

RESOLUTION NO. 09-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU JOINING THE ASSEMBLY AND THE SENATE OF THE STATE OF CALIFORNIA IN CALLING UPON THE FEDERAL GOVERNMENT TO CONDUCT A COMPREHENSIVE ASSESSMENT OF THE CALIFORNIA GRAY WHALE

THE CITY COUNCIL OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

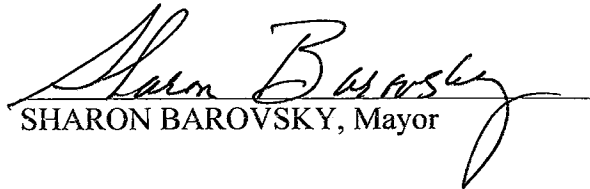
SECTION 1. Recitals.

- A. Each year, the California Gray whale migrates along the California coast to feeding grounds in the Arctic, a journey of 8,500 to 11,000 miles.
- B. The California Gray Whale, adopted in 1975 as the official State Marine Mammal, is important to the people of California for public education, recreational value, aesthetic appeal, economic significance and scientific interest, and whale watching contributes to local economies in direct revenues and in the overall economic well-being of coastal communities, including the creation of jobs and the generation of tens of millions of dollars in California annually.
- C. The Federal Government placed the California Gray Whale on the endangered and threatened species list in 1970 when its estimated population was approximately 12,000 and removed it from that list in 1994 when the population rose to approximately 23,000.
- D. A major collapse in 1999 and 2000 is estimated to have wiped out one-third to almost one-half of the California Gray Whale population
- E. The National Marine Fisheries Service has not published an estimate of the California Gray Whale population since 2001.
- F. In 2008, the California State Legislature adopted Assembly Joint Resolution 49 requesting Congress and the President of the United States to call upon the National Marine Fisheries Service to undertake an immediate and comprehensive assessment of the California Gray Whale.
- G. There is currently no habitat protection for the Pacific Coast Feeding Aggregation in California, Oregon or Washington State and there are inconsistencies in the protection that states give to California Gray Whales, as Oregon lists the gray whale as endangered, Washington lists the gray whale as sensitive and California, by law, defers to the Federal Government and lists the gray whale as recovered.

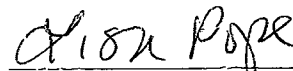
SECTION 2. The City Council of the City of Malibu does hereby join with the Assembly and the Senate of the State of California in calling upon the Federal Government to undertake a comprehensive assessment of the California Gray Whale, to include all current research covering the migration routes, population dynamics and mortality of the California Gray Whale and the impacts of threats to the California Gray Whale population, including that of global warming on critical feeding grounds.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 23rd day of November 2009.

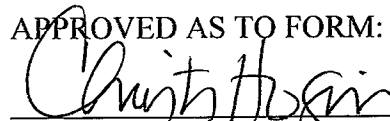

SHARON BAROVSKY, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

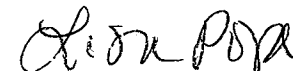
APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 09-69 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 23rd day of November, 2009, by the following vote:

AYES: 5 Councilmembers: Conley Ulich, Sibert, Stern, Wagner, Barovsky
NOES: 0
ABSTAIN: 0
ABSENT: 0



LISA POPE, City Clerk
(seal)