| 1 | PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY BY THE EMERGENCY SERVICES DIRECTOR |
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| 2 | COUNTY OF FRESNO, STATE OF CALIFORNIA |
| 3 | In the Matter of (|
| 4 | PROCLAMATION OF LOCAL EMERGENCY) DUE TO THE MIGRATION OF THE) PROCLAMATION OF A LOCAL EMERGENCY |
| 5 | BEET LEAFHOPPER IN FRESNO COUNTY) |
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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 |
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WHEREAS, processing tomatoes are grown annually in California on approximately
 235,000 acres, including 67,750 acres in Fresno County in 2023, representing a production value
 of \$503,937,000; and

WHEREAS, tomato growers heavily rely 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 Fresno County could be as high as 70% to 90%; and

WHEREAS, the use of neonicotinoids on certain crops is restricted under 3 CCR 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

11 advisor and retain records of the application for at least two years; and

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

WHEREAS, the number of BLH detected in Fresno County is rapidly increasing; and
WHEREAS, the BCTV has already been detected in tomato plants in Fresno County; and
WHEREAS, the full scope of damage of the BLH in Fresno County cannot reasonably be
determined at this time but can be mitigated in part if immediate action is taken on an emergency
basis, as stated below; and

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

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

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

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| 1 | IT IS FURTHER ORDERED the Emergency Services Coordinator shall take appropriate |
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| 2 | steps to notify the State Office of Emergency Services of this Proclamation and of the steps taken |
| 3 | hereunder to address this local emergency; and |

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

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

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

15 This Proclamation of Local Emergency is proclaimed in the County of Fresno, State of 16 California, on the <u>2nd</u> day of April, 2025, to-wit:

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Paul Nerland County Administrative Officer / Director of Emergency Services of the County