

FOR INFORMATION AND ACTION
DA-2022-04
February 2, 2022

Subject: APHIS Amends Karnal Bunt (*Tilletia indica*) Regulated Areas in Maricopa and Pinal Counties in 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.

Following a review of the results of the 2021 survey of Karnal bunt-regulated areas and updates to the United States Geological Survey, Public Land Survey System (PLSS), APHIS is reducing the regulated area in Maricopa and Pinal Counties in accordance with the criteria listed in 7 Code of Federal Regulations (CFR) § 301.89-3(f). Specifically, APHIS is removing 4,236 field acres from Maricopa County and 16,717 field acres from Pinal County from the list of regulated areas. This includes 2,063 field acres on Ak-Chin Tribal land and 488 field acres on Gila River Tribal land. Accordingly, there are no more restrictions on the interstate movement of Karnal bunt-regulated articles from these areas. However, other portions of Maricopa and Pinal Counties remain regulated.

APHIS is making two additional changes to the list of regulated areas, but not because of a detection of Karnal bunt. First, APHIS is adding one field (one field acre) in Maricopa County to the list of regulated areas. We have determined that this field meets the criteria for regulation outlined in 7 CFR § 301.89-3(e). This amendment is made because of updates to the United States Geological Survey's Public Land Survey System. Second, APHIS is amending the description of a regulated area in the Peoria area of Maricopa County, Arizona, to clarify the legal description.

APHIS is taking these regulatory actions to prevent the spread of Karnal bunt from Arizona. Karnal bunt is a pest that affects wheat quality. 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 by publishing an interim rule in the *Federal Register*.

More information on Karnal bunt is available 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.



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Plant Protection and Quarantine

Attachment: Federal Order

**United States Department of Agriculture
Animal Plant Health Inspection Service
Plant Protection and Quarantine**

Federal Order

**Domestic Quarantine for
Karnal Bunt (*Tilletia indica*)**

DA-2022-04
February 2, 2022

This Federal Order amends the Karnal bunt-regulated areas in Maricopa and Pinal Counties in Arizona. Specifically, it reduces the overall regulated areas in Maricopa and Pinal Counties; and clarifies the description of a regulated area located in the Peoria area of Maricopa County, Arizona.

This Federal Order is issued pursuant to the authority provided by the Plant Protection Act of June 20, 2000, 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. The regulatory authority provided by 7 U.S.C. 7754 allows the Secretary to issue orders to carry out this provision of the Plant Protection Act. This Federal Order is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 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 is adequate to prevent the interstate spread of Karnal bunt. In addition, 7 CFR § 301.89-3(b)(1)(i) requires that the state enforce an intrastate Karnal bunt quarantine that is equivalent to federal Karnal bunt regulations. The Arizona State Plant Regulatory Official 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 the federal and/or state regulatory personnel responsible for the Karnal bunt program in the affected state to give written notification to the owner or person in possession of a newly quarantined area.

This Federal Order updates and replaces the regulated areas in Arizona designated in the Code of Federal Regulations located at 7 CFR § 301.89-3(g), and replaces Federal Order (DA-2011-69) issued December 6, 2011, Federal Order (DA-2013-51) issued November 22, 2013, Federal Order (DA-2016-57) issued October 3, 2016, Federal Order (DA-2017-08) issued April 11, 2017, Federal Order (DA-2018-09) issued April 5, 2018, Federal Order (DA-2019-08) issued

May 8, 2019, Federal Order (DA-2020-04) issued February 4, 2020, and Federal Order (DA-2021-27) issued October 22, 2021. This Federal Order does not negate the removal of wheat, durum wheat, and triticale harvested for silage from the list of regulated articles listed at 7 CFR § 301.89-2 as presented in Federal Order (DA-2017-08).

Following a review of all available information, APHIS determined that 20,953 field acres qualify for deregulation in accordance with the criteria listed in 7 CFR § 301.89-3(f). Specifically, APHIS is removing 4,236 field acres from Maricopa County and 16,717 field acres from Pinal County from the list of regulated areas. This includes 2,063 of the field acres on Ak-Chin Tribal land and 488 field acres on Gila River Tribal land. Accordingly, there are no APHIS restrictions on the interstate movement of Karnal bunt-regulated articles from these areas.

APHIS is making two additional changes to the list of regulated areas, but not because of a detection of Karnal bunt. First, APHIS is adding one field (one field acre) in Maricopa County to the list of regulated areas. We have determined that this field meets the criteria for regulation outlined in 7 CFR § 301.89-3(e). This amendment is made because of updates to the United States Geological Survey's Public Land Survey System. Second, APHIS is amending the description of a regulated area in the Peoria area of Maricopa County, Arizona, to clarify the legal description.

Regulated areas § 301.89-3 (g).

Arizona

La Paz County. Beginning at the northeast corner of sec. 36, 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. 32, T. 7 N., R. 21 W.; then north to the northwest corner of sec. 32, T. 7 N., R. 21 W.; then west to the southwest corner of sec. 30, T. 7 N., R. 21 W.; then north from that point to the Colorado River; then northeast along the Colorado River to the northern boundary of sec. 32 T. 8 N., R. 21 W.; then east to the point of beginning.

Maricopa County. (1) Beginning at the southeast corner of sec. 21, T. 1 N., R. 1 E.; then west to the southwest corner of sec. 24, T. 1 N., R. 1 W.; then north to the southeast corner of sec. 14, T. 1 N., R. 1 W.; then west to the southwest corner of sec. 14, T. 1 N., R. 1 W.; then north to the northwest corner of sec. 35, T. 2 N., R. 1 W.; then east to the northeast corner of sec. 35, T. 2 N., R. 1 W.; then north to the northwest corner of sec. 25, T. 2 N., R. 1 W.; then east to the southwest corner of sec. 20, T. 2 N., R. 1 E.; then north to the northwest corner of sec. 20, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 21, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 21, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 27, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 27, 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.

(2) Beginning at the southeast corner of sec. 4, T. 1 S., R. 1 W.; 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 east to the southwest corner of sec. 33, T. 1 N., R. 2 W.; then north to the northwest corner of sec. 21, T.1 N., R.2 W.; then east to the northeast corner of sec. 22, T.1 N, R.2 W.; then north to the northwest corner of sec. 14, T.1 N., R.2 W.; then east to the northeast corner of sec. 14, T.1 N., R.2 W.; then south to the southeast corner of sec. 14, T.1 N., R.2 W.; then east to the northeast corner of sec. 20, T.1 N., R.1 W.; then south to the southeast corner of sec. 20, T.1 N., R.1 W.; then east to the northeast corner of sec. 28, T.1 N., R.1 W.; then south to the point of beginning.

(3) 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.

(4) 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. 34, T. 3 N., R. 2 W.; then east to the northeast corner of sec. 32, T. 3 N., R. 1 W.; then south to the point of beginning.

(5) 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. 29, T. 1 N., R. 4 W.; then south to the southeast corner of sec. 29, T.1 N., R. 4 W.; then east to the northeast corner of sec. 33, T. 1 N., R. 4 W.; then south to the southeast corner of sec. 33, T. 1 N, R. 4 W.; then east to the northeast corner of sec. 3, T. 1 S., R. 4 W.; then south to the point of beginning.

Pinal County: (1) Beginning at the southeast corner of sec. 4, T. 6 S., R. 4 E.; then west to the southwest corner of sec. 4, T. 6 S., R. 4 E.; then south to the southeast corner of sec. 17, T. 6 S., R. 4 E.; then west to the southwest corner of sec. 16, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 5, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 6, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 31, T. 5 S., R. 3 E.; then west to the southwest corner of sec. 31, T. 5 S., R. 3 E.; then north to the southeast corner of sec. 24, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 24, T. 5 S., R. 2 E.; then north to the northwest corner of sec. 1, T. 5 S., R. 2 E.; then east to the southwest corner of sec. 31, T. 4 S., R. 3 E.; then north to the northwest corner of sec. 30, T. 4 S., R. 3E.; then east to the southwest corner of sec. 20, T. 4 S.,

R. 3E.; then north to the northwest corner of sec. 20, T. 4 S., R. 3E.; then east to the northeast corner of sec. 19, T. 4 S., R. 4 E.; then south to the northwest corner of sec. 32, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 32, T. 4 S., R. 4 E.; then south to the northwest corner of sec. 21, , T. 5 S., R. 4 E.; then east to the northeast corner of sec. 21, , T. 5 S., R. 4 E.; then south to the northwest corner of sec. 4, T. 6 S., R. 4 E.; then east to the northeast corner of sec. 4, T. 6 S., R. 4 E.; then south to the point of beginning.

(2) 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. 3, T. 3 S., R. 5 E.; then east along the Maricopa/Pinal County line to the point of beginning.

We appreciate the cooperative relationship with the state regulatory officials, Colorado River Indian Tribes, Ak-Chin Indian Community, Gila River Indian Community, the Salt River Pima Maricopa Indian Community, 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.