

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

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RATIFYING PROCLAMATION THAT RESOLUTION NO. 24-024
A STATE OF EMERGENCY EXISTS
WITHIN THE COUNTY OF KINGS AND
RATIFYING PROCLAMATION OF LOCAL
EMERGENCY

WHEREAS, Government Code section 8630 empowers the Board of Supervisors and officials designated by ordinance to proclaim a local emergency; and

WHEREAS, Chapter 6, section 6-7 of the Kings County Ordinance Code empowers the Director of Emergency Services to proclaim the existence of a local emergency when the Board of Supervisors is not in session, which was done on April 19, 2024, due to the detection of a localized migration event of Beet Leafhoppers, an invasive species that acts as a vector for the Curly Top Virus beginning on April 19, 2024 (see Exhibit “A,” attached hereto); and

WHEREAS, Chapter 6, section 6-7 of the Kings County Ordinance Code and section 8630 of the California Government Code provide that the Director of Emergency Service’s proclamation of a local emergency expires unless it is ratified by the Board of Supervisors within seven (7) days of the proclamation; and

WHEREAS, Beet Leafhoppers live on vegetation in the foothills near the valley floor and migrate towards the valley floor and tomato crops on the valley floor when foothill vegetation begins to dry out; and

WHEREAS, pest control advisors have informed County of Kings staff that the event creates conditions of immediate peril to tomato crops within the County of Kings and requested an emergency declaration to address the threat (see attached Exhibit “B,” Request for Local Emergency use of Neonicotinoids for Beet Leafhoppers); and

WHEREAS, Beet Leafhoppers must be controlled to prevent Curly Top Virus infection and crop failure; and

WHEREAS, the crop is highly reliant on the neonicotinoid chemical class and other related products necessary to combat Beet Leafhoppers and prevent the spread of the Curly Top Virus; and

WHEREAS, pest control advisors have informed County staff that they detected a migration that must be addressed to prevent crop failure; and

WHEREAS, the Curly Top Virus affects tomatoes, which are annually grown in California on approximately 235,000 acres, including 28,818 acres in Kings County, at annual harvesting value of \$177,492,000; and

WHEREAS, pursuant to Article 2, Subchapter 6, Chapter 4, Division 6, Title 3 of the California Code of Regulations, applications of neonicotinoids are restricted; however, an application made in response to a proclaimed local emergency is not subject to that Article provided that operators conducting such applications also meet other specified regulatory requirements; and

WHEREAS, there are many uncertainties associated with producing agricultural commodities, including the essential need for timeliness in farming practices; and

WHEREAS, the Director of Emergency Services has requested that the Board of Supervisors ratify the previously proclaimed local emergency.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Board finds and determines that the above recited facts are true and correct.
2. As a result of the localized outbreaks of the Beet Leafhopper and Curly Top Virus detected April 18, 2024 and damages described above, the Board hereby finds that conditions exist within the County which have resulted in the local emergency continuing and pursuant to Government Code section 8630, the April 19, 2024 proclamation by the Director of Emergency Services is hereby ratified and extended, and approves submittal of a request for assistance from the California Disaster Assistance Act when the scope of damages are fully known.
3. The Chairman of the Board of Supervisors, Chief Administrative Officer and the Director of Emergency Services are hereby authorized to take all reasonable steps to obtain state and/or federal assistance with respect to the local emergency.

The foregoing Resolution was adopted upon motion by Supervisor Valle, seconded by Supervisor Neves, at a regular meeting held on the 23rd day of April, 2024, by the following vote:

AYES:	Supervisors	VALLE, NEVES, ROBINSON, FAGUNDES, VERBOON
NOES:	Supervisors	None
ABSENT:	Supervisors	None
ABSTAIN:	Supervisors	None

By: Doug Verboon
Doug Verboon,
Chairperson of the Board of Supervisors
County of Kings, State of California

WITNESS my hand and seal of said Board of Supervisors this 23rd day of April,
2024.

By: Catherine Venturella
Catherine Venturella,
Clerk of the Board of Supervisors