

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

IN THE MATTER OF AUTHORIZING FOR
COMMERCIAL GROWERS TO USE
NEONICOTINOID PESTICIDES ON AN
EMERGENCY BASIS TO COMBAT THE BEET
LEAFHOPPER IN FRESNO COUNTY

RESOLUTION TERMINATING THE
EXISTENCE OF A LOCAL EMERGENCY

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 in such capacity, the County Administrative Officer may appoint an assistant director of emergency services; and

WHEREAS, section 2.44.060.A. 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, or their designee, or the Board of Supervisors of the County of Fresno (Board) if in session, to proclaim the existence of a local emergency when the County is affected by or likely to be affected by a public calamity; and

WHEREAS, the Emergency Services Director of the County did find and declare on April 17, 2024, that a crippling disaster, which would severely impair public security of an important food product, was created by conditions of extreme peril to the processing and fresh tomato crop had arisen in Fresno County, due to the Beet Leafhopper (BLH), the vector of the Beet Curly Top Virus, a disease known to cause serious tomato crop damage. 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

1 WHEREAS, infestation of BLH was considered imminent and it had to be controlled to
2 prevent tomato crop failure in Fresno County. BLH is a serious insect pest of both fresh market
3 and processing tomatoes on the west side of the San Joaquin Valley region; and

4 WHEREAS, processing tomatoes are annually grown in California on approximately
5 235,000 acres, including 53,000 acres in 2022 and 62,300 acres in 2023 in Fresno County, at
6 an annual production cost in the \$5,300 per acre range representing \$429,263,000 of annual
7 revenue.

8 WHEREAS, the tomato crop is highly reliant on neonicotinoids to combat Beet
9 Leafhoppers which are carriers of a virus deadly to tomato plants. Without neonicotinoids,
10 growers would likely apply multiple applications of alternative active ingredients, greatly
11 increasing the treatment cost on affected acres by 121.1% to 130% (\$4.8 to \$7.8 million); and

12 WHEREAS, the imminent migration of the BLH into Fresno County was an extreme
13 threat to tomato crops in Fresno County and the emergency use of neonicotinoid pesticides was
14 necessary to mitigate the threat, and no other efficacious means of control were known to the
15 Emergency Services Director of the County or the Agricultural Commissioner at that time; and

16 WHEREAS, the Fresno County Emergency Services Director, after consulting with the
17 Fresno County Agricultural Commissioner, determined that the BLH infestation was imminent
18 and severe; as part of such consultation, the Fresno County Agricultural Commissioner had
19 reviewed available economic information, pest trap reports from tomato growers as well as
20 California Department of Agriculture Beet Curly Top Virus Control Program reports, and
21 determined that the potential for damage to the tomato crop in Fresno County was too severe
22 without the application of neonicotinoid pesticides under the Proclamation of Local Emergency;
23 the Fresno County Agricultural Commissioner estimated that the severity of such damage could
24 be as high as 70% to 90% of the affected tomato crops if such crops were not effectively treated
25 under the Proclamation of Local Emergency; and

26 WHEREAS, the County Emergency Services Director proclaimed a local emergency on
27 April 17, 2024; and
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1 WHEREAS, on April 23, 2024, the Board ratified the proclamation by the Emergency
2 Services Director and adopted a resolution proclaiming the local emergency status; and

3 WHEREAS, on June 18, 2024, the Board proclaimed and further ratified the continuation
4 of the local emergency; and

5 WHEREAS, the Emergency Services Coordinator, working in coordination with and
6 under the authority of the Fresno County Emergency Services Director and the Agricultural
7 Commissioner, had deemed that the threat from the BLH insect to tomato crops in Fresno
8 County had subsided by July 23, 2024, and the declaration of local emergency did not need to
9 be renewed, however, due to staff oversight, an agenda item was not brought before the Board
10 to request termination of the emergency declaration before the end of the 60-day review period
11 on August 17, 2024;

12 NOW THEREFORE, IT IS HEREBY PROCLAIMED by the Board of Supervisors of the
13 County of Fresno, State of California, that said local emergency is terminated as of August 17,
14 2024; and

15 IT IS FURTHER ORDERED that a copy of this Resolution be forwarded by the County
16 Administrative Office to the State Director of the Office of Emergency Services.

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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 3rd day of December, 2024, to-wit:

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4 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

5 NOES: None

6 ABSENT: None

7 ABSTAINED: None



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9 Nathan Magsig, Chairman of the
Board of Supervisors of the County of Fresno

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

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By: Alexandra Verrin