

Department of Legislative Services
 Maryland General Assembly
 2001 Session

FISCAL NOTE
Revised

House Bill 728

(Delegate Guns, *et al.*)

Environmental Matters

Economic and Environmental Affairs

Natural Resources - Mute Swans - Management

This bill requires the Department of Natural Resources (DNR) to establish a program to control the population of mute swans. The program may include the managed harvest of adult mute swans and the solicitation of licensed hunters to participate in the managed harvest.

The bill takes effect July 1, 2001.

Fiscal Summary

State Effect: General fund expenditure increase of \$208,600 in FY 2002 to develop and implement the program. Future year expenditures are annualized, adjusted for inflation, and reflect ongoing operating expenses. No effect on revenues.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	208,600	161,100	168,800	177,000	185,800
Net Effect	(\$208,600)	(\$161,100)	(\$168,800)	(\$177,000)	(\$185,800)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: The bill would not directly affect local government operations or finances.

Small Business Effect: Potential meaningful. Small businesses could benefit to the extent that the control program implemented by DNR increases the demand for their services.

Analysis

Current Law: Swans, including native and mute swans, are classified as wetland game birds. DNR is authorized to establish a regulated hunting season for wetland game birds. The hunting of swans, including mutes, is currently prohibited.

Background: Mute swans arrived in Maryland approximately 40 years ago. In 1968 there were an estimated 18 mute swans in the State. By 1974 there were over 100. According to DNR, the mute swan population in Maryland has grown from approximately 2,700 in 1997 to more than 4,000 today. This growth is attributed to the lack of a natural predator, a ban on hunting the bird, and the difficulty of tracking the bird. The mute swan is the only species of swan that nests in Maryland. They do not migrate, but fly from freshwater sources, where they spend the spring and summer, to saltwater sources in the fall. While mute swans can be found in all Maryland tidewater counties, they are most common from Rock Hall in Kent County to Hoopers Island in Dorchester County.

Biologists are concerned about the long-term effect of mute swans on the ecology of the Chesapeake Bay. Mute swans feed primarily on submerged aquatic vegetation year-round, depleting the food source for migratory birds such as the tundra swan and black duck. According to DNR, adult mute swans eat four to eight pounds of plant material each day.

Because mute swans are not native to North America, they are not protected by the federal Migratory Bird Treaty Act. The U.S. Fish and Wildlife Service (USFWS) considers this species to be a serious threat to the ecological integrity of many areas and has directed the control of mute swans in National Wildlife Refuges. In July 1997 the Atlantic Flyway Council adopted a policy advocating population control of mute swans in the Atlantic Flyway. To date, no state has initiated a mute swan sport hunting season. However, state wildlife agencies have initiated varying levels of mute swan population control. Six states in the Atlantic flyway, including Maryland, attempt to control mute swan population growth. Working with the USFWS, DNR has used egg-addling and the removal of adult swans to prevent the establishment of mute swans on State and federal properties. Limited mute swan control by landowners, including egg-addling, nest destruction, and removal of adults by shooting, has been authorized by DNR in some cases to resolve nuisance, safety, and depredation problems. Since 1998 the lethal removal of adult swans has been prohibited.

In 1998 a 16-member Mute Swan Task Force was formed to address issues relating to the management of mute swans in Maryland. In January 2001 the task force published recommendations for public comment. This bill is not the result of the task force's work.

State Expenditures: General fund expenditures could increase by an estimated \$208,600 in fiscal 2002, which accounts for a 90-day start-up delay. This estimate reflects the cost of hiring one natural resource biologist and two natural resource technicians to develop and implement an effective control program. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses including contractual services for the inventory and monitoring of mute swan population levels. The information and assumptions used in calculating the estimate are stated below:

- DNR will rent office space for the employees convenient to the areas where the greatest population of mute swans exists;
- substantial travel by each employee;
- the managed harvest may be one component of the control program;
- DNR may issue permits to landowners and licensed hunters to participate in the managed harvest, if established; and
- DNR will implement most of the control methods by boat.

Salaries and Fringe Benefits	\$94,800
Purchase of Vehicles and Boats	78,000
Other Equipment	13,800
Automobile and Vessel Operation	9,000
Contractual Services	6,000
Office Rental (mid-shore)	3,000
Other Operating Expenses	<u>4,000</u>
Total FY 2002 State Expenditures	\$208,600

Future year expenditures reflect: (1) full salaries with a 6.5% increase in fiscal 2003 and a 4.5% increase each year thereafter, with 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses including contractual services to monitor the mute swan population.

Legislative Services advises, however, that the bill does not specify a particular level of control that DNR must achieve. Costs will vary to the extent the level of control varies from what is currently anticipated.

State Revenues: It is assumed that DNR would not charge a fee for any permits issued as a result of the bill. Accordingly, revenues would not be affected.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader – February 19, 2001
ncs/jr Revised – Enrolled Bill – May 2, 2001

Analysis by: Lesley Frymier

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510