



Board Agenda Item 37.1

DATE: April 7, 2026

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer/Director of Emergency Services

SUBJECT: Proclamation and Ratification of the Existence of a Local Emergency - Beet Leafhopper Insect in Fresno County

RECOMMENDED ACTION(S):

Adopt Resolution proclaiming and ratifying a local emergency proclaimed by the Director of Emergency Services on April 1, 2026, due to the migration of the beet leafhopper insect.

Approval of the recommended action will ratify the local emergency status proclaimed by the Director of Emergency Services on April 1, 2026, allowing commercial growers to use neonicotinoid pesticides on an emergency basis to combat the beet leafhopper insect (BLH) affecting tomato crops in the County. BLH is a vector of the beet curly top virus (BCTV), a disease known to cause serious damage to tomato crops. The areas affected are mainly on the west side of the County, but this item is countywide.

ALTERNATIVE ACTION(S):

No viable options can be identified.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended action is necessary to ensure specific liability protection, emergency powers of the Director of Emergency Services, and the authorization for commercial growers to use neonicotinoid pesticides on tomato crops on an emergency basis to combat the BLH insect in Fresno County.

DISCUSSION:

California Government Code, section 8630 authorizes the Director of Emergency Services to proclaim a local emergency when the Board is not in session and conditions of extreme peril threaten, or are likely to threaten, the safety of persons and property beyond the control of the County's services, personnel, equipment, and facilities. Fresno County Ordinance Code, Chapter 2.44 designates the County Administrative Officer as the Director of Emergency Services. Pursuant to these authorities, your Board must confirm the proclamation within seven days by ratifying and adopting the recommended Resolution.

On April 1, 2026, the County Administrative Officer, acting as the Director of Emergency Services, in consultation with the Agricultural Commissioner, proclaimed the existence of a local emergency due to the imminent infestation of the BLH.

The County received evidence indicating the BLH have been detected in rapidly increasing numbers at local tomato farms, some of which have tested positive for BCTV, and it is possible that many more of these

insects are in tomato farms in the County.

The BLH poses a serious threat to both fresh market and processing tomatoes in the western side of the San Joaquin Valley. It acts as a vector of the BCTV, which stunts young plants and can result in complete loss of crops in heavily infected fields. Approximately 50% of the tomato acreage in the region is at risk of infection in years when insect and virus pressure are high. Commercial tomato growers rely heavily on neonicotinoids to combat the BLH and the BCTV, as no effective alternatives exist. Without effective control of the BLH, damage to affected tomato crops in the County could be as high as 70% to 90%.

California is the largest producer of tomatoes in the United States. The County is a top producer of processing tomatoes and a significant producer of fresh tomatoes. Current data shows that processing tomatoes are grown annually on approximately 228,000 acres statewide, including 64,400 in the County for the 2024 crop year, representing a production value of \$429,400,000.

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

On April 2, 2026, the County's Emergency Services Coordinator notified the California Governor's Office of Emergency Services of the local emergency proclaimed by the Director of Emergency Services.

This item is exempt from the provisions of the California Environmental Quality Act under section 15269, which provides an exemption for emergency projects.

California Government Code, section 8630 and Fresno County Ordinance Code, Chapter 2.44.060 requires your Board to review the need to continue the local emergency at least once every 60 days until terminated, and to terminate the emergency at the earliest possible date when conditions warranting the proclamation no longer exist. Prior to the 60-day deadline, staff will return to your Board with a recommendation to continue or terminate the emergency.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution

On file with Clerk - Proclamation of Local Emergency

CAO ANALYST:

Amy Ryals