

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

In the Matter of	)	
THE LOCAL EMERGENCY	)	RESOLUTION EXTENDING AND
DUE TO THE MIGRATION OF THE	)	TERMINATING A LOCAL EMERGENCY
<u>BEET LEAFHOPPER IN FRESNO COUNTY</u>	)	

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

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

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

WHEREAS, the Director of Emergency Services of the County did find and declare on April 2, 2025 that a disaster, which could severely impair public security of an important food product, was created by conditions of extreme peril to the processing and fresh tomato crop and was imminent within Fresno County, due to the Beet Leafhopper (BLH), the vector of Beet Curly Top Virus (BCTV), a disease known to cause serious damage to tomato crops. California is the largest producer of processing tomatoes and the second largest producer of fresh tomatoes in the U.S. Processing tomato production is also concentrated in Fresno County. Fresno County is also a significant producer of fresh tomatoes; and

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

1 WHEREAS, processing tomatoes are annually grown in California on approximately  
2 235,000 acres, including 67,750 acres in Fresno County in 2023, representing a production value  
3 of \$503,370,000; and

4 WHEREAS, the imminent migration of the BLH into Fresno County was an extreme threat  
5 to tomato crops in Fresno County and the emergency use of neonicotinoid pesticides was  
6 necessary to mitigate the threat, and no other efficacious means of control were known to the  
7 Director of Emergency Services at that time; and

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

13 WHEREAS, large and alarming numbers of the BLH were observed in tomato farms in  
14 Fresno County; and

15 WHEREAS, the number of BLH detected in Fresno County was rapidly increasing; and

16 WHEREAS, the full scope of damage of the BLH in Fresno County could not be reasonably  
17 determined at that time but could be mitigated in part if immediate action was taken on an  
18 emergency basis; and

19 WHEREAS, the Fresno County Director of Emergency Services, after consulting with the  
20 Fresno County Agricultural Commissioner, determined that the BLH infestation was imminent and  
21 severe; and as part of such consultation, the Fresno County Agricultural Commissioner had  
22 reviewed available economic information, pest trap reports from tomato growers as well as  
23 California Department of Agriculture BCTV Control Program reports, and determined that the  
24 potential for damage to the tomato crop in Fresno County was too severe without the application of  
25 neonicotinoid pesticides under the Proclamation; and

26 WHEREAS, on April 8, 2025, the Board ratified the proclamation by the Director of  
27 Emergency Services and adopted a resolution proclaiming the local emergency status; and  
28

1 WHEREAS, on May 20, 2025, the Board proclaimed and further ratified the continuation of  
2 the local emergency; and

3 WHEREAS, the Fresno County Director of Emergency Services, after consulting with the  
4 Fresno County Agricultural Commissioner, has determined that the BLH is still present in Fresno  
5 County and continues to present a danger to all tomato crops in the County through July 31, 2025  
6 including, for example, due to late season plantings of both fresh market and processing tomatoes;  
7 and

8 NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the Board of  
9 Supervisors (Board) of the County of Fresno, State of California, that, after considering such  
10 information, including such information provided by the Fresno County Director of Emergency  
11 Services, the Board has reviewed the need for continuing the local emergency, and said local  
12 emergency is extended through July 31, 2025; and

13 IT IS FURTHER PROCLAIMED AND ORDERED by the Board that, based on such  
14 conditions, said local emergency shall terminate August 1, 2025; and

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

20 IT IS FURTHER PROCLAIMED AND ORDERED by the Board that, nothing in this  
21 Resolution shall operate, or be interpreted, to preclude or otherwise limit (a) the Fresno County  
22 Director of Emergency Services, after consulting with the Fresno County Agricultural  
23 Commissioner, from proclaiming the resumed existence of a local emergency in Fresno County if  
24 the County is further affected by or likely to be further affected by the BLH, the vector of BCTV, as  
25 a public calamity, if the Board is not in session, or (b) the Board from ratifying such proclamation by  
26 the Director of Emergency Services, or adopting a resolution proclaiming such resumed local  
27 emergency status in Fresno County; and  
28

1 IT IS FURTHER ORDERED that a copy of this Resolution shall be forwarded by the County  
2 Administrative Officer, or their designee, to the State Director of the Office of Emergency Services.

3 THE FOREGOING, was passed and adopted by the following vote of the Board of  
4 Supervisors of the County of Fresno this 8th day of July, 2025, to-wit:

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

6 NOES: None

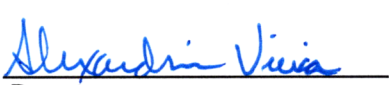
7 ABSENT: None

8 ABSTAINED: None



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

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

14 By:   
15 Deputy