in the United States. Everything possible needs to be done to protect that.

Chris Miller, Porterville Citrus, Inc., commented on his interest in seeing or hearing more about the testing and procedures in residential areas.

9. Conclusion

Sharma concluded the public comment period, restating the presentations would be made available on the Internet Monday (May 9) morning. Sharma thanked everyone for their attendance and comments.

11:49 a.m.

**California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting**

UC Cooperative Extension, Ventura County
669 County Square Drive, Suite 100
Ventura, CA 93003

Friday, May 13, 2016
9:00 a.m. – 5:00 p.m.

Attendees

Cy Cavaletto	Debbie Larmon	Nawal Sharma
David Coert	Marc Lea	Cressida Silvers
Martin Coert	Brad Leichfuss	Michael Soltero
Don Dames	Grant Leichtfuss	Chris Stambach
Steve Gage	Tom Mayhew	Stephanie Stark
Ally Gialketsis	Glenn Miller	Fred Strickland
Brent Goad	Daniel Nelson	Ron Whitehurst
Anmol Joshi	Terry Nelson	Ed Williams
Brett Kirkpatrick	Keith Okasaki	Scott Woods
Scott Klittich	Gary Romoff	

1. Introduction

Meeting was called to order at 9:16 a.m. by Nawal Sharma, Program Manager of the CDFA, Emergency Quarantine Response Program.

Sharma welcomed attendees to the scoping meeting and provided general housekeeping information before beginning with introductions. Sharma gave a brief history of Asian Citrus Psyllid (ACP) and Huanglongbing Disease (HLB) in California and then followed with current quarantine status.

2. Summary of Request for Rulemaking

Sharma provided a summary of Industry's concerns and request for regulation changes. Industry wants the regulations governing citrus commodities and citrus nursery stock to be separated and kept independent of one another. Industry's goal is to prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Kern, Tulare, and Fresno Counties, as they feel some areas of California are generally infested and pose a higher risk of spreading ACP. Sharma also presented the regular rulemaking process and showed the group that this scoping meeting is at the front end of the process, and that we would be receiving oral and written comments immediately after the presentation.

3. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Section 3435)

Sharma again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional

quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the “Region Not Under Quarantine.”

Sharma restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Sharma reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus commodity regions.

Sharma summarized the bulk of the proposed changes for citrus commodities, which would occur in Section 3435.2 (D) – Restrictions. Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit. Regulated commodities originating within the “Region Not Under Quarantine” are permitted unrestricted movement within and from the region. In addition to the restrictions listed in Section 3435.2 (D), all establishments handling citrus commodities in a region under quarantine must be under a compliance agreement. All bulk citrus must be run through a wet wash process prior to leaving the quarantine region for final packing, grading or processing. This can occur in a field run wash line or packinghouse. CDFA will no longer require field cleaning or “spray and move.” All shipments prior to final packing from a region under quarantine to another must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with tarp.

Sharma concluded the presentation with informing the group this presentation would also be made available online, as well as announcing the avenues for which written comments may be delivered.

4. Public Comment Period

Steve Gage, Corona College Heights, commented in regards to questioning what the wet wash would consist of and if there is a certain amount of required brush time.

Terry Nelson, Oxnard Pest Control Association, questioned the research done by CDFA to show the effectiveness of washing fruit in the field next to an infested orchard. If the fruit is then loaded onto a truck and taken to a packinghouse, what is to prevent the fruit from becoming re-infested. The majority of the ACP are on the perimeter of the field, where the proposed washing would occur.

Brett Kirkpatrick, Fillmore-Piru Citrus Association, commented that packinghouse he is representing in Ventura County handles both oranges and lemons from multiple areas

of the state. Accordingly, his organization has vested interest in the outcome of the rulemaking process. Kirkpatrick's concerns regard the following:

1. Science is leading this rulemaking process and not politics. Dr. Joe Morse stressed that mixing of C. las strains from different areas of the state could result in the creation of a super strain. All psyllids are not created equal.
2. Additional personnel and infrastructure required to enforce regulation. In Kirkpatrick's experience, high profile packinghouses are very well regulated while parts of the citrus industry are not.
3. Any refinement or changes to the proposed plan would impact Fillmore-Piru greatly because Industry would be required to react with both planning and infrastructure, involving both growers and packers throughout the state. Restrictions on movement between regions, from the San Joaquin Valley into Ventura County, would be a big deal due to the required washing or cleaning, which would be very new.

Kirkpatrick also commented on tarping, stating he does not understand the tarping requirement outside of the fact it is part of the federal regulation. According to Kirkpatrick, all tarps are not created equal and all tarping jobs are far from equal.

Gary Romoff, Grower, stated in 2008 there was a quarantine for ACP in San Diego County where fruit had to be cleaned and tarped before it was moved. The growers spent millions of dollars on this first quarantine and it did not stop the movement of ACP. Romoff questioned why this will stop the movement of ACP.

Marc Lea, San Luis Obispo County Ag Department, commented that the situation in SLO County is very different than the situation in Ventura. The first detection in SLO was roughly three years ago and since, only about 100 ACP have been detected. Of the 100 detections, only one has been in a grove with the remainder in residential areas. All of these areas have been treated. About 85% of all bulk citrus is sent to the Central Valley for packing. SLO County Ag's main concerns are that if the regions are set up as currently proposed, most growers will have to wet wash fruit to go where they currently pack. There are a lot of unknowns regarding the wet wash and Lea states he has seen nothing written about the actual definition. Only thing known is that it will add costs to move the fruit. Lea's second point is that the Coastal Region as proposed now does not make sense. Grouping Ventura, which is generally infested, together with SLO, which has had only 100 detections, as well as Monterey and Santa Cruz Counties with zero detections, does not scientifically make sense.

5. End of Public Comment Period

Sharma concluded the oral public comment period regarding changes to the citrus commodity regulation. Written comments may still be submitted via email or mail.

10:15 a.m.

6. Re-Introduction

10:27 a.m.

Following a short intermission, Sharma proceeded to present the Power Point presentation summarizing the proposed changes to the citrus nursery stock

regulation. Sharma stated many of the slides in the presentation are duplicates, so only the bulk of the proposed regulation changes would be covered.

7. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Sections 3435 and 3439)

Sharma again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the "Region Not Under Quarantine."

Sharma restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Schnabel reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus nursery stock regions.

While the host list for the proposed regulations would remain as current, Sharma summarized the bulk of the proposed changes, which would occur in Section 3435.1 (D) – Restrictions. Regulated nursery stock is prohibited movement from any area within the region under quarantine, unless moved under terms of a special permit. All nursery stock sold or distributed within a region under quarantine must be treated and bear a label stating it cannot be moved outside the quarantine region. Regulated nursery stock originating within any area in the "Region Not Under Quarantine" is permitted free movement within the region and may move to regions under quarantine under terms of a compliance agreement or special permit.

Sharma proceeded to summarize the current Section 3439 Huanglongbing Disease regulation stating that currently, outdoor host nursery stock is not permitted in an HLB quarantine area. CDFA received a request from the citrus nursery industry to amend this regulation to allow outdoor citrus nursery stock in the HLB quarantine area.

Sharma presented CDFA's proposed Section 3439 changes to citrus nursery stock at retail nurseries in an HLB quarantine and not maintained in an APHIS approved structure. The maximum number of host nursery stock on the premise at any one time would be restricted to 250 plants. All citrus nursery stock destined for outdoor sale in an HLB quarantine area must be treated and bear a specific label. Host nursery stock has 150 days from the date of treatment to be sold at a retail establishment within the

HLB quarantine. If not sold during the 150 day period, it must be retreated or would be considered a public nuisance and destroyed. Retreatment would extend the sale period an additional 150 days. Only one retreatment would be allowed and if not sold after the second 150 day period, the plants would be considered a public nuisance and destroyed.

Sharma concluded the presentation with informing the group the presentation would be made available online, as well as announcing the avenues for which written comments may be delivered.

8. Public Comment Period

Scott Klittich, Otto and Sons Nursery, commented on his concern for the future when HLB is more widespread throughout the state. Klittich's concerns regard backyard growers or black market growers moving infested trees in and out of HLB quarantine areas. Klittich states there needs to be an avenue for legitimate nurseries to move their product that has been grown in a clean environment and certified clean into a retail environment because the public will want citrus trees regardless of HLB.

Ed Williams, individual, commented on his concerns regarding movement of both nursery stock and commodities within these newly defined regions through farmers' markets or backyard operations. Other diseases and pests of concern, outside of ACP and HLB, require the review of the proposed regulation to be science based and not political based. Williams also commented on his major concern that if California gives up its interior quarantine areas to the federal government, California would be forced to accept both commodities and nursery stock that is allowed to be shipped into the state from other states that may be infested with other pests.

9. Conclusion

Sharma concluded the oral public comment period for the Ventura session and thanked everyone for their attendance and comments.

11:22 a.m.

**California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting**

National Orange Show, San Bernardino County
689 South E Street, L'Orange Room
San Bernardino, CA 92408

Tuesday, May 24, 2016
9:00 a.m. – 2:00 p.m.

Attendees

John C. Gless
John J. Gless
Victoria Hornbaker
Jim Layes
Vince Mazzetti
Pat Nolan
Keith Okasaki

Richard Plasencia
Nawal Sharma
John Snyder
Brian Specht
Jim Stafford
Alan Washburn
Sergio Zambrano

1. Introduction

Meeting was called to order at 9:14 a.m. by Nawal Sharma, Program Manager of the CDFA, Emergency Quarantine Response Program.

Sharma welcomed attendees to the scoping meeting and provided general housekeeping information before beginning with introductions. Sharma gave a brief history of Asian Citrus Psyllid (ACP) and Huanglongbing Disease (HLB) in California and then followed with current quarantine status.

2. Summary of Request for Rulemaking

Sharma provided a summary of Industry's concerns and request for regulation changes. Industry wants the regulations governing citrus commodities and citrus nursery stock to be separated and kept independent of one another. Industry's goal is to prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Kern, Tulare, and Fresno Counties, as they feel some areas of California are generally infested and pose a higher risk of spreading ACP. Sharma also presented the regular rulemaking process and showed the group that this scoping meeting is at the front end of the process, and that we would be receiving oral and written comments immediately after the presentation.

3. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Section 3435)

Sharma again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and

safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the “Region Not Under Quarantine.”

Sharma restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Sharma reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus commodity regions.

Sharma summarized the bulk of the proposed changes for citrus commodities, which would occur in Section 3435.2 (D) – Restrictions. Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit. Regulated commodities originating within the “Region Not Under Quarantine” are permitted unrestricted movement within and from the region. In addition to the restrictions listed in Section 3435.2 (D), all establishments handling citrus commodities in a region under quarantine must be under a compliance agreement. All bulk citrus must be run through a wet wash process prior to leaving the quarantine region for final packing, grading or processing. This can occur in a field run wash line or packinghouse. CDFA will no longer require field cleaning or “spray and move.” All shipments prior to final packing from a region under quarantine to another must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with tarp.

Sharma concluded the presentation with informing the group this presentation would also be made available online, as well as announcing the avenues for which written comments may be delivered.

4. Public Comment Period

Pat Nolan, San Diego County Agricultural Department, commented on the flexibility of the quarantine regions. Nolan is wondering if the situation changes (HLB outbreak in different region), can the regions be changed quickly or is the entire regulatory process, that can take a year, required.

Vince Mazzetti, Blue Banner Co., commented on his concern with movement of commodities. Mazzetti requested clarification if mitigations would be required between quarantine regions or between quarantine and non-quarantine regions, as well as if mitigations would be required within a quarantine region or if fruit would be allowed to move freely. Mazzetti commented that logistically, everyone should be concerned with controlling and knocking down the psyllids. Also, Mazzetti is concerned with the logistics of physically cleaning the fruit in the field and moving it to packing facilities,

there are few packing facilities in Kern County where the fruit is grown. Washing the fruit prior to movement could damage a lot of the early varieties.

Jim Layes, Blue Banner Co., commented on his concern regarding the facilities in Kern County, or any region, to be able to wash the fruit before it's moved. Layes says he understands the reason for the wash but many varieties cannot handle the extra handling (lemons, early navels, easy peel fruit). There will be a big loss to the grower. Layes also commented on his interest in the creation of a corridor between Kern County and Riverside County to be able to transport fruit. In Kern County, there is a large acreage of organic fruit and organic facilities in Kern do not exist. Until an ACP or HLB detection occurs that would force treatment, this wash requirement would be cause a loss to the organic growers.

Sergio Zambrano, Seaview Packing, commented that he was told the pack line cannot be certified unless it is registered to ship to Australia or New Zealand and was wondering how that would play in.

Jim Stafford, Oasis Ranch Management, questioned why the Industry group is considering two different quarantine regions in southern California for nurseries and commodities. The requirements should be the same for both. Stafford also questioned why the "spray and move" is no longer an option.

John Snyder, Riverside County Agricultural Department, stated he would like to go on record as being opposed to the new regional proposal that redefines the quarantine boundaries. Snyder is not opposed to California being one contiguous quarantine to allow free movement within as ACP is here. ACP started down south and is now in the Central Valley. If the proposal is allowing more psyllids to be fed into the Central Valley, Snyder is opposed. Does not see a problem with the current quarantine regulation, including the spray and move and field clean option. Psyllids are out there and need to deal with it as best possible with current resources. Snyder proposed an alternative to be considered (if regional quarantines are established) that would create regional corridors to allow Industry to transition from one region to another. Fruit from southern California moves to the Central Valley, and vice versa, for packing. Snyder views the regional quarantine as an extreme impediment and a very negative situation for southern California. As regions have been created through business decision, Snyder is proposing some sort of business decision for Riverside County because it is connected to the Central Valley. In addition, Snyder agrees with previous comments that certain varieties cannot take extra handling.

Finally, Snyder is questioning how on board USDA is with changing the Federal Order and closed with restating his opposition to the proposed regional quarantines.

Alan Washburn, Grower Liaison/Farmer Riverside County, commented on his involvement with the spray program since the beginning when ACP was first detected in San Diego. According to Washburn and his contacts around the world, spray and move is the best option as removing stem and leaf does not work as proven in Florida.

Spray and move is the only method to keep the population down to a minimum, despite the people trying to cheat and apply the bare minimum.

John C. Gless, Gless Ranch Inc., commented on his desire to see the spray and move option remain in effect. A better job with the spray and move can be done if policed more heavily. Also, Gless commented that when running green lemons through the packinghouse, there is a much lower rate of return and does not see the packinghouses, especially in Coachella Valley, being able to handle all the fruit in a timely fashion. Gless restated the spray and move is the best option if policed and done properly.

John J. Gless, Gless Ranch Inc., commented that the removal of stem and leaf cost the ranch 20%. Gless's concern regards lemons coming out of Ventura, going up north to pack, will cause a huge loss for the company. Spray and move, if policed properly to keep people from cheating, is the best option. A drenching program should also be looked into, but to be required to wash fruit, Gless is opposed.

5. End of Public Comment Period

Sharma concluded the oral public comment period regarding changes to the citrus commodity regulation. Written comments may still be submitted via email or mail.
10:04 a.m.

6. Re-Introduction

10:15 a.m.
Following a short intermission, Sharma proceeded to present the Power Point presentation summarizing the proposed changes to the citrus nursery stock regulation. Sharma stated many of the slides in the presentation are duplicates, so only the bulk of the proposed regulation changes would be covered.

7. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Sections 3435 and 3439)

Sharma again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the "Region Not Under Quarantine."

Sharma restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Schnabel reminded the group that restrictions on intrastate movement between regions would

not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus nursery stock regions.

While the host list for the proposed regulations would remain as current, Sharma summarized the bulk of the proposed changes, which would occur in Section 3435.1 (D) – Restrictions. Regulated nursery stock is prohibited movement from any area within the region under quarantine, unless moved under terms of a special permit. All nursery stock sold or distributed within a region under quarantine must be treated and bear a label stating it cannot be moved outside the quarantine region. Regulated nursery stock originating within any area in the “Region Not Under Quarantine” is permitted free movement within the region and may move to regions under quarantine under terms of a compliance agreement or special permit.

Sharma proceeded to summarize the current Section 3439 Huanglongbing Disease regulation stating that currently, outdoor host nursery stock is not permitted in an HLB quarantine area. CDFA received a request from the citrus nursery industry to amend this regulation to allow outdoor citrus nursery stock in the HLB quarantine area.

Sharma presented CDFA’s proposed Section 3439 changes to citrus nursery stock at retail nurseries in an HLB quarantine and not maintained in an APHIS approved structure. The maximum number of host nursery stock on the premise at any one time would be restricted to 250 plants. All citrus nursery stock destined for outdoor sale in an HLB quarantine area must be treated and bear a specific label. Host nursery stock has 150 days from the date of treatment to be sold at a retail establishment within the HLB quarantine. If not sold during the 150 day period, it must be retreated or would be considered a public nuisance and destroyed. Retreatment would extend the sale period an additional 150 days. Only one retreatment would be allowed and if not sold after the second 150 day period, the plants would be considered a public nuisance and destroyed.

Sharma concluded the presentation with informing the group the presentation would be made available online, as well as announcing the avenues for which written comments may be delivered.

8. Public Comment Period

Brian Specht, Young’s Nursery, commented there should be a definite distinction between shipping to growers or to retail nurseries. Shipping from a protective structure to a grower, there should not be any tagging or treatment requirements because it’s coming from a structure. Also, 90 day treatment should not be required because it is in a protective structure. Specht would like to continue to ship under permits to the grower, not having to tag and not having to treat.

John Snyder, Riverside County Agricultural Department, echoed the previous comment in stating there should be a definite distinction as to destination if produced in an APHIS Approved screen house. That is a rigorous process and should be recognized. Additional requirements should not be piled on that may not be necessary.

Alan Washburn, Grower Liaison/Farmer Riverside County, commented on his observance that retail nurseries in the Riverside area are contaminated with ACP. 150 days has not been proven to take care of a quarantine retail nursery and more research should be done.

John C. Gless, Gless Ranch and Young's Nursery, commented that a commercial shipment to commercial grower should not need to be tagged and treated, especially if coming from an APHIS Approved structure. The trees are coming out clean and the growers will do their own treatment once the trees are in the ground. Gless does not think the trees should be tagged.

John J. Gless, Gless Ranch, stated his support for previous comments.

9. Conclusion

Sharma concluded the oral public comment period for the San Bernardino session and thanked everyone for their attendance and comments.

11:05 a.m.

**California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting**

CDFA Headquarters, Sacramento County
1220 N Street, Auditorium
Sacramento, CA 95814

Wednesday, June 1, 2016
9:00 a.m. – 1:00 p.m.

Attendees

Tony Aguilar
Tom Delfino
Ronnie Eaton
Sara Khalid
Dayna Napolillo

Keith Okasaki
Courtney Owens
Beth Parvis
Rayne Thompson

1. Introduction

Meeting was called to order at 9:30 a.m. by Keith Okasaki, Environmental Scientist with the CDFA, Emergency Quarantine Response Program.

Okasaki welcomed attendees to the scoping meeting and provided general housekeeping information before beginning with introductions. Okasaki gave a brief history of Asian Citrus Psyllid (ACP) and Huanglongbing Disease (HLB) in California and then followed with current quarantine status.

2. Summary of Request for Rulemaking

Okasaki provided a summary of Industry's concerns and request for regulation changes. Industry wants the regulations governing citrus commodities and citrus nursery stock to be separated and kept independent of one another. Industry's goal is to prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Kern, Tulare, and Fresno Counties, as they feel some areas of California are generally infested and pose a higher risk of spreading ACP. Okasaki also presented the regular rulemaking process and showed the group that this scoping meeting is at the front end of the process, and that we would be receiving oral and written comments immediately after the presentation.

3. Solicitation and Discussion of Proposed Changes to the Regulations (California Code of Regulations, Title 3, Section 3435)

Okasaki again stated CDFA's proposed regulations in response to Industry's request. Section 3435 Asian Citrus Psyllid would be split in two, Section 3435.1 (Nursery Stock) and Section 3435.2 (Citrus Commodities). With the proposed regulation, a regional quarantine system would be enacted and free movement would be allowed within a quarantine region. As each region poses a risk of spreading ACP, mitigations and safeguarding would be required when moving from region to region. Counties currently without an ACP quarantine would be labeled as the "Region Not Under Quarantine."

Okasaki restated for this regional quarantine proposal to move forward, certain things would need to first occur. Firstly, a change to the Federal Order would be required to move California to a statewide quarantine. Additional personnel and infrastructure would be required to regulate the proposed regional quarantine. Also, Okasaki reminded the group that restrictions on intrastate movement between regions would not apply to out of state shippers. Once shipments met California state entry requirements, those shipments would be allowed to move anywhere within the state.

The maps of the two proposed regional quarantine schemes were shown, with emphasis on the proposed map for citrus commodity regions.

Okasaki summarized the bulk of the proposed changes for citrus commodities, which would occur in Section 3435.2 (D) – Restrictions. Regulated citrus commodities are prohibited movement from any region under quarantine, except if moved under terms of a special permit. Regulated commodities originating within the “Region Not Under Quarantine” are permitted unrestricted movement within and from the region. In addition to the restrictions listed in Section 3435.2 (D), all establishments handling citrus commodities in a region under quarantine must be under a compliance agreement. All bulk citrus must be run through a wet wash process prior to leaving the quarantine region for final packing, grading or processing. This can occur in a field run wash line or packinghouse. CDFA will no longer require field cleaning or “spray and move.” All shipments prior to final packing from a region under quarantine to another must be transported in a container, conveyance, or vehicle with solid walls or shipment of citrus fruit and pallets/field bins must be completely covered with tarp.

Okasaki concluded the presentation with informing the group this presentation would also be made available online, as well as announcing the avenues for which written comments may be delivered.

4. Public Comment Period

Tom Delfino, California Citrus Nursery Society, commented on taking care in defining citrus nursery stock, keeping in mind there is a multitude of vegetative items of citrus nursery stock in commerce in California. These items range from cuttings with leaves to whole trees ready for planting. The rules that may apply to whole trees for planting are not necessarily appropriate for cuttings with leaves. Delfino also commented reminding the group that this quarantine proposal is about minimizing the risk of citrus nursery stock being an avenue for ACP and HLB movement. The total risk should be minimized, including the risk of illegitimate nursery stock in commerce.

Tony Aguilar, Highland Orchards, Inc., commented on the movement of stem and leaf into grocery stores and not wanting that material coming into Placer County. Aguilar is also concerned with the transportation of fruit. When bins are filled with fruit, Aguilar questions if there is any inspection conducted to ensure the fruit has gone through the wash and other required procedures.

Rayne Thompson, Sunkist, commented on her concern of removing current tools available to growers. For example, would removing the spray and move option cause the spread of ACP, and eventually HLB. Sunkist is looking at proposed maps to possibly suggest if a more effective regional breakdown could be proposed. Thompson is also concerned with the movement to a statewide quarantine and the reduced funds that would result. ACP has not spread far enough to move to a statewide quarantine so there is a major question as to why CDFA would move to this and lose funding, basically relinquishing control of limiting movement of ACP.

5. End of Public Comment Period

Okasaki concluded the oral public comment period regarding changes to the citrus commodity regulation. Written comments may still be submitted via email or mail.
9:55 a.m.

6. Re-Introduction

9:55 a.m.

Okasaki immediately proceeded to present the Power Point presentation summarizing the proposed changes to the citrus nursery stock regulation. Okasaki stated many of the slides in the presentation are duplicates, so only the bulk of the proposed regulation changes would be covered.

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within the region under quarantine, unless moved under terms of a special permit. All nursery stock sold or distributed within a region under quarantine must be treated and bear a label stating it cannot be moved outside the quarantine region. Regulated nursery stock originating within any area in the “Region Not Under Quarantine” is permitted free movement within the region and may move to regions under quarantine under terms of a compliance agreement or special permit.

Okasaki proceeded to summarize the current Section 3439 Huanglongbing Disease regulation stating that currently, outdoor host nursery stock is not permitted in an HLB quarantine area. CDFA received a request from the citrus nursery industry to amend this regulation to allow outdoor citrus nursery stock in the HLB quarantine area.

Okasaki presented CDFA’s proposed Section 3439 changes to citrus nursery stock at retail nurseries in an HLB quarantine and not maintained in an APHIS approved structure. The maximum number of host nursery stock on the premise at any one time would be restricted to 250 plants. All citrus nursery stock destined for outdoor sale in an HLB quarantine area must be treated and bear a specific label. Host nursery stock has 150 days from the date of treatment to be sold at a retail establishment within the HLB quarantine. If not sold during the 150 day period, it must be retreated or would be considered a public nuisance and destroyed. Retreatment would extend the sale period an additional 150 days. Only one retreatment would be allowed and if not sold after the second 150 day period, the plants would be considered a public nuisance and destroyed.

Okasaki concluded the presentation with informing the group the presentation would be made available online, as well as announcing the avenues for which written comments may be delivered.

8. Public Comment Period

Tony Aguilar, Highland Orchards, Inc., commented on the number of nurseries, including Costco’s, selling nursery stock. Aguilar is concerned they are not being inspected before coming into the region for sale.

9. Conclusion

Okasaki concluded the oral public comment period for the Sacramento session and thanked everyone for their attendance and comments.

10:25 a.m.

Appendix C. Received Written Comments.



5156 McGrath St., Suite 102
P.O. Box 3160, Ventura, CA 93006

(805) 289-0155 / Fax (855) 286-8242
www.farmbureauve.com

May 18, 2016

Submitted via email

Pest Exclusion Branch
California Department of Food and Agriculture
1220 N Street, Room 325
Sacramento, CA 95814
Attn: Keith Okasaki

Re: Proposed changes to California Code of Regulations, Title 3, Section 3435, Asian Citrus Psyllid, and Title 3, Section 3439, Huanglongbing Disease

Dear Mr. Okasaki,

Thank you for the opportunity to comment on the proposal to change regulations for the movement of citrus commodities and citrus nursery stock within California. On behalf of Farm Bureau of Ventura County and the Ventura County ACP-HLB Task Force, we encourage the department to proceed with review of the environmental and economic impacts associated with the following changes recommended by the Citrus Pest and Disease Prevention Committee:

- Designation of interior quarantine regions.
- Elimination of the “spray-and-move” option for movement from one quarantine zone to another.
- Requirement that bulk citrus be subjected to a wet wash before leaving a quarantine zone, and that loads be tarped or otherwise enclosed.

We believe the case for the wet-wash requirement, and the need to sequester Southern California from the rest of the state via regional quarantine zones, is overwhelming.

The risk that ACP infected with HLB will be transported from Southern California into production areas on the Central Coast and the San Joaquin Valley is extremely high. For several years, the Ventura County agricultural commissioner maintained a trapping network inside local packinghouses, and these consistently trapped ACP that could only have arrived there in bulk loads of fruit. And the mapping of collection locations for ACP that test “inconclusive” for the presence of HLB bacteria by Dr. David Bartels provides compelling evidence that HLB has begun spreading throughout Southern California, notably in commercial citrus production areas in western Riverside and San Bernardino counties — source of fruit that is transported north to packinghouses in other regions.

If HLB has not already been transported north via infected psyllids transported in fruit loads, it soon will be unless ACP can be excluded from those loads. Wet washing is the only way to do that.

Additionally, we request the following modifications to the regulatory proposal prior to review.

Monterey County should be reassigned to “not under quarantine” status. There have been no ACP detections anywhere in the county, and it is separated from infested areas to the east and south by long distances and significant physical barriers — the Coast Range on the east, and the Transverse ranges to the south. For Monterey citrus production areas, the most significant issue at

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present is the likelihood that ACP infected with HLB will be brought into the county from Southern California or the San Joaquin Valley, not the reverse.

In the event that ACP becomes established in Monterey in the future, it should be added to the coastal region quarantine zone. More than 95 percent of the harvested fruit in Monterey County is packed in Ventura County, and it is most logical for the coastal counties to comprise a single zone. San Luis Obispo and Santa Barbara counties should remain in the coastal quarantine zone to avoid erecting artificial barriers to movement of fruit produced there, nearly all of which is packed in Ventura County.

Monterey County has no packing facilities, so there will be no fruit loads transported into the county. Trucks do, however, bring bins from other production areas to Monterey County orchards. Because of this, we also recommend that the quarantine regulations also be amended to require that empty bins also be washed before leaving a quarantine zone.

Sincerely,



John Krist, CEO
Farm Bureau of Ventura County



Leslie Leavens, chair
Ventura County ACP-HLB Task Force

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Okasaki, Keith@CDFA

From: Rollie Cavaletto <rniplem2@aol.com>
Sent: Wednesday, May 25, 2016 4:18 PM
To: Okasaki, Keith@CDFA
Cc: rniplem2@aol.com
Subject: ACP comment

Keith Okasaki,

According to the Ag Commissioner in San Luis Obispo County most of the citrus from SLO County is packed in the Central Valley. I would suggest that the fruit from SLO County should be able to move to the Central Valley without washing. The small amount of citrus north of SLO County could either be washed or go to the Valley.

The economics of washing a large volume of fruit to send to the Valley so that a small volume of fruit doesn't need to be washed to go to a Ventura packing house should be considered.

The population of ACP South of San Luis Obispo County is so much higher than the population in the Valley I think it would behoove us to limit contact with that southern coastal region as much as possible.

Rollie Cavaletto

Citrus grower in Nipomo California. San Luis obispo County

MONTEREY COUNTY

AGRICULTURAL COMMISSIONER SEALER OF WEIGHTS & MEASURES
ERIC LAURITZEN, AGRICULTURAL COMMISSIONER/SEALER
1428 ABBOTT STREET - SALINAS, CALIFORNIA 93901
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WEBSITE: www.ag.co.monterey.ca.us



May 27, 2016

Keith Okasaki, Environmental Scientist
Pest Exclusion
California Department of Food & Agriculture
1220 N Street, Room 325
Sacramento, CA 95814

RE: Nursery Stock and Citrus Commodities Proposed Regulations

Dear Mr. Okasaki:

We have reviewed the proposed regulations and offer the following comments. These comments are submitted on behalf of both Monterey and Santa Cruz counties and in consultation with San Luis Obispo County.

Santa Cruz and Monterey have no detections of ACP to date and no established ACP quarantine areas. While the conceptual regional designation (Coastal Region) might be practical for a majority of the production of Monterey County growers, without a detection of ACP in either county, Santa Cruz and Monterey counties feel it is inappropriate to place either county into "quarantine" at all.

As proposed in the "*Quarantine Regions for Citrus Commodities*," Monterey and Santa Cruz counties are included in the Coastal Region. While the proposed designation might make sense if Monterey or Santa Cruz were infested, we feel that unless or until each county becomes infested, these counties should remain "not under quarantine." Even though we feel the regional quarantine is misguided, this would be more consistent with the proposed quarantine regions for nursery stock. For the most part, citrus grown in Monterey County travels within the proposed region (south to Ventura County) but a smaller portion is moved into the San Joaquin Valley. Based on practical quarantine standards, growers should not be required to implement a wet wash process at least as long as ACP is not present in the county. This proposal establishes a great regulatory burden without an established risk. If/when ACP is detected, we should apply reasonable quarantine standards and only then consider being included in a quarantine region. If the primary concern is, "To prevent the creation of an avenue for host movement between southern California and the Central Valley as a result of quarantine expansions in Fresno, Kern, and Tulare Counties," Monterey and Santa Cruz counties do not have any bearing on that concern.

In the nursery stock proposal, section 3435.1(D) says:

Regulated nursery stock originating within any area in the "Region Not Under Quarantine" is permitted free movement within the region. Host nursery stock may move to regions under quarantine under terms of a compliance agreement or special permit.



NORTH COUNTY OFFICE
417-A SALINAS ROAD - WATSONVILLE, CA. 95076
PHONE: (831) 724-5025 FAX: (831) 724-6935



SOUTH COUNTY OFFICE
522 N 2ND STREET - KING CITY, CA. 93930
PHONE: (831) 385-5266 FAX: (831) 385-0551

Keith Okasaki, CDFA
May 27, 2016
Page 2

We do not believe that nursery stock should be allowed to move freely within the region not under quarantine but then require a compliance agreement or permit to move into a quarantine area; this does not make sense.

In the nursery stock proposal, section 3439 eliminates the total ban on host nursery stock within the Huanglongbing (HLB) quarantine and proposes treatment and control measures that seem unrealistic. Is one treatment adequate protection for a 150-day period? Current regulations require treatment every 90 days at production nurseries. Then another 150-day period is allowed with one additional treatment. This does not seem adequately protective, and a label on the plant is not necessarily going to prevent a customer from moving the plant outside of the HLB quarantine area. If not sold after 300 days, the nursery stock is declared a public nuisance. The legal requirements to abate a public nuisance are onerous and lengthy. This proposed relaxation of the current restriction is inadvisable.

In short, this proposal creates an unnecessary regulatory burden on growers where there is little to no risk, and it eliminates restrictions that are protective of an actual risk. The regional quarantine proposal is without precedent and NOT consistent with basic quarantine practices classically applied, and we urge your reconsideration of this proposal.

Thank you for the opportunity to comment.

Sincerely,



Robert Roach
Assistant Agricultural Commissioner

c: Juan Hidalgo, Santa Cruz County Agricultural Commissioner
Marty Settevendemie, San Luis Obispo County Agricultural Commissioner



June 2, 2016

Karen Ross
Secretary of Agriculture
State of California
1220 N Street
Sacramento, CA 95814

Dear Secretary Ross:

At the April 27 California Citrus Mutual board meeting (CCM), the Board considered CCM's position specific to recommended quarantine designations, mitigation steps both in terms of quantity and type, as well as enforcement steps with regard to treatment and movement.

The Board believes the recommended quarantine districts are unacceptable. Monterey and Santa Cruz counties have been included in a proposed quarantine area even though no Asian citrus psyllids (ACP) have been found in either county to date. San Luis Obispo County should not be placed in a Coastal quarantine zone at this time, as the ACP finds have not been in commercial groves, treatment in the current quarantine area has been high with 95% participation from the public, the total ACP finds are relatively low in number, and there are geographic barriers that prevent natural movement of the ACP. The Santa Ynez Mountains to the South, the Sierra Madre Mountains to the East and the prevailing onshore airflows present strong, natural, defensible barriers to ACP movement.

Additionally, the Board is opposed to creating a San Joaquin Valley quarantine zone at this time. The present quarantine boundaries and policy for setting those boundaries in the Central Valley are appropriate for the current distribution and low number of ACP detections in the San Joaquin Valley. We believe it would accelerate the movement of ACP into un-infested areas and put all producers at greater risk of infestation and the spread of HLB, if the quarantine area were to be expanded. The San Joaquin Valley benefits from natural barriers and these should be used to the full advantage; the Coastal and Sierra Nevada Range and the Tehachapi and San Emigdio Mountains all provide excellent barriers to natural movement of ACP from Southern California. In the Central Valley grower and residential support for treatment has been very good. However, efforts need to be increased to treat and eradicate ACP populations wherever possible and appropriate. The movement of ACP by artificial means (trucks and autos) must be a priority and should be a primary target for enforcement. Enforcement needs to be focused on preventing the physical movement of ACP from areas with high populations to un-infested areas or areas with low populations.

The lack of enforcement is evidenced by the increased number of ACP finds along the Hwy 99 travel corridor, at truck stops, juice plants, residences and packinghouses. Hitchhikers in personal vehicles are hard to detect and document, these photos provide examples of some of the commercial violations that can be readily found:

- 1) Wide spread reports of improper tarping



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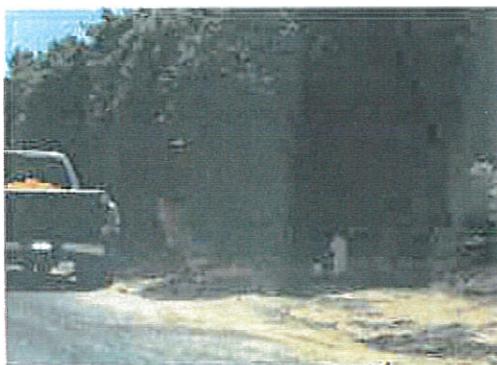
BOB TEAGARDEN

RICK WESCOTT

TODD WILLIAMS

TOM WOLLENMAN

2) Unfettered movement by “gunny-sackers”



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3) Packinghouses and juice plants not properly cleaning equipment





The citrus industry must restrict the movement of ACP in commercial transport, from one area of production to another, using the best practices as determined by pest control and scientific advisors. The most restrictive mitigating measures should be used when transporting bulk citrus products from areas of high ACP populations to areas of low populations. House wash and move, field wash tank and move, field wet wash w/brushes and move, field wash spray and brush should all be considered for mitigation when moving from production areas of high ACP populations to areas with lower populations, in addition to coordinated area wide spray treatments. Treatment efficacy, economic efficiency, and recommendations from the scientific community, should be considered when determining the appropriate mitigation measures. In production areas with low ACP populations, less stringent mitigation requirements should be required such as spray and move or participation in an area wide spray program. Growers and packers should be encouraged to pack fruit in the area where it is grown, and minimize movement from one quarantine area to another.

As we have heard from Florida citrus growers; it is imperative that the Asian citrus psyllid be controlled in order to prevent the spread of Huanglongbing (HLB). Commercial growers and all nurseries, both wholesale and retail, must control ACP. Municipalities, businesses and home owners must treat for ACP or absent of ongoing ACP control should remove citrus and other host plants.

Growers should be required to show proof of treatment prior to harvest in accordance with area wide spray designations. The California Citrus Pest and Disease Prevention Program (CPDPP) should fund spot audits by County Ag Commissioners to determine adherence to the current spray and move requirements for ACP. Commissioners should also be supported in the enforcement of tarp requirements as necessary and other mandates originating with the CPDPP Committee.

CCM continues to support a mandated coordinated area wide spray program. It is unacceptable to allow growers to opt-out with non-treatment or ineffective treatments that provide safe-harbor to ACP and accelerates the spread of HLB. As evidenced by numerous representatives from the Florida citrus industry, the only effective means of controlling ACP is by coordinated area wide treatments. The industry needs time for research to find the solutions, if we fail, the United States will lose the State of California as its last viable citrus production area.

Sincerely,


Joel Nelsen

cc: Bob Wynn

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RICK WESCOTT

TODD WILLIAMS

TOM WOLLENMAN

Okasaki, Keith@CDFA

From: Richard Bennett <rich@bennettfarmsinc.com>
Sent: Friday, June 03, 2016 5:17 PM
To: Okasaki, Keith@CDFA
Subject: Citrus movement protocol, Wash and Move adopted protocol

Dear Dr. Okasaki,

I am a citrus grower in California. I am involved as a member of the CPDPC and chairman of the Citrus Research Board. The Wash and Move protocol has been thoroughly discussed within the California science community. This same science community, whose members are also on the state Science Advisory Committee, has adopted the Wash and Move protocol. They have found it to be the superior method for moving fruit between regions/quarantines. The Science Advisory Committee members were asked to be involved in a CPDPC committee to discuss the Wash and Move protocol and the alternatives, in a series of meetings throughout California. As a member of this committee we thoroughly discussed the alternatives to Wash and Move. The meetings were attended by up to 75 growers and scientist. There was unanimous agreement to recommend the CPDPC adopt the Wash and Move protocol.

The CPDPC has bi-monthly meetings to conduct their business. On three consecutive meetings the full committee discussed the alternatives available to the industry for moving fruit between regions/quarantines. The vote on all three meetings was overwhelmingly in favor of adopting the Wash and Move protocol.

The review and discussion of this protocol has been thorough and complete. The science has been discussed and presented by the Science Advisory Committee. The CPDPC has directed a committee and the relevant scientist to inform, discuss, and gather opinions from growers on this protocol. The CPDPC committee has discussed this protocol and the alternatives in three meetings and voted strongly in favor of adopting the Wash and Move protocol.

Please persuade the Secretary of Agriculture, Ms. Karen Ross, to respond to this thorough vetting of the subject and proceed to adopt this Wash and Move protocol.

Sincerely,

Richard Bennett
Bennett Farms Inc.

Okasaki, Keith@CDFA

From: Elizabeth E Grafton-Cardwell <eegraftoncardwell@ucanr.edu>
Sent: Friday, June 17, 2016 9:46 AM
To: Okasaki, Keith@CDFA
Subject: Citrus industry response to proposed changes to regulations
Attachments: Grafton-Cardwell ACP HLB regulation comments.pdf

Keith

In the public meeting I stated that I disagreed with these changes for the nursery because I didn't think that the residues would last 150 days. However, I have had time to think about it, and in the attached document I explain that as long as we shorten the interval between treatment and shipment and keep the rate of imidacloprid high, this would be an acceptable and effective program.

Beth Grafton-Cardwell
Director, Lindcove Research and Extension Center
22963 Carson Ave., Exeter CA 93221
559-592-2408 ext 152 (office)
559-901-9285 (cell)

CDEA Request for Public Comment – ACP and HLB Rulemaking

Comments Related to Both Protocols

1. I applaud the idea that the Nursery Stock and Citrus Commodity Movement issues are being separated from each other because they have different levels of risk and different methods of control.

2. I agree with the statements by Morse, Daugherty and Byrne that it takes too much time to change the boundaries of quarantines. New infestations of ACP and infections of HLB are going to appear rapidly in the coming years. Can a “process” be included in this Rulemaking that anticipates likely future changes in ACP-infested and HLB-infected regions so as to reduce the time frame for Quarantine designations?

Comments Related to Proposed Quarantine Regions for Nursery Stock Movement Changes

3. I spoke during the scoping meeting in Tulare against the 150 day period for residence of potted citrus in retail nurseries, stating that the insecticides do not last this long. But when I made that statement, I was thinking in terms of the current rates of insecticides and long periods allowed between treatment and shipment. I would like to change my statement to support the program of a 150 day limit on the period of time that potted citrus can reside in a retail nursery– as long as this is tied in with treating close to shipment (14 days) and using a rate of 3.3 ml/cubic foot of 4.6 lb ai imidacloprid. The goal of treatment is to protect trees going to retail nurseries from becoming insectaries of ACP and eventually HLB. If trees are treated close to shipment, with a relatively high rate of imidacloprid or thiamethoxam plus a foliar, then the data show that they will be well protected for 150 days. At 150 days, the trees must be retreated or destroyed. This is a vastly better system than the current one in which trees are treated more than 60 days before shipping and sit at retail outlets for more than a year. Retail nurseries are sources of ACP under these conditions. Data on psyllids tested for HLB indicate that HLB is spreading in southern California. Thus, in the very near future, these same nurseries could become sources of HLB. It is time to institute new regulations that could be used by all nurseries to protect citrus from this deadly disease.

4. Morse and Byrne have pointed out that a problem with the current regulations is that they specify the maximum label rate of the systemic pesticide be used rather than specifying a specific effective use rate. With imidacloprid (not with thiamethoxam at present), this is a significant problem because many labels do not allow a sufficiently high use rate on potted citrus to justify the 150-day retention period that is proposed (example – Admire Pro [4.6 lb AI/gal], maximum use rate is 0.5 ml per 0.1 cu ft = 2.76 g AI per cu ft; labels with many of the 2 lb AI/gal formulations [Advise 2FL, Alias 2F, Couraze 2F, Montana 2F, etc.], they list a maximum use rate of 0.75 ml/ cu ft = 0.18 g AI per cu ft; a rate that is 15.3X lower). We cannot support this 150-day period (increased over the current 90-day period) UNLESS a sufficiently high use rate is specified.

Scoping comments Grafton-Cardwell

I agree that to resolve this, a specific use rate should be associated with the 150-day post treatment interval before either retreatment (if the label allows this; a label modification is needed) or crop destruct is needed. We suggest this use rate should be 3.3 ml/cubic foot of the 4.6 lb ai [active ingredient]/gallon material (1.82 g ai/cu ft = 0.004 lb ai/cu ft). In order to harmonize use rates between different products, we suggest that the use rate recommendation be expressed in grams ai/cu ft.

5. An issue with the current regulations is that the treatments at the wholesale citrus nurseries are often occurring long before (up to 90 days before) the potted plants are shipped to the retail nurseries. Data indicates that the period before shipment can be shortened to 14 days (research is underway to see if this time period can be shortened further), so that the pesticide treatments have maximum residual life while the plants reside at the retail nursery. This will minimize the risk of psyllids establishing on and/or transmitting HLB to retail nursery citrus plants. Research has clearly shown that 14 days is quite adequate to establish effective doses in potted citrus leaf tissue with both imidacloprid and thiamethoxam.

6. I agree that there is not any data that would support ACP control for 150 days for dinotefuran treated potted citrus. Control persists for much less than 150 days. Thus, we suggest that dinotefuran be removed from the list of approved control materials.

7. Research data from Drs. Frank Byrne and Matthew Daugherty show 150 days of control with potted citrus treated with the maximum label rate of thiamethoxam. This material should be added to the list of approved systemic treatments (in addition to imidacloprid).

8. To the degree possible, regulations governing interstate movement of citrus from quarantine zones should be harmonized with regulations governing intrastate movement.

Comments Related to Proposed Quarantine Regions for Citrus Commodity Movement

9. It is critical to shift from spraying orchards with insecticides before harvest to washing fruit within a quarantine region before shipping to other regions. Data shows that insecticide treatments do not kill all psyllids. Under current regulations, a sprayed orchard can be harvested with fruit and leafy material into bins and shipped to other regions of the state. This practice has resulted in psyllids being found at packinghouses and juice plants – an indication that it is ineffective in preventing psyllid spread. Wet washing will remove psyllids from fruit and eliminate leaves and stems that the psyllids could be infesting. This practice will greatly lower the risk of moving psyllids that could harbor HLB in their bodies.


Beth Grafton-Cardwell
IPM Specialist and Research Entomologist
University of California Riverside

6/17/2016

CDFA Request for Public Comment – ACP and HLB Rulemaking

I wanted to provide additional comments to my June 17, 2016 comments.

Comments Related to Proposed Quarantine Regions for Citrus Commodity Movement

I would like to strongly urge that the proposed quarantine regions and the requirement for washing fruit be set up as soon as possible. HLB is beginning to spread in southern California and if we don't work fast to minimize psyllid movement in bulk citrus, it will be carried by psyllids around the state. It only took 3 years to spread it throughout the state of Florida because they did not regulate retail nurseries or bulk citrus movement. Florida has demonstrated that psyllids move in bulk citrus. The numerous psyllid finds along traffic corridors and at juice plants and packinghouses in the San Joaquin Valley demonstrates that psyllids are being transported. Recent research by my post doc in Riverside is documenting that insecticide treatments do not kill all the psyllids in an orchard. Therefore, allowing orchards to be treated and shipping the fruit without washing is allowing psyllids to move.

Growers are concerned that washing at a local packing house, shipping and washing again at a destination packing house is damaging to many varieties of citrus fruit. Methods need to be developed that are less destructive. I would encourage the citrus industry and researchers to work together to find effective and economical methods of washing citrus fruit and provide that information to the regulatory agencies. It is clear that simply spraying fruit with water is not sufficient, because psyllids can survive in areas between fruit that are not reached by the spray. But fruit dunk tanks may be a very good option. Once the efficacy has been determined, then the regulations need to be clearly written so that growers are using effective methods.



Beth Grafton-Cardwell
IPM Specialist and Research Entomologist
University of California Riverside

CDFA Request for Public Comment – ACP and HLB Rulemaking

These comments are submitted by Dr. Matt Daugherty, Associate Cooperative Extension Specialist; Dr. Frank Byrne, Associate Researcher; and Dr. Joseph Morse, Professor of Entomology; all 3 are members of the Department of Entomology at the University of California, Riverside and have worked for many years on management of Asian citrus psyllid and systemic pesticide applications with potted citrus.

Comments Related to Both Protocols

1. We applaud the idea that the Nursery Stock and Citrus Commodity Movement issues are being divorced so that each can be optimized without interference from the other.
2. There are citrus growing regions (and backyard citrus trees) in the northern portion of the state. It takes considerable time and effort to change regulations, including the public comment process. Can a “process” be included in this Rulemaking that anticipates likely future changes so as to reduce the time frame for changes (e.g., ACP quarantines in areas outside the present regions; HLB outside the current HLB Quarantine Area)?

Comments Related to Proposed Quarantine Regions for Nursery Stock Movement Changes

3. We support the concept of treating with the systemic pesticide near the time of shipment to retail nurseries and a 150 day limit on the period of time post-treatment that potted citrus can reside in a retail nursery, at which time it must be retreated or disposed of. These measures will help ensure that the retail nurseries do not become a source of psyllids or the CLas bacterium which causes HLB.
4. A problem with the current regulations is that they specify the maximum label rate of the systemic pesticide be used rather than specifying a specific effective use rate. With imidacloprid, this is a significant problem because many labels do not allow a sufficiently high use rate on potted citrus to justify the 150-day retention period that is proposed (example – Admire Pro [4.6 lb AI/gal], maximum use rate is 0.5 ml per 0.1 cu ft = 2.76 g AI per cu ft; labels with many of the 2 lb AI/gal formulations [Advise 2FL, Alias 2F, Couraze 2F, Montana 2F, etc.], list a maximum use rate of 0.75 ml/ cu ft = 0.18 g AI per cu ft; a rate that is 15.3X lower). We cannot support this 150-day period (increased over the current 90-day period) UNLESS a sufficiently high (effective) use rate is specified.
To resolve this, we suggest that a specific use rate be associated with 150-day post treatment interval before either retreatment (if the label allows this; a label modification is needed) or crop destruct is needed. We suggest this use rate should be 3.3 ml/cubic foot of the 4.6 lb ai [active ingredient]/gallon material (1.82 g ai/cu ft = 0.004 lb ai/cu ft). In order to harmonize use rates between products with different formulations, we suggest that the use rate recommendation be expressed in grams ai/cu ft.
5. An issue with the current regulations is that the treatments at the wholesale citrus nurseries are often occurring long before (up to 90 days before) the potted plants are shipped to the retail nurseries. It is critical that the period before shipment be shortened to 14 days (research is underway to see if this time period can be shortened further), so that the pesticide treatments

have maximum residual life while the plants reside at the retail nursery. This will minimize the risk of psyllids establishing on and/or transmitting HLB to retail nursery citrus plants. Research has clearly shown that 14 days is adequate to establish effective doses in potted citrus leaf tissue with imidacloprid.

6. We are not aware of any data that would support ACP control for 150 days on dinotefuran treated potted citrus. Control persists for much less than 150 days. Thus, we suggest that dinotefuran be removed from the list of approved control materials.

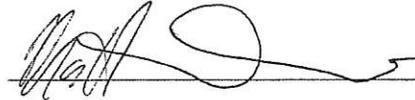
7. To the degree possible, regulations governing interstate movement of citrus from quarantine zones should be harmonized with regulations governing intrastate movement.

Comments Related to Proposed Quarantine Regions for Citrus Commodity Movement

8. A risk with both packing house and field wet washing is that any adult ACP present on the fruit are easily disturbed once the washing process begins and most likely would fly up or to the side, prior to being killed in the washing process. Over time, this might result in adults flying around the packing house and/or around the field wash line. Steps need to be taken to minimize the resulting risk.



Frank Byrne



Matthew Daugherty

Joseph
Morse, Ph.D.

Digitally signed by Joseph Morse,
Ph.D.
DN: cn=Joseph Morse, Ph.D.,
o=University of California, Riverside,
ou=Dept. of Entomology,
email=joseph.morse@ucr.edu, c=US
Date: 2016.06.18 07:42:23 -04'00'

Joseph Morse

Written comments submitted for the proposed ACP/HLB quarantine changes

June 21,2016

C&M Nursery supports the nursery proposal as it is currently presented in the power point presentation by CDFA on May 13, 2016. Much deliberation went into the details of the nursery industry proposal by the adhoc nursery committee. The regions for nursery movement as presented represent ACP movement risk factors as they exist today. As for the sale of citrus nursery stock at the retail level: we also support the current proposal for retail sale of CNS within the HLB quarantine area. The law as it stands now, (retail citrus stock only sold in an approved screen house) has created a large area of territory where citrus nursery stock is unavailable to consumers. The retail outlets where CNS in the HLB quarantine area is usually sold have dropped citrus from their sales inventory because of the inability to comply with the current screenhouse mandate. If HLB spreads from the current Q area, as scientist feel it most certainly will, the retailers will continue to drop citrus from their product line in the HLB expansion areas, creating a citrus nursery stock "desert" if you will. This will accentuate the acquiring of illegal propagated CNS by customers on line, swap meets, etc. which can worsen the real threat of infected HLB and other citrus diseases from the sale of illegally propagated CNS, versus the highly regulated stock that is shipped from licensed wholesale nurseries to those retail outlets that would have to drop the citrus from their sales inventory due to the currently unworkable HLB quarantine regulations. As proposed, CNS shipped to retail outlets legally by licensed wholesale citrus nurseries, the wholesaler would treat CNS destined for retail in the HLB Q area with department approved pesticide treatments, and the retailer would only have 150 days to sell the stock, and then after the period expires, retreat or destroy the stock by approved methods. 150 days should be ample time to sell the inventory; the current 90 day expiration period in the non HLB areas is not enough time to move the inventory. Pesticide studies have shown that at the highest legal rate of imidicloprid on one label (Admire Pro) the mortality levels of ACP in the citrus trees are achieved for 5 months (150 days). More studies have shown that sub lethal levels of imidicloprid in the citrus tree act as a feeding deterrent for ACP. That should mitigate concern that the retail citrus nursery stock is not safe from the infection of HLB from psyllid feeding during the 150 allowed sale period. At this time, Dr .Joe Morse is working with Bayer Corp. to get a Section 18 Special Local Need label for imidicloprid (Admire Pro), to be able to apply an even higher rate to containerized citrus to ensure over 5 months of protection from psyllid feeding on the CNS while it is at the retail centers.

Submitted by Kim Wilenius

C&M Nursery manager

KAWEAH LEMON COMPANY

PO BOX 44259 LEMON COVE CA 93244-0259

PHONE 559-597-2409

June 22, 2016

Keith Okasaki
Pest Exclusion Department of Food and Agriculture
1220 N Street, Room 325
Sacramento, CA 95814

Mr. Okasaki,

This letter is in response to the newly proposed "Asian Citrus Psyllid and Huanglongbing Regulations Overview and Proposed Changes". I am writing to you on behalf of Kaweah Lemon Company based in Tulare County.

First, we would like to thank the CDFA for the work they have and are currently doing to combat this eminently disastrous pest to California's citrus industry. In reviewing the proposal, we have found the proposed changes to be immensely financially burdening to the grower primarily. The current protocol should be more aggressively enforced. Entities charged with harvesting and, hauling and packing houses should be held more responsible for following and implementing the current protocols. Fines should be enforced by CDFA for groups found to be in violation of current protocol. Inspections and enforcement could be controlled at main points of entry, packing houses and juice plants.

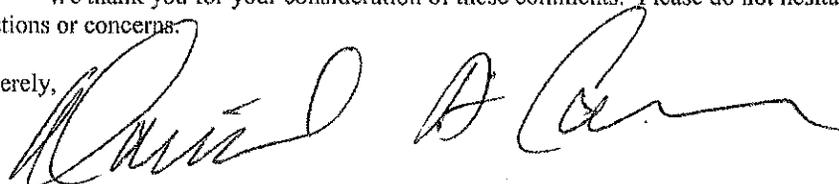
The considerations for the new protocol are primarily the cost increases to the grower solely. Below is a list of new and additional costs to the grower.

1. Shipping twice, from the field to the "wash plant", from the "wash plant" to the packing facility. This aspect adds to highway traffic and the access and management of more trucking becomes difficult.
2. "Wash Plant" cost and access. Mobile "Wash Plant" cost and access. What is the mobile "wash plant" supposed to do with the waste?
3. Decline in grower utilization of fruit due to binning fruit twice and hauling twice. This cost will be unknown until fruit has been delivered to final destination, packouts have been issued and effects will vary with crop and time of year.
4. Grower's ability to keep chain of command on product will be greatly diminished for GAP programs, sustainable programs, organic programs and any programs associated with quality and safety control.
5. Lack of packinghouses in our region to pack our specialty and non specialty products.

The US and California has and will always be on the front line of food safety, and we ask that other countries and states do the same. With knowledge that the pest and disease resides in regions more concentrated in the Southern districts, it would be pertinent to put heavier enforcement protocols on the regions for products leaving those areas, if not a ban entirely for movement outside of these quarantine areas. If more enforcement is implemented on current protocol, the pest and disease and pest can be kept at bay.

We thank you for your consideration of these comments. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



David A. Cairns
Owner/Partner

Wonderful citrusSM

To: Mr Keith Okasaki

Via: email at keith.okasaki@cdfa.ca.gov

Cc to Victoria Hornbaker at Victoria.hornbaker@cdfa.ca.gov

Re: Comments re fruit movement

Wonderful Citrus supports the efforts to limit the spread of ACP across regions and thereby limit the potential for HLB dissemination. The "spray and move" option served the industry well in most respects except that the policing of such may have not been optimal and some of the side effects of the program proves non-beneficial from a pest complex point of view.

The wash option which seems to be favored to replace the current spray and move regulation in place need to be properly defined to ensure all understand the real implications. The way we define this is the dumping of bins over a wet line and then to re-bin to be transported to the packinghouse of choice. Detail regarding wet line length, number of brushes, treatment on the line, etc. need to be clearly defined.

The ACP regulations in place from the southland into the Valley as it stands now already add close to an additional \$200/ac to grower costs. The need to dump bins on a wet wash line in a specific region, re-bin, and then transport to a packinghouse of choice will add even more costs. Additionally, the process is detrimental to fruit quality (reduce utilization, etc.).

We would like to submit some other options for your consideration prior to getting to a final rule. We strongly advocate for a process that will allow the fruit to stay in the bin: there is an urgent need to have bin drench/bin submersion options investigated. In fact, we would like to suggest that this option be allowed until proof that it is not effective (refer comments below as well for more perspective). We are also aware of a bin fogging option which Dr Spencer Walse would like to advance with further research. [Detail can be provided, if required].

Findings at juice plants: it would seem as though there are a lot of new finds around juice plants. This begs the question as to why this is the case. The majority of the fruit entering juice plant premises emanate from packinghouses where it went thru the wet wash process. Are we sure this is a 100% effective method of minimizing risk? That is, a costly and quality-diminishing process like a wet wash and re-binning, may not fully safeguard us from ACP movement. Embarking on a wet wash process and still not being very effective may accomplish a level of psychological comfort but not being effective in practice.

We appreciate the efforts you go to assist in protecting our citrus industry from the ravages of HLB. Thank you for allowing us to provide the above input.

Sincerely,



Dr Etienne Rabe

VP Horticulture, obo Wonderful Citrus

661-3370860

1701 South Lexington Street, Delano, California 93215 • 661.720.2400 • Fax 661.720.2402



COMMENTS CDFA SCOPING SESSIONS

A key point is that the current USDA and CDFA nursery regulations are adequate to protect the citrus industry from the threat of HLB. However, as outdoor citrus nurseries are not prohibited, a risk of inadvertent movement of HLB infected ACP is a possibility that must be addressed.

It should be clear confining HLB to Southern California for as long a practical is important. ACP can move on their own, but the most likely method of spread in to the San Joaquin Valley is on bulk fruit, in a commuter/traveler's vehicle, or on nursery trees grown outdoors. With these points in mind TreeSource recommends the following to be addressed in any new effort to control the spread of HLB in California.

1. Nurseries should be exempted from the regional quarantine proposal as the regulations for bulk fruit movement and citrus nursery stock are not compatible. CDFA's Clean Stock Program and USDA's Interstate Movement Protocols currently in place adequately protect the CA citrus industry from ACP and HLB.
2. The ACP program expends too many resources on nurseries that grow trees their entire life within USDA certified insect resistant structures. Once a nursery is certified by USDA and has a proven track record of compliance with CDFA compliance agreements, ACP Program staff should pass daily inspections of shipments to County Ag Commissioners so Program staff can focus attention on other matters such as enforcement of bulk citrus movement from heavily ACP infested areas.
3. A Regional Quarantine proposal must keep in mind the varying levels of risk of HLB infection with California. The Gottwald model should continue to be used to assess the level of risk.
4. ACP control is the best way to control the spread of ACP. Where this is impractical as in Southern California, every effort should be made to mitigate the movement of ACP from those areas. These restrictions of movement should not affect nurseries in compliance with USDA protocols of growing trees in insect resistant structures under CDFA compliance agreements.
5. Nurseries that choose to grow citrus trees in uncertified facilities do not always pose a threat to the citrus industry. If they are in isolated areas away from ACP populations and freeway corridors, it can be viable to remain outdoors for many years. Any regional quarantine must address this reality.
6. Enforcement of adherence to compliance agreement protocols for bulk citrus movement from Southern California should be as rigorous as nursery stock enforcement! There is a marked inequity in enforcement and the risk to the citrus industry is great from non-compliance in bulk fruit movement.

California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Marilyn Kinschitz Date: 5-10-10

Organization: Tulare Co. Ag Commissioner Email: mkinschitz@co.tulare.ca.us

Oral Comment: Yes / No

Written Comment: It is highly unlikely that trees in an HLB quarantine will be retreated prior to sale.

150 days is far too long for a soil drench treatment to stay effective. Those trees are watered daily.

Define bulk citrus field brushing/drench or certain growers will define it for their own needs. →

Bulk citrus brushing/drench shall apply to field-run juice fruit also.

Edward S. Wineman
Post Office Box 109
Santa Maria, California 93456

May 5, 2016

California Department of Food and Agriculture
CDFA Pest Exclusion Branch
1220 N Street, Room 325
Sacramento, CA 95814

RE: 3435 Asian Citrus Psyllid Regulations

To whom it may concern,

I am a lemon grower with an orchard southeast of Nipomo but within San Luis Obispo County. It is located in a designated quarantine area although ACP has not yet been detected in my grove. Please consider this letter to be my formal comments on the newly proposed quarantine boundaries and wet-wash requirements.

I have been shipping my lemon crop to the San Joaquin Valley ever since it began producing which is now over 10 years. It is my understanding that close to 95% of the lemons grown within this county are shipped over there to be packed for market. To date, San Luis Obispo County has had a low incidence of ACP with just a few detections in each quarantine area which is very similar to most of the San Joaquin Valley. San Luis Obispo County continues to aggressively manage ACP by treating all residential detections as per CDFA protocol, again very similar to how it is being treated in the San Joaquin Valley. For these reasons, connecting our growing region with the San Joaquin Valley would be preferable to a connection with the south. A southern connection would cause more truck traffic into and out of the heavily infested Ventura area and therefore increase the likelihood of ACP being carried into the San Luis Obispo region.

The requirement of a wet wash is not practical as a facility does not presently exist in the County. It not sensible to be required to haul fruit south into an infested area just to be washed and from there, have it shipped to the San Joaquin Valley. This additional movement will increase the potential to spread the ACP as well as add to my growing costs & overall air pollution. Even if an effective portable washing method could be developed, the water is simply not available onsite to wash the fruit because of the long term drought conditions. The wet wash idea is something that may look good on paper but is expensive, impractical and questionably more effective than spraying alone.

I am already required to spray for ACP within two weeks of harvest. It is challenging to get them treated and also have a labor crew available to pick the fruit within that timeframe but it is worth it to try and control the pest. I believe a coordinated spraying program similar to what is being done in Ventura County should be implemented in San Luis Obispo County. The local growers are willing to work together to treat for ACP, especially if it can be timed to match current cultural operations that will reduce the harm to beneficial insects.

For these reasons, I request that you modify your proposal to include the San Luis Obispo area into the San Joaquin quarantine region, leave flexibility in the type of treatment protocols that will be allowed to move bulk citrus and promote area wide spray program throughout all of the quarantine regions.

Sincerely



Edward S Wineman



FAX: 805/489-5201

PHONE: 805/489-2508 ~ 805/489-4874 ~ 805/489-5400

E-MAIL: talley@talleyfarms.com

MAILING: P.O. BOX 360 ~ ARROYO GRANDE ~ CALIFORNIA ~ 93421-0360

LOCATION: 2900 LOPEZ DRIVE ~ ARROYO GRANDE ~ CALIFORNIA ~ 93420

RE: 3435 Asian Citrus Psyllid Regulations

To whom it may concern,

I am a grower of lemons in the Arroyo Grande region of San Luis Obispo County. I would like this letter to be my formal comments on the proposed new quarantine boundaries and wet-wash requirements.

I have been shipping my lemon crop to the San Joaquin Valley for over 20 years and according to the San Luis Obispo Ag Commissioner, Martin Settevendemie, close to 95% of the lemons grown in this county are shipped there. San Luis Obispo County has had a low incidence of ACP with few detections in each quarantine area, very similar to the majority of the San Joaquin Valley. San Luis Obispo County continues to aggressively manage ACP by treating all residential detections as per CDFA protocol, again very similar to how it is being treated in the San Joaquin Valley. Connecting our growing region to the San Joaquin Valley would be preferred over a connection to the south which would increase truck traffic into out of the heavily infested Ventura area and increasing the likelihood of ACP being carried into the San Luis Obispo region.

The requirements of a wet wash also is not practical since we currently do not have any wash facilities in the region. It would be impractical to haul fruit south into an infested area to be washed and then to have it shipped north into the San Joaquin Valley. This additional movement would have more potential to move ACP as well as add unnecessary costs to the growers. These additional burdens could make citrus production in this region uneconomic. Regulations need to be written that will allow alternative treatment protocols if they can be proven effective, like a bin drench or truck drench.

I also believe a coordinated spraying program similar to what is being done in Ventura County should be implemented in San Luis Obispo County. I believe local growers would be willing to work together to treat for ACP, especially if it can be timed to match current cultural operations that will reduce the harm to beneficial insects.

In conclusion I request you modify your proposal to include the San Luis Obispo area into the San Joaquin quarantine region, leave flexibility in the type of treatment protocols that will be allowed to move bulk citrus and promote area wide spray program throughout all of the quarantine regions.

Thank you for your time and consideration.

Ben Taylor
Orchard Manager
Talley Farms

California Department of Food and Agriculture

CDFA Pest Exclusion Branch

1220 N Street, Room 325

Sacramento, CA 95814

RE: 3435 Asian Citrus Psyllid Regulations

To whom it may concern,

My wife and I own a small family farm in Nipomo, Ca. We have been growers for about 20 years.

We have had a very satisfying relationship with Bee Sweet. For us, there are no other alternatives.

We have been using the spray and pick protocol. I understand that in the near future that this will no longer be available to us.

The wet wash proposal simply won't work for us. There are no facilities in our county. Furthermore this process is not economically feasible.

The ACP has already spread. I think the San Joaquin Valley should be in the quarantine area as well. The amounts of finds of ACP in San Luis Obispo County and in San Joaquin Valley are similar.

I think the bigger problem is managing the pest. Please let us use our resources to fight the ACP.

Respectively,

Ed Chadwell, Grower

May 5, 2016

...

California Department of Food & Agriculture
Pest Exclusion Branch
1220 N Street Room 325
Sacramento, Ca 95814

RE: 3455 Asian Citrus Psyllid Regulations

To Whom It May Concern:

I am a lemon grower in Nipomo, California. My lemons are shipped to Bee Sweet Citrus in Fowler, California.

At the present time, San Luis Obispo County commercial lemons have had few psyllid detections. Increasing citrus harvest related traffic through San Luis Obispo County without elimination all traces of psyllids only encourages hitch hiking of the psyllid.

By subjecting San Joaquin Valley bound citrus, from San Luis Obispo County, to the additional costs of spraying prior to harvest and/or drenching or washing here subjects us to an "unfair competitive disadvantage". This term should have a familiar ring to it as it has been used by CDFA quite loudly in the past.

I am of the belief that some form of spraying program should be enacted whereby the population of psyllids is reduced to a minimum.

Products to be used should be psyllid specific so as not to destroy populations of predator insects.

I also am of the belief that spraying should be statewide. The objective is to eliminate all psyllids and all threats of HLB.

Sincerely,



George Dana, Grower
PO Box 112
Nipomo, CA 93444

Cross Creek Ranch
4441 Cross Creek Way
San Luis Obispo, CA 93401

May 2, 2016

California Department of Food and Agriculture
CDFA Pest Exclusion Branch
1220 N Street, Room 325
Sacramento, CA 95814

RE: 3435 Asian Citrus Psyllid Regulations

To whom it may concern,

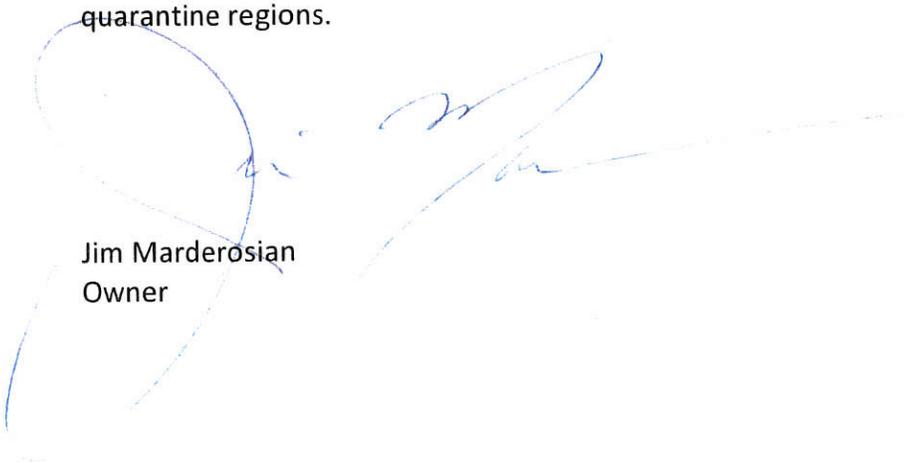
I am a grower of lemons in the Edna Valley region of San Luis Obispo County. I would like this letter to be my formal comments on the proposed new quarantine boundaries and wet-wash requirements.

I have been shipping my lemon crop to the San Joaquin Valley for over 6 years and according to the San Luis Obispo Ag Commissioner, close to 95% of the lemons grown in this county are shipped there. San Luis Obispo County has had a low incidence of ACP with few detections in each quarantine area, very similar to the majority of the San Joaquin Valley. San Luis Obispo County continues to aggressively manage ACP by treating all residential detections as per CDFA protocol, again very similar to how it is being treated in the San Joaquin Valley. Connecting our growing region to the San Joaquin Valley would be preferred over a connection to the south which would increase truck traffic into and out of the heavily infested Ventura area and increasing the likelihood of ACP being carried into the San Luis Obispo region.

The requirements of a wet wash also is not practical since we currently do not have any wash facilities in the region. It would be impractical to haul fruit south into an infested area to be washed and then to have it shipped north into the San Joaquin Valley. This additional movement would have more potential to move ACP as well as add unnecessary costs to the growers. These additional burdens could make citrus production in this region uneconomic. Regulations need to be written that will allow alternative treatment protocols if they can be proven effective, like a bin drench or truck drench.

I also believe a coordinated spraying program, similar to what is being done in Ventura County, should be implemented in San Luis Obispo County. I believe local growers would be willing to work together to treat for ACP, especially if it can be timed to match current cultural operations that will reduce the harm to beneficial insects.

In conclusion I request you modify your proposal to include the San Luis Obispo area into the San Joaquin quarantine region, leave flexibility in the type of treatment protocols that will be allowed to move bulk citrus and promote area wide spray program throughout all of the quarantine regions.



Jim Marderosian
Owner



**Bee Sweet
Citrus
Inc.**

416 E. South Avenue • Fowler, CA 93625
Phone (559) 834-5345
Fax (559) 834-4208

May 6, 2016

California Department of Food and Agriculture
CDFA Pest Exclusion Branch
1220 N Street, Room 325
Sacramento, CA 95814

RE: 3435 Asian Citrus Psyllid Regulations

To whom it may concern,

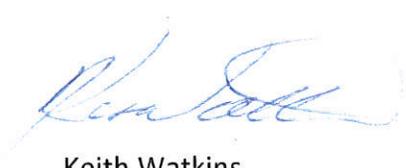
I am a grower of lemons in the Nipomo region of San Luis Obispo County. I would like this letter to be my formal comments on the proposed new quarantine boundaries and wet-wash requirements.

The Nipomo Ranch has been shipping lemons to the San Joaquin Valley for over 20 years and according to the San Luis Obispo Ag Commissioner, Martin Settevendemie, close to 95% of the lemons grown here in this county are shipped there. San Luis Obispo County has had a low incidence of ACP with few detections in each quarantine area, very similar to the majority of the San Joaquin Valley. San Luis Obispo County continues to aggressively manage ACP by treating all residential detections as per CDFA protocol, again very similar to how it is being treated in the San Joaquin Valley. Connecting our growing region to the San Joaquin Valley would be preferred over a connection to the south which would increase truck traffic into out of the heavily infested Ventura area and increasing the likelihood of ACP being carried into the San Luis Obispo region.

The requirements of a wet wash is not practical since we currently do not have any wash facilities in the region. It would be impractical to haul fruit south into an infested area to be washed and then to have it shipped north into the San Joaquin Valley. This additional movement would have more potential to move ACP as well as add unnecessary costs to the growers. These additional burdens could make citrus production in this region uneconomic. Regulations need to be written that will allow alternative treatment protocols if they can be proven effective, like a bin drench or truck drench.

I also believe a coordinated spraying program similar to what is being done in Ventura County should be implemented in San Luis Obispo County. I believe local growers would be willing to work together to treat for ACP, especially if it can be timed to match current cultural operations that will reduce the harm to beneficial insects.

In conclusion I request you modify your proposal to include the San Luis Obispo area into the San Joaquin quarantine region, leave flexibility in the type of treatment protocols that will be allowed to move bulk citrus and promote area wide spray program throughout all of the quarantine regions.



Keith Watkins
Vice President - Farming

California Department of Food and Agriculture
CDFA Pest Exclusion Branch
1220 N Street, Room 325
Sacramento, Ca 95814

RE: 3435 ASIAN CITRUS PSYLLID REGULATIONS

To Whom it may concern,

I am a grower of lemons in the Nipomo region of San Luis Obispo County. I would like this letter to be my formal comments on the proposed new quarantine boundaries and wet-wash requirements.

The BARTLESON RANCH has been shipping their lemon crop to BEE SWEET in the San Joaquin Valley for over 20 years. Close to 95% of the lemons grown in this county are shipped there. San Luis Obispo County has had a low incidence of ACP with few detections in each quarantine area, very similar to the majority of the San Joaquin Valley. San Luis Obispo County continues to aggressively manage ACP by treating all residential detections as per CDFA protocol, again very similar to how it is being treated in the San Joaquin Valley. Connecting our growing region to the San Joaquin Valley would be preferred over a connection to the south which would increase truck traffic into out of the heavily infested Ventura area and increasing the likelihood of ACP being carried into the San Luis Obispo region.

The requirements of a wet wash also is not practical since we currently do not have any wash facilities in the region. It would be impractical to haul fruit into an infested area to be washed and then have it shipped north into the San Joaquin Valley. This additional movement would have more potential to move ACP as well as to add unnecessary cost to the growers. These additional burdens could make citrus production in this region uneconomic. Regulations need to be written that will allow alternative treatment protocols if they can be proven effective, like a bin drench or truck drench.

I also believe a coordinated spraying program similar to what is being done in Ventura County should be implemented in San Luis Obispo County. I believe local growers would be willing to work together to treat for ACP, especially if it can be timed to match current cultural operations that will reduce the harm to beneficial insects.

In conclusion I request you modify your proposal to include the San Luis Obispo area into the San Joaquin quarantine region, leave flexibility in the type of treatment protocols that will be allowed to move bulk citrus and promote area wide spray program throughout all of the quarantine regions.

THE BARTLESON RANCH


Stuart A. Bartleson

CALIFORNIA CITRUS MUTUAL COMMENTS
CDFA SCOPING SESSIONS
PEST & DISEASE MANAGEMENT COMMITTEE RECOMMENDATIONS

At the April 27 California Citrus Mutual board meeting, directors reevaluated their position specific to recommended quarantine designations, mitigation steps both in terms of quantity and type, as well as enforcement steps.

Citrus Mutual has always believed that psyllid control is the best way to prevent the spread of HLB. That opinion was strongly reinforced via film interviews conducted in Florida and released during the Citrus Mutual Showcase, plus statements made by Florida growers at the Showcase and on several occasions in years past.

- 1) The Board believes the recommended quarantine districts are unacceptable. For example producers in Monterey County, depending upon the packing house location, are treated differently relative to mitigation requirements for moving fruit from one production area to another. Secondly we believe it is bad precedent to establish a quarantine area when pests are not present. We also believe that the broad designation relative to San Luis Obispo overly burdens specific producers, when it may not be warranted. We also believe that designating the entire San Joaquin Valley at this time, as one Q area creates more vulnerability for producers in production areas not infested with ACP. We are prepared to offer our recommendations to the committee, which are more balanced in terms of burdens and less vulnerable in terms of stopping the spread of ACP.
- 2) The Board believes that a tiered program should be established for moving fruit from one production area to another. The number of options should be implemented in inverse order of ACP population. Production areas designated with significant ACP populations would be allowed to move fruit into a less populated area, only with one mitigation step, wet wash or another designated tool as deemed appropriate by a scientific task force. An area with reduced population levels could have more than one mitigation step such as wet wash, dry brush or spray and move for example. Again, these recommendations are predicated upon concurrence by a scientific task force and pest control advisors.
- 3) CCM continues to support a mandated area wide spray program. We believe "safe havens" are afforded ACP if sprays in a designated area are not coordinated. The goal as stated above is psyllid control. Each area would have a coordinator that would monitor material used and designate time frame for the spray. This coordinated approach reduces psyllid populations, limits movement at a designated time and could provide flexibility for moving fruit from one production area to another. All Q areas would have area wide programs predicated on acreage and grower numbers.
- 4) Enforcement is/has been a struggle and more resources should be devoted to that component of the program. Producers are providing records to shippers for food safety reasons, residue issues and crop protection tool use among other things. The committee should require all packing houses to solicit pesticide use reports in accordance with area wide spray designations. The Committee should then allocate funds to County Commissioners for spot audits to determine adherence to the requirement of ACP spray. Commissioners should also be supported to enforce tarp requirements as necessary and other mandates originating with the Committee.



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

MARTIN SETTEVENDEMIE

AGRICULTURAL COMMISSIONER/SEALER

www.slocounty.ca.gov/agcomm

(805) 781-5910

FAX: (805) 781-1035

AgCommSLO@co.slo.ca.us

TO: California Department of Food & Agriculture, Citrus Pest & Disease Prevention Committee

FROM: Marty Settevendemie, San Luis Obispo County Agricultural Commissioner

DATE: May 13, 2016

SUBJECT: Asian Citrus Psyllid (ACP) Statewide Regional Quarantine

In response to the regional ACP quarantine boundaries recently proposed by the Statewide Quarantine Working Group, we would like to offer the following comments regarding the placement of San Luis Obispo County within a Coastal Region quarantine.

To the best of our knowledge, the working group's proposal that is still under consideration has San Luis Obispo County being placed in a Coastal Region that would include Santa Cruz, Monterey, San Luis Obispo, Santa Barbara, and Ventura counties.

We foresee numerous drawbacks with the placement of SLO County in this proposed Coastal Region:

- **CURRENT DESTINATION FOR SLO COUNTY GROWN BULK CITRUS:** nearly 85% of SLO County grown citrus is shipped and packed in the Central Valley. Based on the current regional ACP quarantine proposal, SLO County growers would have to wet wash their fruit prior to leaving the county, a process not currently utilized by local growers. This would cause delays in getting fruit to market and a significant increase in production costs, and could prove to be cost prohibitive for some growers.
- **ACP INFESTATION LEVELS:** Currently, San Luis Obispo County has a very low incidence of ACP, and each infestation detected has been treated per CDFA's treatment protocol. In SLO County, the general public has been very supportive and cooperative, with residential refusals of applications at less than 5%. By lumping SLO County in with Ventura County, which has a relatively high infestation level, it increases the likelihood of spreading the ACP infestation north since there will no longer be restrictions on fruit or equipment or harvesters as they travel from Ventura and Santa Barbara counties into the uninfested portions of the proposed Coastal region.
- **GEOGRAPHICAL BARRIERS:** the commercial citrus production areas in San Luis Obispo County are separated from those of Santa Barbara and Ventura by the Transverse Mountain Ranges preventing the natural movement of ACP from the south, but if the areas become linked in a regional quarantine and all restrictions are lifted on bulk citrus movement then the likelihood of ACP being inadvertently transported into SLO County (as well as Monterey and Santa Cruz counties) increases.

Thank you for your consideration of these concerns. We would strongly encourage the committee to make their recommendations based upon sound science and a thorough understanding of the general methods of insect movement throughout the state. Please contact me directly if you need any clarifications or would like further input on this topic.

Name: MARTIN COERT

Date: 5-13-16

Organization: SATICOY LEMON / GROWER

Email: martycoert@saticoylemon.com

Oral Comment: Yes / No

Phone (if no email): 805-990-2424

Written Comment:

① How will entities that do not follow regulations be treated? What levels of enforcement will be used?

② There are too many untreated trees in remote commercial areas that are not being addressed. These plants should be required to be removed.

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California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

COMMITTEE
N

Name: SCOTT WOODS

Date: 5/13/16

Organization: BEE SWEET CITRUS

Email: scottw@beesweetcitrus.com

Phone (if no email): 559-240 6887

Oral Comment: Yes / No

Written Comment: INDUSTRY'S PRIMARY ISSUES / CONCERNS = TO PREVENT
THE CREATION OF AN AVE FOR HOST MOVEMENT. SOME AREAS POSE
HIGHER RISK OF SPREADING ACP, DO NOT MAKE AN AVE
FROM MONTEREY TO SOUTHERN COUNTY, CONNECT ^{MONTEREY} SLD TO
CENTRAL VALLEY. WET WASH, DOES IT WORK? USE
SCIENCE NOT COMMITTEE MEMBERS WISHES.

California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Ally Giaketsis

Date: 5-13-16

Organization: Food Forward

Email: ally@foodforward.org

Phone (if no email): 805-630-2728

Oral Comment: Yes / No

Written Comment: Food Forward is an LA based non-profit that
harvests fruit from backyards, commercial orchards, as well
as collects produce from farmers markets. We work in LA, SB,
Ventura counties, mostly keeping fruit within counties, but
sometimes moving from LA ↔ Ventura ↔ Ventura ↔ SB.
Will we need to wash fruit in order to move donations →

from, say, Simi Valley to Chatsworth or
Carpinteria to Ventura?

California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Tom Mayhew

Date: 5-13-16

Organization: Oxnard Lemon

Email: ~~Tom Mayhew~~ tmayhew@oxnardlemon.com

Phone (if no email): _____

Oral Comment: Yes / No

Written Comment:

We are concerned about fruit coming from Coachella Valley and the need for washing. We bring quite a bit of fruit from area and feel if it needs to be washed, the Desert area doesn't have enough facilities to wash all needed fruit, and ~~we~~ will impact Ventura County packinghouses severely.

California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Debbie Larmon

Date: 5-13-11

Organization: Somis Pacific Ag

Email: debbielarmon@gmail.com

Oral Comment: Yes No

Phone (if no email): _____

Written Comment:

Who will regulate washing stations

Who will regulate tarping process

Name: Ron Whitehurst

Date: 4-13-16

Organization: Rincon-Vitova Insectaries

Email: ron@rinconvitova.com

Phone (if no email): _____

Oral Comment: Yes / No

Written Comment:

Our focus should be on growing healthy citrus not killing the psyllid. Organic Growers are producing healthy citrus in presence of the pest and disease, so HLB is not a death sentence. For details see attached.

California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Grant Leichtfuss

Date: 5/13/16

Organization: VILLA PARK

Email: grant@vpoa.net

Phone (if no email): _____

Oral Comment: Yes / No

Written Comment: I had a difficult time understanding the presenter. I'd suggest
using someone else if possible; perhaps using the presenter on the sidelines
to answer questions or provide additional expertise if needed. Also info was
provided at a slow rate. Suggest picking up the pace. Who is going
to police this process? How will this be enforced (tarping for
example).

California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Brett Kirkpatrick

Date: 5-13-16

Organization: Fillmore-Pisu Citrus

Email: brett@fpcitrus.com

Oral Comment: Yes / No

Phone (if no email): _____

Written Comment:

It makes no sense to allow nursery stock from areas of southern California into Ventura & Santa Barbara counties yet requiring bulk citrus to be washed. Selling citrus into HLB quarantine area is unfathomable. Also 150 day treatment window is too long.

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California Department of Food and Agriculture (CDFA)
Citrus Regulations Scoping Meeting
Comment Card

Name: Tom Mayhew

Date: 5-13-16

Organization: Oxnard Lemon Co.

Email: tmayhew@oxnardlemon.com

Phone (if no email): _____

Oral Comment: Yes / No

Written Comment:

I don't think that extending the treatment to 150 days
and then another possible 150 days with retreatment is
a good thing. It possibly allows mishandling of product
and possible spread of ACP and HLB.

H25

C&M Nursery supports the nursery proposal as it is currently presented in the power point presentation by CDFA on this day.(May 13, 2016). Much deliberation went into the details of the nursery industry proposal by the adhoc nursery committee. The regions for nursery movement as presented represent ACP movement risk factors as they exist today. As for the sale of citrus nursery stock at the retail level: we also support the current proposal for retail sale of CNS within the HLB quarantine area. The law as it stands now, (retail citrus stock only sold in an approved screen house) has created a large area of territory where citrus nursery stock is unavailable to consumers. The retail outlets where CNS in the HLB quarantine area is usually sold have dropped citrus from their sales inventory because of the inability to comply with the current screenhouse mandate. If HLB spreads from the current Q area, as scientist feel it most certainly will, the retailers will continue to drop citrus from their product line in the HLB expansion areas, creating a citrus nursery stock "desert" if you will. This will accentuate the acquiring of illegal propagated CNS by customers on line, swap meets,etc. which can worsen the real threat of infected HLB and other citrus diseases from the sale of illegally propagated CNS, verses the highly regulated stock that is shipped from licensed wholesale nurseries to those retail outlets that would have to drop the citrus from their sales inventory due to the currently unworkable HLB quarantine regulations. As proposed, CNS shipped to retail outlets legally by licensed wholesale citrus nurseries, the wholesaler would treat CNS destined for retail in the HLB Q area with department approved pesticide treatments, and the retailer would only have 150 days to sell the stock, and then after the period expires, retreat or destroy the stock by approved methods. 150 days should be ample time to sell the inventory; the current 90 day expiration period in the non HLB areas is not enough time to move the inventory. Pesticide studies have shown that at the highest legal rate of imidicloprid on one label (Admire Pro) the mortality levels of ACP in the citrus trees are achieved for 5 months (150 days). More studies have shown that sub lethal levels of imidicloprid in the citrus tree act as a feeding deterrent for ACP. That should mitigate concern that the retail citrus nursery stock is not safe from the infection of HLB from psyllid feeding during the 150 allowed sale period.

CANGC

~~BT~~ ~~BT~~

Brett Goad
C+M Nursery
5/13/16

Daniel W. Dreyer
PO BOX 335
Exeter, CA 93221

May 28, 2016

Keith Okasaki
Pest Exclusion
Department of Food and Agriculture
1220 N Street, Room 325
Sacramento, CA 95814

Re: Comments on Regional Quarantines

As a citrus producer in Tulare County, I continue to be very concerned with the threat of ACP and the potential disease HLB that it can spread. So concerned that I have become very involved with the program. First as a past board member of the Citrus Pest and Disease Prevention Program, and currently as a grower liaison representing the Northern Tulare County region in addition to currently sitting on the Citrus Research Board of California.

I have been to Florida and have seen the devastation personally, as a matter of fact; I have family who live there in the citrus producing regions. It is very sad what has happened to such a thriving juice industry.

The central valley of California continues to produce the finest quality eating oranges and mandarins of anywhere in the World. California citrus may very well be one of the last places on the Earth without HLB. If we wish to maintain this industry of fresh fruit production we must continue to keep the vector out of this region in order to allow sufficient time for the science community to come up with a solution to the bacterial disease. Adoption of the regional quarantine program allows this additional time.

As a grower liaison I have been very well informed of the past and current ACP finds within the region and State. The threat of HLB being moved from Southern California up to the Central Valley is a major concern. Aside from a couple of small breeding populations (Dinuba and Farmersville) which have successfully been eradicated by an effective treatment program, we still are basically psyllid free except for the occasional single finds which in my opinion are transient or hitchhikers riding up into the central valley on harvested fruit, juice fruit destined for the juice plants, orchard equipment or in personal vehicles. To my knowledge, all of these past ACP finds in the Central Valley have been tested to be negative for the disease. Not so for the Southern California ACP finds.

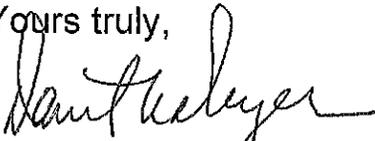
For the past few years we have implemented a "spray and move" or field cleaning program, which allows fruit to move from a quarantined region into a non-quarantined region. This program has been very expensive, time consuming and of great concern as this continued treatment with pyrethroid materials most likely will lead towards the development of resistance to these useful chemicals. Effective field cleaning is not realistic as it damages too much fruit in the process affecting the pack out and ultimate revenue for the growers. Growers are currently being faced with many additional costs. These are very difficult to pass along to the consumers.

I am a commercial grower. I wish to continue to produce citrus fruit in the future. I have been growing citrus for the past 30 years. Citrus production is my occupation. Through the proposed adoption of a regional quarantine program my fruit can move freely within a region without any form of mitigation. If a producer from another region must move their fruit from one producing region into another, they must comply with the compliance agreement rules. The industry science advisory committee has met numerous times over the past few years and has repeatedly recommended a wet wash treatment to mitigate the risk of transporting psyllids. This doesn't sound too difficult to understand. Wash the fruit, and then ship it. (Or pack it in the region where it is produced).

The inconvenience to some producers in the short-term will hopefully allow the science community to develop treatments or solutions to this devastating disease.

Thank you for your consideration.

Yours truly,

A handwritten signature in cursive script, appearing to read "Daniel W. Dreyer".

Daniel W. Dreyer



COUNTY OF SAN BENITO

KAREN OVERSTREET AGRICULTURAL COMMISSIONER and SEALER OF WEIGHTS & MEASURES
3224 Southside Road, P O Box 699, Hollister, CA 95024-0699 Telephone (831) 637-5344 * Fax (831) 637-9015

June 29, 2016

Keith Okasaki
Pest Exclusion
California Department of Food and Agriculture
1220 N St., Room 325
Sacramento, CA 95814

Keith Okasaki,

Preventing the spread of the Asian citrus and huanglongbing throughout the state is of utmost importance and I fully support concept of regional quarantine zones. I do however believe it would be more appropriate to include San Benito County in the San Joaquin Valley quarantine region rather than the Bay Area region.

San Benito County has had four separate Asian citrus psyllids detections over the past 15 months. All were of a single psyllid and all were found on delimitation traps located in residential neighborhoods. With each new find, it was not necessary to expand the quarantine area. Currently, there are 490 delimitation traps in place which basically covers the city of Hollister.

San Benito County is not a large citrus county. There is only one citrus nursery and one bulk commodity citrus grower. The citrus nursery is located outside of the County quarantine area and adjacent to unregulated Santa Cruz County. The commodity grower is situated on the southern, outer edge of the County quarantine area. There are no viable options to accomplish the proposed wet wash protocol for the movement of bulk commodity citrus.

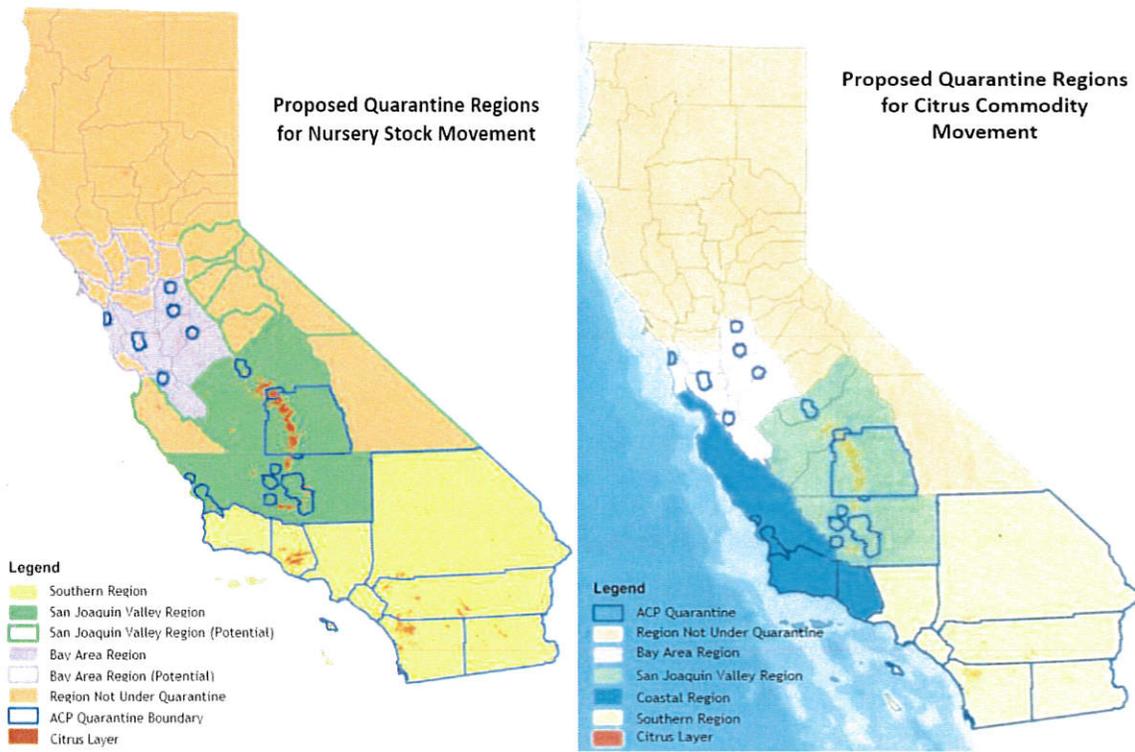
San Benito County is far more similar to the San Joaquin Valley than the greater Bay Area region. Like the San Joaquin Valley, agriculture is still the number one industry compared to hospitality, tourism and information technologies of the greater Bay area. Population density of San Benito County is only 40 persons per square mile which is more comparable to the San Joaquin Valley than the greater Bay area. There are only two main highways that pass through the County, CA 156 and CA 25. On the proposed bulk commodity regions, San Benito County is adjacent to the San Joaquin Valley region on two sides and is bordered on three sides in the proposed nursery map. I don't believe the movement of a shipment of lemons from San Benito County into the adjacent San Joaquin Valley Area poses an unacceptable risk.

Please accept this letter as a formal request to have San Benito County included in the San Joaquin Valley Region of the proposed Asian citrus psyllid quarantine zones.

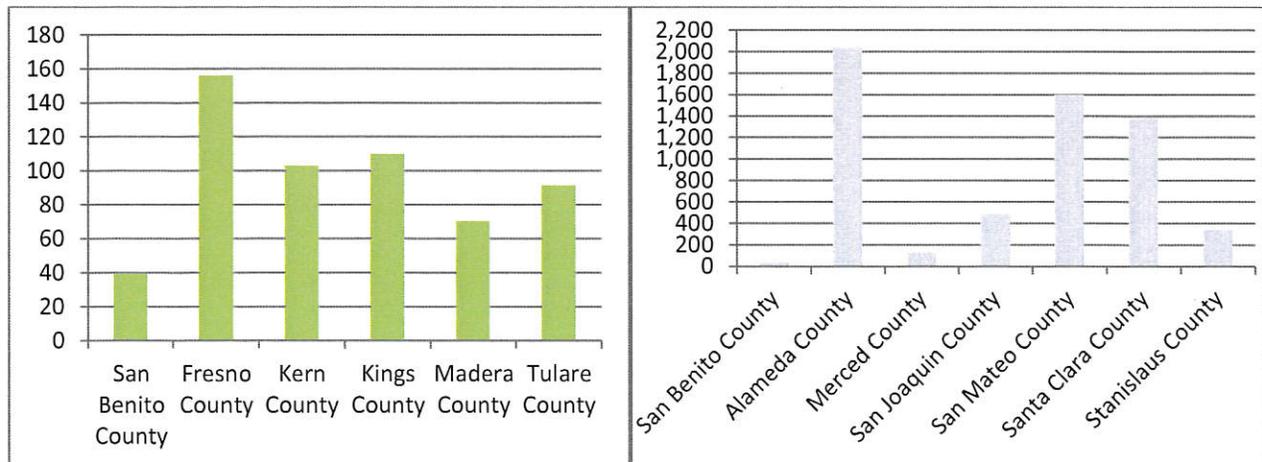
Sincerely,

Karen Overstreet

Proposed Citrus Nursery Stock Commodity Movement Quarantine Regions



Population Density Comparison



San Joaquin Valley Region

Bay Area Region

Less San Francisco City/County
(17,179 Population Per Sq. Mile)



Rayne Thompson
Director, Government Affairs
& Public Policy

Sunkist Growers
1201 K st., Suite 800
Sacramento, CA 95814
Tel: (916) 802-0213
rthompson@sunkistgrowers.com

June 29, 2016

Email to: Keith.okasaki@cdfa.ca.gov

Keith Okasaki
Pest Exclusion
Department of Food and Agriculture

Re: ACP Scoping Proposal

Dear Mr. Okasaki:

Sunkist Growers is writing in response to the proposed changes to regulating the movement of nursery stock and citrus fruit through-out California. Though we support the department continuously reevaluating how the program could be more effective in controlling the spread of ACP and HLB we have a couple concerns with the proposed changes. Those concerns/comments are as follows:

- "Spray and move" may be an effective tool in reducing ACP populations and eliminating it from the regulation may cause further spread of the pest and disease. One alternative is requiring "spray and move" in areas where ACP populations are not as widely spread (i.e. Valley and Coast). This could keep the pest populations down and from spreading to other areas. In other regions where the pest is known to be established other management practices could be employed and potentially the "spray and move" option would not be required.
- Our greatest concern with the proposal is the program would be deemed a "statewide" quarantine, which would reduce federal funding for the program. The pest and disease are not widely spread through-out the state to justify giving up the program and leaving it to state and local governments, and industry to regulate. CDFA is reliant on these federal funds to eradicate and control the spread of the pest and disease. Currently the HLB disease is limited to a few urban areas in California, which still illustrates the potential to ensure the disease does not spread into production areas. Without Federal funding the



program would become ineffective and both the pest and disease would spread to an unmanageable level in California.

- The proposed quarantine regions should be revisited to define areas where ACP is starting to be found. The current proposal includes large swaths of area where there are no ACP finds. In much of the Valley and Coast ACP has not been found.

I look forward to working with you on this program. Feel free to call me with any questions or concerns.

Sincerely,

Rayne Thompson

Director, Government Relations

July 6, 2016

Tye Lompa
Lompa Farms
5031 Southside Rd
Hollister, CA 95023

Keith Okasaki
Pest Exclusion
CDFA
1220 N St. Room 325
Sacramento, CA 95814

Re: Asian Citrus Psyllid Quarantine Zones

Dear Mr. Okasaki,

I am writing to you today regarding the proposed regional quarantine zones for California citrus.

As you may know I am the only commercial citrus grower in San Benito County and no psyllid has been detected in or near my lemon orchard.

I very much appreciate the need to prevent the spread of this threat to the industry, and therefore have been in strict compliance with the current spray and tarp regulations; a considerable expense added to a budget with very slight margins.

While I do not oppose the formation of regional quarantine zones, I do disagree with the proposal that San Benito County be included in the Bay Area Region. I believe that it would be much more reasonable to include SBC in the San Joaquin Valley Region, especially if the "wet wash" requirement is adopted, as there is no viable avenue to accomplish this in the Bay Area without significantly compromising the quality and therefore the marketability of the fruit.

I do not believe that including San Benito County in the San Joaquin Valley Region would propose any threat with regard to spreading the citrus psyllid, but I do know that including it in the Bay Area Region would effectively shut down my operation. My fruit needs to move South because there are no commercial packing facilities to the North.

Therefore I respectfully request that you support a position recommending that San Benito County be included in the San Joaquin Valley Region, should new regulations be adopted.

I thank you in advance for your support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tye Lompa', with a large, stylized flourish extending to the right.

Tye Lompa
Lemon Grower
San Benito County