

HOUSE JOINT RESOLUTION 12

Unofficial Copy  
M2

2002 Regular Session  
2lr2170  
CF 2lr2673

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By: **Delegates Weir and Hurson**  
Introduced and read first time: January 31, 2002  
Assigned to: Environmental Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 12, 2002

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RESOLUTION NO. \_\_\_\_\_

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Natural Resources - Mute Swans - Federal Agency Control Measures**

3 FOR the purpose of urging the U.S. Fish and Wildlife Service to act with expedience  
4 to craft and conduct appropriate regulatory processes which will allow  
5 Maryland to establish a method of controlling the mute swan population and to  
6 mitigate the mute swan population's impact permanently and statewide; urging  
7 the U.S. Department of the Interior to appeal a certain holding; and generally  
8 relating to certain federal agency measures to control the mute swan population.

9 WHEREAS, The bird species known as the mute swan is not native to the  
10 Chesapeake Bay; and

11 WHEREAS, Surveys of the Chesapeake Bay indicate that the mute swan  
12 population is growing at an alarming rate, increasing from less than 100 birds in  
13 1973 to nearly 4,000 in 1999; and

14 WHEREAS, Mute swans negatively impact native species and habitats in parts  
15 of the Chesapeake Bay by displacing State-listed nesting waterbirds and removing  
16 large amounts of submerged aquatic vegetation which is vital to all life in the Bay;  
17 and

18 WHEREAS, Mute swans have repeatedly disrupted efforts to restore submerged  
19 aquatic vegetation, obstructing progress toward the Chesapeake 2000 Agreement goal  
20 of restoring 114,000 acres of the vegetation by 2010; and

21 WHEREAS, The U.S. Court of Appeals for the District of Columbia ruled that  
22 mute swans are protected by U.S. Fish and Wildlife Service regulations governing  
23 activities involving direct contact with protected birds under the Migratory Bird  
24 Treaty Act; and

1 WHEREAS, The Maryland General Assembly passed House Bill 728 during the  
2 2001 Legislative Session, requiring the Department of Natural Resources to establish  
3 a program to control the State's mute swan population; and

4 WHEREAS, The urgent need to plan and implement mute swan population  
5 control measures and to mitigate mute swan impacts increases exponentially each  
6 year; now, therefore, be it

7 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the U.S.  
8 Fish and Wildlife Service is urged to act with expedience to craft and conduct  
9 appropriate regulatory processes which will allow Maryland to establish a method of  
10 controlling the mute swan population and to mitigate the mute swan population's  
11 impact permanently and statewide; and be it further

12 RESOLVED, That the United States Department of the Interior is urged to  
13 appeal the holding of the U.S. Court of Appeals for the District of Columbia that  
14 declared the mute swan to be a migratory bird protected under international treaties;  
15 and be it further

16 RESOLVED, That a copy of this Resolution be forwarded by the Department of  
17 Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland;  
18 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; the  
19 Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates; the Honorable  
20 Barbara A. Mikulski, U.S. Senate, 709 Hart Senate Office Building, Washington, D.C.  
21 20510; the Honorable Paul S. Sarbanes, U.S. Senate, 309 Hart Senate Office  
22 Building, Washington, D.C. 20510; the Honorable Wayne T. Gilchrest, U.S. Congress,  
23 2245 Rayburn House Office Building, Washington, D.C. 20515; the Honorable Robert  
24 L. Ehrlich, Jr., U.S. Congress, 1632 Longworth House Office Building, Washington,  
25 D.C. 20515; the Honorable Benjamin L. Cardin, U.S. Congress, 2267 Rayburn House  
26 Office Building, Washington, D.C. 20515; the Honorable Albert R. Wynn, U.S.  
27 Congress, 434 Cannon Office Building, Washington, D.C. 20515; the Honorable Steny  
28 H. Hoyer, U.S. Congress, 1705 Longworth House Office Building, Washington, D.C.  
29 20515; the Honorable Roscoe G. Bartlett, U.S. Congress, 2412 Rayburn House Office  
30 Building, Washington, D.C. 20515; the Honorable Elijah E. Cummings, U.S.  
31 Congress, 1632 Longworth House Office Building, Washington, D.C. 20515; the  
32 Honorable Constance A. Morella, U.S. Congress, 2228 Rayburn House Office  
33 Building, Washington, D.C. 20515; the Honorable Gale A. Norton, Secretary of the  
34 Interior, U.S. Department of the Interior, 1849 C Street NW, Washington, D.C. 20240;  
35 and be it further Mr. Marshall Jones, Director (Acting), U.S. Fish and Wildlife  
36 Service, 1849 C Street NW, Washington, D.C. 20240; and Mr. Jon Andrew, Chief, U.S.  
37 Fish and Wildlife Service, Division of Migratory Bird Management, 4401 N. Fairfax  
38 Drive, Arlington, VA 22203.

