

1 PROCLAMATION OF CONTINUED EXISTENCE OF A LOCAL EMERGENCY
2 BY THE BOARD OF SUPERVISORS
3 COUNTY OF FRESNO, STATE OF CALIFORNIA

4 IN THE MATTER OF PROCLAIMING THE
5 CONTINUED EXISTENCE OF A LOCAL
6 EMERGENCY

RESOLUTION

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
16 (Board) is not in session; and

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

25 WHEREAS, BCTV stunts young plants and can result in complete loss in heavily
26 infected fields. About 50% of the total fresh market and processing tomato acreage in the San
27 Joaquin Valley is at risk of infection in years when insect and virus pressure are high; and
28

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
3 value 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
6 affected 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 Title 3 of the
8 California Code of Regulations sections 6990 through 6990.16, effective January 1, 2024,
9 however, an exemption in section 6990(c)(2) allows their application during a local emergency
10 declared under Government Code section 8630. Under this exemption, commercial tomato
11 growers must obtain written recommendations from a licensed pest control advisor and retain
12 records of the application for at least two (2) years; and

13 WHEREAS, the Fresno County Director of Emergency Services proclaimed a local
14 emergency on April 2, 2025; and

15 WHEREAS, on April 8, 2025, the Board of Supervisors of the County of Fresno ratified
16 the proclamation by the Director of Emergency Services and adopted a resolution proclaiming
17 the local emergency status; and

18 WHEREAS, large and alarming numbers of the BLH continue to be found in tomato
19 farms in Fresno County; and

20 WHEREAS, the BCTV has been detected in tomato plants in Fresno County; and

21 WHEREAS, the full scope of damage of the BLH in Fresno County cannot reasonably be
22 determined at this time but can be mitigated in part if immediate action continues to be taken on
23 an emergency basis, as stated below; and

24 WHEREAS, the Fresno County Director of Emergency Services, after consulting with the
25 Fresno County Agricultural Commissioner, has determined that the BLH is still present in
26 Fresno County and continues to present a danger to all tomato crops in the County; and

27 NOW THEREFORE, IT IS HEREBY PROCLAIMED by the Board that a local emergency
28 continues to exist throughout Fresno County and that the local emergency shall continue to be

1 in effect for sixty (60) days pursuant to Government Code section 8630, after which the need for
2 the local emergency shall be reviewed by the Director of Emergency Services, and the Board, to
3 determine whether to continue the local emergency or to terminate it; and

4 IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local
5 emergency, the powers, functions, and duties of the emergency organization of this County
6 shall be those prescribed by state law, ordinances and resolutions of this County, and by the
7 Fresno County Operational Area Master Emergency Services Plan, as approved by the Board
8 and under this resolution; and

9 IT IS FURTHER ORDERED the Director of Emergency Services shall take appropriate
10 steps to continue to notify the State office of Emergency Services of this Proclamation and of
11 the steps taken hereunder to address this local emergency; and

12 *[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 20th day of May, 2025, to-wit:

3 AYES:
4 NOES:
5 ABSENT:
6 ABSTAINED:

7
8 Ernest Buddy Mendes, Chairman of the
9 Board of Supervisors of the County of Fresno

10
11 **ATTEST:**
12 Bernice E. Seidel
13 Clerk of the Board of Supervisors
14 County of Fresno, State of California

15 By: _____
16 Deputy