

FOR INFORMATION AND ACTION

DA-2016-57

October 3, 2016

Subject: APHIS Amends Karnal Bunt (*Tilletia indica* (Mitra) Mundkur) Regulated Areas in Maricopa and Pinal Counties, Arizona

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is amending the Karnal bunt regulated areas in Maricopa and Pinal Counties in Arizona. Specifically, it reduces the regulated area in Maricopa County and increases the regulated area in Pinal County.

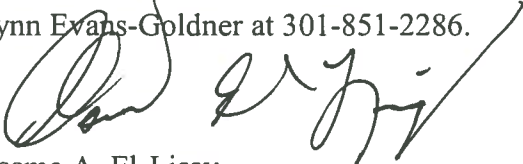
Following a review of available information, APHIS determined that 131 fields qualify for deregulation in accordance with the criteria listed in 7 *Code of Federal Regulations* (CFR) § 301.89-3(f). Accordingly, restrictions are no longer required on the interstate movement of Karnal bunt regulated articles from these areas. Specifically, APHIS is removing a total of 5,189 acres from the list of regulated areas in Maricopa County, Arizona, including 1,612 acres of tribal land.

In addition, APHIS is adding 12,292 field acres in Pinal County, Arizona, to the Karnal bunt regulated area in response to the detection of 36 Karnal bunt-positive fields. The additional area in the county includes 4,071 acres in the Queen Creek area and 8,221 acres, which includes 1,741 acres of tribal land, in the Maricopa area. Following the completion of field surveys of Karnal bunt regulated areas, we have determined that these fields meet the criteria for regulation outlined in 7 CFR § 301.89-3(e).

APHIS is taking this regulatory action to prevent the spread of Karnal bunt from Arizona. Karnal bunt is a pest that affects wheat quality; however, APHIS regulates this plant disease because many trading partners require that U.S. wheat be certified as grown in areas free of Karnal bunt. APHIS will follow this emergency action with the publication of an interim rule in the *Federal Register*. The Karnal bunt regulations can be found at the following website:

<http://www.aphis.usda.gov/plant-health/kb>

For additional information about the Karnal Bunt Program, please call National Policy Manager Lynn Evans-Goldner at 301-851-2286.



Osama A. El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER
Domestic Quarantine for
Karnal Bunt (*Tilletia indica* (Mitra)) Mundkur

DA-2016-57
October 3, 2016

This Federal Order amends the Karnal bunt regulated areas in Arizona. Specifically, it reduces the regulated area in Maricopa County and increases the regulated area in Pinal County.

This Federal Order is issued in accordance with the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a). The Act authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article, if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States and is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 *Code of Federal Regulations* (CFR) § 301.89 et. seq.

Section 7 CFR § 301.89-3(b) allows the designation of less than an entire state as a Karnal bunt regulated area only when the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined, as in this case, that the designation of less than an entire state as a regulated Karnal bunt area is adequate to prevent the interstate spread of infestations of Karnal bunt. In addition, 7 CFR § 301.89-3(a) requires that the State enforces an intrastate Karnal bunt quarantine that is equivalent to the Federal Karnal bunt regulations. The State Plant Regulatory Official for Arizona has confirmed the establishment of an intrastate quarantine area for Karnal bunt that mirrors the Federal regulatory requirements as specified in 7 CFR § 301.89.

Section 7 CFR § 301.89-3(d) provides for the temporary designation of new regulated areas pending publication of a rule to add the new areas to the list shown in 7 CFR § 301.89-3(g). Section 7 CFR § 301.89-3(d) further requires written notification be given to the owner or person in possession of a newly quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the Karnal bunt program in the affected state.

This Federal Order updates the regulated areas in Arizona designated in the Federal regulations located at 7 CFR § 301.89-3(g), and updates and replaces Federal Order (DA-2011-69) issued December 6, 2011, as well as Federal Order (DA-2013-51) issued November 22, 2013.

Following a review of all available information, APHIS has determined that 131 fields qualify for deregulation in accordance with the criteria listed in 7 CFR § 301.89-3(f). Accordingly, restrictions are no longer required on the interstate movement of Karnal bunt regulated articles

from these areas. Specifically, APHIS is removing a total of 5,189 field acres from the list of regulated areas in Maricopa County, Arizona, including 1,612 acres of tribal land.

In addition, APHIS is adding 12,292 field acres in Pinal County to the Karnal bunt regulated area in response to the detection of 36 Karnal bunt-positive fields. The additional area in the county includes 4,071 acres in the Queen Creek area and 8,221 acres, which includes 1,741 acres of tribal land, in the Maricopa area. Following the completion of field surveys of Karnal bunt regulated areas, we have determined that these fields meet the criteria for regulation outlined in 7 CFR § 301.89-3(e).

We continue to appreciate the cooperative relationship with the State regulatory officials, Native American tribes in Arizona, and the wheat industry in our effort to prevent the spread of Karnal bunt.

For more information on the Karnal Bunt Program, please call National Policy Manager Lynn Evans-Goldner at 301-851-2286.

Quarantine Boundaries – Arizona

Update § 301.89-3(g) Arizona, La Paz County, as follows:

La Paz County. Beginning at the northeast corner of sec. 24, T. 8 N., R. 21 W.; then south to the southeast corner of sec. 1, T. 7 N., R. 21 W.; then east to the northeast corner of sec. 7, T. 7 N., R. 20 W.; then south to the southeast corner of sec. 19, T. 7 N., R. 20 W.; then west to the southwest corner of sec. 19, T. 7 N., R. 20 W.; then south to the southeast corner of sec. 36, T. 7 N., R. 21 W.; then west to the southwest corner of sec. 36, T. 7 N., R. 21 W.; then south to the southeast corner of sec. 2, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 2, T. 6 N., R. 21 W.; then south to the southeast corner of sec. 10, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 8, T. 6 N., R. 21 W.; then north to the southwest corner of sec. 5, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 6, T. 6 N., R. 21 W.; then north to the northwest corner of sec. 6, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 36, T. 7 N., R. 22 W., then north to the northwest corner of sec. 24, T. 7 N., R. 22 W.; then east to the northeast corner of sec. 24, T. 7 N., R. 22 W.; then north from that point to the Colorado River; then northeast along the Colorado River to the northern boundary of sec. 21 T. 8 N., R. 21 W.; then east to the point of beginning.

Update § 301.89-3(g) Arizona, Maricopa County, paragraph (1), as follows:

(1) Beginning at the southeast corner of sec. 4, T. 1 S., R. 1 E.; then west to the northeast corner of sec. 7, T. 1 S., R. 1 W.; then south to the southeast corner of sec. 7, T. 1 S., R. 1 W.; then west to the southwest corner of sec. 9, T. 1 S., R. 2 W.; then north to the northwest corner of sec. 9, T. 1 S., R. 2 W.; then west to the southwest corner of sec. 5, T. 1 S., R. 2 W.; then north to the northwest corner of sec. 5, T. 1 S., R. 2 W.; then west to the northeast corner of sec. 1, T. 1 S., R. 3 W.; then south to the southeast corner of sec. 12, T. 1 S., R. 3 W.; then west to the northeast

corner of sec. 15, T. 1 S., R. 3 W.; then south to the southeast corner of sec. 15, T. 1 S., R. 3 W.; then west to the southwest corner of sec. 18, T. 1 S., R. 3 W.; then north to the northwest corner of sec. 18, T. 1 S., R. 3 W.; then west to the southwest corner of sec. 12, T.1 S., R.4 W.; then north to the northwest corner of sec. 24, T.1 N., R. 4 W.; then east to the northeast corner of sec. 24, T. 1 N., R. 4 W.; then north to the northwest corner of sec. 18, T.1 N., R.3 W.; then east to the northeast corner of sec. 14, T.1 N, R. 3 W.; then south to the southeast corner of sec. 14, T.1 N., R.3 W.; then east to the northeast corner of sec. 24, T.1 N., R.3 W.; then south to the southeast corner of sec. 24, T.1 N., R.3 W.; then east to the southwest corner of sec. 20 T. 1 N., R. 2 W.; then north to the northwest corner of sec. 8, T.1 N., R.2 W.; then east to the northeast corner of sec. 12, T.1 N, R.2 W.; then south to the southeast corner of sec. 12, T.1 N., R.2 W.; then east to the northeast corner of sec. 15, T.1 N., R.1 W.; then north to the northwest corner of sec.2, T.2 N., R.1 W.; then east to the northeast corner of sec. 2, T. 2 N., R.1 W.; then north to the northwest corner of sec.36, T.3 N., R.1 W.; then east to the northeast corner of sec. 33, T.3 N, R. 1 E.; then south to the southeast corner of sec. 33, T.3 N. R. 1 E.; then east to the northeast corner of sec. 3, T.2 N., R.1 E.; then south to the northwest corner of sec. 35, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 35, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 14, T. 1 N., R. 1 E.; then west to the southwest corner of sec. 15, T. 1 N., R. 1 E.; then south to the point of beginning.

Update § 301.89-3(g) Arizona, Maricopa County, paragraph (2), as follows:

(2) Beginning at the intersection of the Maricopa/Pinal County line and the southeast corner of sec. 36, T. 2 S., R. 7 E.; then west along the Maricopa/Pinal County line to the southwest corner of sec. 33, T. 2 S., R. 7 E.; then north to the northwest corner of sec. 21, T. 2S., R. 7 E.; then east to the northeast corner of sec. 21, T. 2S., R. 7 E.; then north to the northwest corner of sec. 3, T. 2 S., R. 7 E.; then east to the northeast corner of sec. 3, T. 2 S., R. 7 E.; then north to the northwest corner of sec. 35, T. 1 S., R. 7 E.; then east to the northeast corner of sec. 36, T. 1 S., R. 7 E. and the Maricopa/Pinal County line; then south along the Maricopa/Pinal County line to the point of beginning.

Update § 301.89-3(g) Arizona, Maricopa County, paragraph (3), as follows:

(3) Beginning at the southeast corner of sec. 14, T. 6 S., R. 6 W.; then west to the southwest corner of sec. 17, T. 6 S., R. 7 W.; then north to the northeast corner of sec. 6, T. 6 S., R. 7 W.; then west to the southeast corner of sec. 31, T. 5 S., R. 7 W.; then north to the northwest corner of sec. 29, T. 5 S., R. 7 W.; then east to the northeast corner of sec. 29, T. 5 S., R.7 W.; then east to the southwest corner of sec. 22, T. 5 S., R. 7 W.; then north to northwest corner of sec. 22, T. 5 S., R. 7 W.; then east to the southwest corner of sec. 14, T. 5 S., R. 7 W.; then north to the northwest corner of sec. 14, T. 5 S., R. 7 W.; then east to the northeast corner of sec. 13, T. 5 S., R. 6 W.; then south to the southeast corner of sec. 36, T. 5 S., R. 6 W.; then east to the northeast corner of sec. 1, T. 6 S., R. 6 W.; then south to the south east corner of sec. 1, T. 6 S., R. 6 W.; then west to the southwest corner of sec. 1, T. 6 S., R. 6 W.; then south to the point of beginning.

Update § 301.89-3(g) Arizona, Maricopa County, paragraph (4), as follows:

(4) Beginning at the southeast corner of sec. 35, T. 2 N., R. 5 E.; then west to the northeast corner of sec. 4, T. 1 N., R. 5 E.; then south to the southeast corner of sec. 4, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 4, T. 1 N., R. 5 E.; then south to the southeast corner of sec. 17, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 17, T. 1 N., R. 5 E.; then north to the northwest corner of sec. 17, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 12, T. 1 N., R. 4 E.; then north to the northwest corner of sec. 12, T. 1 N., R. 4 E.; then east to northeast corner of sec. 12, T. 1 N., R. 4 E.; then north to the northwest corner of sec. 18, T. 2 N., R. 5 E.; then east to the northeast corner of sec. 14, T. 2 N., R. 5 E.; then south to the point of beginning.

Update § 301.89-3(g) Arizona, Maricopa County, paragraph (5), as follows:

(5) Beginning at the southeast corner of sec. 33, T. 2 S., R. 6 E.; then west along the Maricopa/Pinal County line to the southwest corner of sec. 33, T. 2 S., R. 5 E.; then north to the northwest corner of sec. 9, T. 2 S., R. 5 E.; then west to the southwest corner of sec. 5, T. 2 S., R. 5 E.; then north to the northwest corner of sec. 5, T. 2 S., R. 5 E.; then east to the northeast corner of sec. 5, T. 2 S., R. 5 E.; then north to the northwest corner of sec. 33, T. 1 S., R. 5 E.; then east to the northeast corner of sec. 33, T. 1 S., R. 5 E.; then north to the northwest corner of sec. 27, T. 1 S., R. 5 E.; then east to the northeast corner of sec. 27, T. 1 S., R. 5 E.; then north to the northwest corner of sec. 23, T. 1 S., R. 5 E.; then east to the northeast corner of sec. 21, T. 1 S., R. 6 E.; then south to the southeast corner of sec. 28, T. 1 S., R. 6 E.; then east to the northeast corner of sec. 34, T. 1 S., R. 6 E.; then south to the southeast corner of sec. 10, T. 2 S., R. 6 E.; then west to the southeast corner of sec. 9, T. 2 S., R. 6 E.; then south to the point of beginning, the Maricopa/Pinal County line.

Update § 301.89-3(g) Arizona, Maricopa County, by adding paragraph (6), as follows:

(6) Beginning at the southeast corner of sec. 32, T. 2 N., R. 1 W.; then west to the southwest corner of sec. 34, T. 2 N., R. 2 W.; then north to the southeast corner of sec. 21, T. 2 N., R. 2 W.; then west to the southwest corner of sec. 21, T. 2 N., R. 2 W.; then north to the northwest corner of sec. 21, T. 2 N., R. 2 W.; then east to the northeast corner of sec. 21, T. 2 N., R. 2 W.; then north to the northwest corner of sec. 3, T. 3 N., R. 2 W.; then east to the northeast corner of sec. 4, T. 3 N., R. 1 W.; then south to the southeast corner of sec. 4, T. 3 N., R. 1 W.; then east to the northeast corner of sec. 10, T. 3 N., R. 1 W.; then south to the southeast corner of sec. 27, T. 3 N., R. 1 W.; then west to the southwest corner of sec. 27, T. 3 N., R. 1 W.; then south to the southeast corner of sec. 33, T. 3 N., R. 1 W.; then west to the southwest corner of sec. 33, T. 3 N., R. 1 W.; then south to the point of beginning.

Update § 301.89-3(g) Arizona, Maricopa County, by adding paragraph (7), as follows:

(7) Beginning at the southeast corner of sec. 27, T. 1 S., R. 4 W.; then west to the southwest corner of sec. 27, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 22, T. 1 S., R. 5 W.; then east to the northeast corner of sec. 22, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 26, T. 1 N., R. 5 W.; then east to the northeast corner of sec. 26, T. 1 N., R. 5 W.; then north to the northwest corner of sec. 13, T. 1 N., R. 5 W.; then east to the northeast corner of sec. 16, T.

1 N., R. 4 W.; then south to the southeast corner of sec. 16, T.1 N., R.4 W.; then east to the northeast corner of sec. 22, T.1 N, R.4 W then south to the point of beginning.

Update § 301.89-3(g) Arizona, Pinal County, paragraph (1), as follows:

(1) Beginning at the intersection of the Maricopa/Pinal County line and the northwest corner of sec. 7, T. 2 S., R. 8 E.; then east to the northeast corner of sec. 9, T. 2 S., R. 8 E.; then south to the southeast corner of sec. 16, T. 2 S., R. 8 E.; then east to the northeast corner of sec. 23, T. 2 S., R. 8 E.; then south to the southeast corner of sec. 14, T. 3 S., R. 8 E.; then west to the southwest corner of sec.18, T. 3 S., R. 8 E.; then north to the northwest corner of sec. 18, T. 3 S., R. 8 E.; then west to the southwest corner of sec. 12, T 3 S., R. 7 E.; then north to the southeast corner of sec. 2, T. 3 S., R. 7 E.; then west to the southwest corner of sec. 3, T. 3 S., R. 7 E.; then north to the northwest corner of sec. 3, T. 3 S., R. 7 E. and the intersection of the Maricopa/Pinal County line; then east along the Maricopa/Pinal County line to the northeast corner of sec. 1, T. 3 S., R. 7 E. and ; then north along the Maricopa/Pinal County line to the point of beginning.

Update § 301.89-3(g) Arizona, Pinal County, paragraph (2), as follows:

(2) Beginning at the southeast corner of sec. 3, T. 6 S., R. 4 E.; then west to the southwest corner of sec. 1, T. 6 S., R. 3 E.; then south to the southeast corner of sec. 11, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 11, T. 6 S., R. 3 E.; then south to the southeast corner of sec. 22, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 19, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 13, T. 6 S., R. 2 E.; then west to the southwest corner of sec. 13, T. 6 S., R. 2 E.; then north to the southeast corner of sec. 26, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 26, T. 5 S., R. 2 E.; then north to the southeast corner of sec. 10, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 10, T. 5 S., R. 2 E.; then north to the northwest corner of sec. 27, T. 4 S., R. 2 E.; then east to the northeast corner of sec. 27, T. 4 S., R. 2 E.; then north to the northwest corner of sec. 14, T. 4 S., R. 2 E.; then east to the northeast corner of sec. 18, T. 4 S., R. 3 E.; then follow the section line north to the northwest corner of sec. 8, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 9, T. 4 S., R. 3 E.; then south to the southeast corner of sec. 9, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 15, T. 4 S., R. 3 E.; then south to the southeast corner of sec. 22, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 25, T. 4 S., R. 3 E.; then south to the southeast corner of sec. 25, T. 4 S., R. 3 E.; then east to the southwest corner of sec. 28, T. 4 S., R. 4 E.; then north to the northwest corner of sec. 28, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 28, T. 4 S., R. 4 E.; then south to the southeast corner of sec. 28, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 35, T. 4 S., R. 4 E.; then south to the northwest corner of sec. 1, T. 5 S., R. 4 E.; then east to the northeast corner of sec. 1, T. 5 S., R. 4 E.; then south to the southeast corner of sec. 1, T. 5 S., R. 4 E.; then west to the northeast corner of sec. 12, T. 5 S., R. 4 E.; then south to the southeast corner of sec. 36, T. 5 S., R. 4 E.; then west to the northeast corner of sec. 3, T. 6 S., R. 4 E.; then south to the point of beginning.

Update § 301.89-3(g) Arizona, Pinal County, paragraph (3), as follows:

(3) Beginning at the intersection of the Maricopa/Pinal County line and the northeast corner of sec. 4, T. 3 S., R. 6 E.; then south to the southeast corner of sec. 28, T. 3 S., R. 6 E.; then west to the southwest corner of sec. 28, T. 3 S., R. 6 E.; then south to the southeast corner of sec. 32, T. 3 S., R. 6 E.; then west to the southwest corner of sec. 35, T. 3 S., R. 5 E.; then north to the northwest corner of sec. 26, T. 3 S., R. 5 E.; then west to the southwest corner of sec. 22, T. 3 S., R. 5 E.; then north to the northwest corner of sec. 10, T. 3 S., R. 5 E.; then west to the southwest corner of sec. 4, T. 3 S., R. 5 E.; then north to the northwest corner of sec. 4, T. 3 S., R. 5 E.; then east along the Maricopa/Pinal County line to the point of beginning.