

1 BEFORE THE BOARD OF SUPERVISORS OF THE
2 COUNTY OF FRESNO, STATE OF CALIFORNIA

3 In the Matter of

Resolution No.: 25-098

4 BOARD OF SUPERVISORS

RESOLUTION OF THE BOARD OF
SUPERVISORS OF FRESNO COUNTY
RATIFYING THE DECLARATION OF A
LOCAL EMERGENCY (BEET
LEAFHOPPER/CURLY TOP VIRUS)

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7 WHEREAS, the California Emergency Services Act (Government Code section 8630, *et*.
8 *seq.*) establishes procedures for proclaiming emergencies and for responding promptly to the
9 needs that arise during emergencies; and

10 WHEREAS, under section 2.44.050 of the Fresno County Ordinance Code, the County
11 Administrative Officer is authorized as the Director of Emergency Services of the County; and

12 WHEREAS, section 2.44.060 of the Fresno County Ordinance Code and Section 8630 of
13 the Government Code empower the County Administrative Officer acting as the Director of
14 Emergency Services of the County to proclaim the existence of a local emergency when the
15 County is affected by or likely to be affected by a public calamity if the Board of Supervisors is not
16 in session; and

17 WHEREAS, the Emergency Services Director of the County does hereby find and declare
18 that a disaster, which can severely impair public security of an important food product, is created
19 by conditions of extreme peril to the processing and fresh tomato crop and is imminent within
20 Fresno County, due to the Beet Leafhopper (BLH), the vector of Beet Curly Top Virus (BCTV), a
21 disease known to cause serious damage to tomato crops. California is the largest producer of
22 processing tomatoes and the second largest producer of fresh tomatoes in the U.S. Processing
23 tomato production is also concentrated in Fresno County. Fresno County is also a significant
24 producer of fresh tomatoes; and

25 WHEREAS, BCTV stunts young plants and can result in complete loss in heavily infected
26 fields. About 50% of the total fresh market and processing tomato acreage in the San Joaquin
27 Valley is at risk of infection in years when insect and virus pressure are high; and

1 WHEREAS, processing tomatoes are grown annually in California on approximately
2 235,000 acres, including 67,750 acres in Fresno County in 2023, representing a production value
3 of \$503,937,000; and

4 WHEREAS, tomato growers heavily rely on neonicotinoids to combat the BLH and the
5 BCTV, as no effective alternatives exist. Without effective control of the BLH, damage to affected
6 tomato crops in Fresno County could be as high as 70% to 90%; and

7 WHEREAS, the use of neonicotinoids on certain crops is restricted under 3 CCR section
8 6990, effective January 1, 2024, an exemption in section 6990(c)(2) allows their application during
9 a local emergency declared under Government Code section 8630. Under this exemption,
10 commercial tomato growers must obtain written recommendations from a licensed pest control
11 advisor and retain records of the application for at least two (2) years; and

12 WHEREAS, large and alarming numbers of the BLH have been very recently observed in
13 tomato farms in Fresno County; and

14 WHEREAS, the number of BLH detected in Fresno County is rapidly increasing; and the
15 BCTV has already been detected in tomato plants in Fresno County; and

16 WHEREAS, the full scope of damage of the BLH in Fresno County cannot reasonably be
17 determined at this time but can be mitigated in part if immediate action is taken on an emergency
18 basis, as stated below; and

19 WHEREAS, the Fresno County Emergency Services Director, after consulting with the
20 Fresno County Agricultural Commissioner, has determined that the BLH threat is an imminent and
21 present danger with the potential to cause serious damage and disease in Fresno County.

22 NOW THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists
23 concerning the threat of tomato crop failure as a result of the imminent infestation of the BLH in
24 Fresno County; and

25 IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local
26 emergency, the powers, functions, and duties of the emergency organization of this County shall
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1 be those prescribed by state law, ordinances and resolutions of this County, and by the
2 Fresno County Operational Area Master Emergency Services Plan, as approved by the Board; and

3 IT IS FURTHER ORDERED the Emergency Services Coordinator shall take appropriate
4 steps to notify the State office of Emergency Services of this Proclamation and of the steps taken
5 hereunder to address this local emergency; and

6 IT IS FURTHER ORDERED this Proclamation of Local Emergency is in effect for sixty (60)
7 days from the date of Board ratification, if given, after which the need for the local emergency
8 herein shall be reviewed by the County Administrative Officer, acting as the Emergency Services
9 Director, and the Board to determine whether to continue the local emergency herein or to
10 terminate it; and

11 IT IS FURTHER ORDERED that a copy of this Proclamation of Local Emergency shall be
12 forwarded to the State Director of the Office of Emergency Services; and

13 CEQA EXEMPTION: This Proclamation of Local Emergency and the application of
14 neonicotinoid pesticides hereunder are hereby declared to be exempt from the provisions of the
15 California Environmental Quality Act ("CEQA") under the provisions of the CEQA Guidelines,
16 section 15269, which provides an exemption for emergency projects.

17 *[SIGNATURE PAGE FOLLOWS]*
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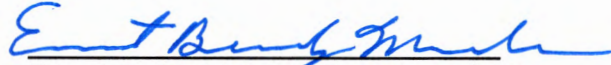
1 THE FOREGOING, was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 8th day of April, 2025, to-wit:

3 AYES: Supervisors Bredefeld, Chavez, Magsig, Mendes, Pacheco

4 NOES: None

5 ABSENT: None

6 ABSTAINED: None



Ernest Buddy Mendes, Chairman of the
Board of Supervisors of the County of Fresno

9 **ATTEST:**

Bernice E. Seidel

10 Clerk of the Board of Supervisors

County of Fresno, State of California

11

12 By: 

13 Deputy