Assembly Joint Resolution No. 49

RESOLUTION CHAPTER 98

Assembly Joint Resolution No. 49—Relative to California gray whales.

[Filed with Secretary of State July 23, 2008.]

LEGISLATIVE COUNSEL’S DIGEST

This measure would request the United States 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, and request the National Marine Fisheries Service to change the status of the gray whale to endangered, if the results of the comprehensive assessment or the body of scientific evidence warrants it.

WHEREAS, Each year, the California gray whale (Eschrichtius robustus of the Eastern North Pacific stock) migrates along the California coast to feeding grounds in the Arctic, a journey of 8,500 to 11,000 miles; and

WHEREAS, The California gray whale is important for public education, recreational value, aesthetic appeal, economic significance, and scientific interest to the people of California; and

WHEREAS, 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

WHEREAS, Whale watching generates tens of millions of dollars in California annually; and

WHEREAS, The California gray whale migrates past one of the most heavily industrialized coastlines in the world, exposing the California gray whale to marine pollution, marine vessel traffic, industrial noise, activities associated with the development of the outer continental shelf resources, fishing entanglements, bottom trawling, industrial development, and military and nonmilitary sonar activity; and

WHEREAS, Marine mammals, including the California gray whale, are vulnerable to underwater sound, including high-intensity mid-frequency sonar systems used off the California coast; and

WHEREAS, These sonar systems blast across large areas with levels of underwater noise loud enough to have resulted in deaths of marine mammals in incidents around the world; and

WHEREAS, The significant threats posed by global warming, melting sea ice, and the impact of increased sea water temperature in the Arctic feeding grounds of the California gray whale have very serious implications for the species; and
WHEREAS, The federal government placed the gray whale on the endangered and threatened species list in 1970 when its estimated population was approximately 12,000 and removed it in 1994 when the population rose to 23,000; and
WHEREAS, Prewhaling population estimates used as a factor in determining species recovered status of the gray whale are now known to be erroneous and account only for a fraction of actual historical populations; and
WHEREAS, A major collapse in 1999 and 2000 is estimated to have wiped out one-third to almost one-half of the population; and
WHEREAS, There has been no proper population estimate published by the National Marine Fisheries Service since 2001; and
WHEREAS, There is no habitat protection for the Pacific Coast Feeding Aggregation in California, Oregon, or Washington State; and
WHEREAS, There are inconsistencies in the protection states give to gray whales; and
WHEREAS, Oregon lists the gray whale as endangered; and
WHEREAS, Washington lists the gray whale as sensitive; and
WHEREAS, California, by law, defers to the federal government and lists the gray whale as recovered; now, therefore, be it
Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature respectfully requests the United States 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. This assessment should 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, including the impact of global warming on critical feeding grounds; and be it further
Resolved, That the National Marine Fisheries Service publish, and make available to the public, the results of the comprehensive assessment of the California gray whale; and be it further
Resolved, That, if the results of the comprehensive assessment or the body of scientific evidence warrants it, the National Marine Fisheries Service is requested to change the status of the gray whale to endangered; and be it further
Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the National Marine Fisheries Service, the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.