

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

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

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

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

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

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

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

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

RESOLVED, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; the Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates; the Honorable Barbara A. Mikulski, U.S. Senate, 709 Hart Senate Office Building, Washington, D.C. 20510; the Honorable Paul S. Sarbanes, U.S. Senate, 309 Hart Senate Office Building, Washington, D.C. 20510; the Honorable Wayne T. Gilchrest, U.S. Congress, 2245 Rayburn House Office Building, Washington, D.C. 20515; the Honorable Robert L. Ehrlich, Jr., U.S. Congress, 1632 Longworth House Office Building, Washington, D.C. 20515; the Honorable Benjamin L. Cardin, U.S. Congress, 2267 Rayburn House Office Building, Washington, D.C. 20515; the Honorable Albert R. Wynn, U.S. Congress, 434 Cannon Office Building, Washington, D.C. 20515; the Honorable Steny H. Hoyer, U.S. Congress, 1705 Longworth House Office Building, Washington, D.C. 20515; the Honorable Roscoe G. Bartlett, U.S. Congress, 2412 Rayburn House Office