

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

**Table of Contents**

1. Issue #1 Concern about mute swans on Crooked Lake.....	page 2
2. Issue #2 Communication with residents, approval by board.....	page 9
3. Issue #3 Safety of residents.....	page 12
4. Issue #4 Future control of mute swans; alternative methods.....	page 13
5. Issue #5 Selection of members of CLA Board of Directors.....	page 15
6. Issue #6 Future communications; bylaws & rights of residents.....	page 16
7. Issue #7 Concerning the shooter.....	page 17
8. Issue #8 Going Forward.....	page 18

Appendix 1

Opening Statement, Invasive Mute Swan Control Undertaken by the Crooked Lake Association—Phil Walker.....	page 19
--	---------

Appendix 2

Invitation to speak; ground rules; speakers' comments and questions.....	page 21
--	---------

Appendix 3

Mute Swans Mate for Life.....	page 27
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Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

**Issue #1--Why is the Crooked Lake Association concerned about mute swans on Crooked Lake?**

**CLA Response:**

**Why Control the Mute Swans.**

Critical concerns regarding the presence of mute swans on Crooked Lake include:

- The determinations of other states, the Indiana Department of Natural Resources (DNR) and the United States Department of Agriculture (USDA) that mute swans are an invasive species that should be controlled.
- Aggression of mute swans
- Lake pollution from swan fecal material
- Threat to native wildlife
- Threat of destruction of habitat and native plants used for food by other waterfowl in shallow areas of the lake (excessive uprooting by mute swans destroys the food source and can release algae-fueling nutrients)

After reviewing the evidence of the 4 concerns listed above, The Board of Directors has determined that the Crooked Lake Association's purpose and mission to preserve the natural beauty and water quality of Crooked Lake require implementation of plans to monitor and control the mute swans.

**Mute Swans are an Invasive Species**

In our research on Mute Swans, begun in March 2024, we learned that they are non-native because they were imported from Eurasia in the early 1900's and have no effective natural predators in their current environment. They are invasive in that they have spread quickly, caused harm to the environment, and have out-competed native, desirable waterfowl species including ducks, loons and others for habitat and food.

**Aggression of mute swans**

Mute swans have shown aggressive behavior towards humans. Although many speakers at the listening session stated that they did not see aggressive behavior from, one of our board members stated that he experienced an unprovoked attack by a mute swan in his front yard. Please see the quoted excerpts from relevant articles below which can also be found online.

**Lake pollution from swan fecal material**

Mute swans deposit large amounts of fecal material into our lake every day. This contributes to excess nutrient levels and bacterial pollution. The extra pollution from the

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

fecal matter of a non-native, invasive species is not something most lake residents would welcome.

### **Threat to native wildlife and native habitat destruction**

A long-term lake resident has reported that there has been a noticeable reduction and disappearance of native / natural wildlife from Crooked Lake. There are noticeably fewer Mallards, Wood Ducks (arguably the most beautiful bird on the lake), Common Goldeneye, Northern Pintail, and several less common waterfowl. Hooded Merganser, and a Common Merganser were seen a few years ago. It has been established that mute swans have nearly driven the native trumpeter swan out of Indiana.

### **Out-competing native wildlife**

*“Overabundant mute swan populations negatively impact habitats maintained as food and cover for migrant waterfowl and other wildlife”*

*“In the Great Lakes region, their diet overlaps with many native waterfowl species. The cumulative impact of hundreds or thousands of mute swans can devastate submerged vegetation beds, particularly during ice-over conditions when grazing pressure is concentrated.”*

*“Mute swans also can kill adult and juvenile ducks and geese while defending their territories, and they have destroyed the nests of other bird species of special concern, including the black tern (Chlidonias niger), the common tern (Sterna hirundo), and the sandhill crane (Grus canadensis). . . . mute swan management in the Great Lakes region is needed to ensure success of the native trumpeter swan recovery, decrease competition with other native waterfowl, reduce wetland habitat degradation and reduce the number of conflicts with humans. “*

*“Wildlife Services-Indiana developed protocols for lake associations to follow for nonlethal management, nest destruction and lethal removal. These are distributed with all Nuisance Wild Animal Control permits by the Indiana Department of Fish and Wildlife. “*

Clickable Internet Reference:

[From Beauty to Beast — from The Wildlife Professional - The Wildlife Society](#)

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

### **Aggressive behavior towards humans**

Mute Swans pose risk to humans.

*“...a Fort Wayne girl was attacked by a mute swan while swimming in Lake James (2006)”*

*“... another teenager in northeast Indiana was attacked by a mute swan while jet-skiing”*

*“In May 2005, Department of Natural Resources Director Kyle Hupfer signed an emergency order allowing homeowners and licensed nuisance wild animal control operators to kill these mute swans that cause, or threaten to cause, damage to property or pose a safety threat to humans or domestic animals.”*

Clickable Internet Reference:

[https://www.kpcnews.com/article\\_6f5c1aa6-e390-57c0-9a31-0b07adb63a74.html](https://www.kpcnews.com/article_6f5c1aa6-e390-57c0-9a31-0b07adb63a74.html)

Illinois man drowns in pond following swan attack (2012)

*“A 37-year-old father of two drowned Saturday in the pond at a Des Plaines, Ill., area apartment complex following an altercation with a swan, local reports say.*

*When one of the swans swam toward him, the kayak flipped over and he fell out...he was a good swimmer, but he was fully clothed and wearing boots when he fell in the water.”*

Clickable Internet Reference:

<https://www.nbcnews.com/news/world/illinois-man-drowns-pond-following-swan-attack-flna718429>

### **Aggressive behavior towards other wildlife**

Aggressive mute swans wreak havoc on Greenwood Lake (New Jersey)

*“Native to Eurasia, mute swans were introduced to North America in the 19<sup>th</sup> century to decorate ponds and lakes on the estates of the rich.”*

*“They are known for out-competing native species for submerged vegetation (about 8 pounds of it a day), growing to more than 25 pounds and vigorously defending their nests and cygnets with no apparent fear of humans.*

*“They’re beautiful, but when they’re attacking people it’s a problem,” said Paul Zarrillo, a New Jersey representative on the bi-state commission. “*

Clickable Internet Reference:

<https://www.northjersey.com/story/news/passaic/west-milford/2020/09/18/greenwood-lake-nj-swans-wreak-havoc/5821450002/>

# Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

## **Provoked Aggression vs Inherent Aggression**

Whether aggression by the mute swan is provoked by humans feeding them and their loss of fear or by their territorial defensive nature, aggression is aggression and is not ok on Crooked Lake.

## **Swan waste and water pollution**

Mute swans produce large amounts of fecal material every day adding to the pollutant levels in our lake. We are well aware that nutrient pollution levels from all sources, man-made and natural, are above where they should be. Just because our lake has a high level of clarity does not mean that it is clean or pollution-free!

*According to the IDEM 2024 303(d) List of Impaired Waters submitted to the U.S. EPA Assessment program the water quality of both our lakes is considered Category 5 Impaired. This list is updated every 2 years.*

Quantifying the water pollution load in Crooked Lake attributable to mute swan waste is difficult and a job for experts, not volunteers of the lake association. Testing for, publicizing, and educating about the level of nutrient pollution on our lake is a vital part of CLA's purpose.

## **Harm to Crooked Lake from other waterfowl**

Yes, all waterfowl do excrete their waste into the lake and that waste adds to the nutrient pollution that the lake association measures several times each summer. The issue here is that the Mute Swan is not native to Crooked Lake and is an invasive species which out-competes other waterfowl for habitat and food while fouling the lake with their waste.

### Fecal material introduced by mute swans is different from that produced by native fish and wildlife

Mute swans can introduce E. coli into lakes and rivers through their feces. Mute swan droppings can transmit various diseases to people and negatively impact water quality by contributing to bacterial contamination.

- Fecal contamination:  
Mute swans, like other waterfowl, produce droppings that can contain bacteria and other pathogens, such as E. coli, Salmonella, and parasites (cercariae) that cause swimmer's itch.
- Water quality impact:  
High concentrations of swan feces can contaminate water, especially in popular swimming areas.
- Potential human health risk:

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

While the risk of infection from contact with contaminated water is generally considered low, there is a potential for E. coli and other illnesses to be transmitted to humans through contact with feces or contaminated water.

- Antimicrobial resistance:  
Studies have found that mute swans can also carry drug-resistant strains of bacteria, including E. coli, which poses an additional public health concern.

### **CLA role in preserving Crooked Lake's water quality**

Reduction of water pollution by accepted science-backed methods aligns well with the Mission and Vision of the Crooked Lake Association:

#### **Crooked Lake Association Vision & Mission Statements December 2, 2024 Approved August 21, 2025**

**Vision Statement:** To restore and preserve the natural beauty and water quality of Crooked Lake.

**Mission Statement:** The mission of the Crooked Lake Association is to mitigate erosion, sediment build up, pollution and other environmental threats to healthy water, by proven scientific land and water management practices.

The Articles of Incorporation of the Crooked Lake Association also address pollution:

#### **For the Articles of Incorporation Approved by the Board May 15, 2025**

##### **Purpose Statements:**

The purposes for which the corporation is formed are exclusively charitable, scientific and educational and include the following:

Restore Crooked and Little Crooked Lakes as close as possible to their clean and natural states.

Preserve the natural beauty and uniqueness of Crooked Lake and Little Crooked Lake for the future use and benefit of the general public.

To research and implement proven scientific land and water management practices to reverse shoreline erosion, sediment build up, pollution and any other environmental threats to healthy water.

The Board of Directors has determined that the Crooked Lake Association's purpose and mission to preserve the natural beauty and water quality of Crooked Lake requires implementation of plans to monitor and control the mute swans.

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025



Start voice input

## Mute Swan Questions & Answers

- **What is so bad about mute swans?**

Mute swans destroy native, underwater aquatic plants and wetland vegetation as they forage. Mute swans also use this vegetation, which would normally be available for native waterfowl and wildlife to use, to build their nests. This native vegetation is important because it preserves water quality, stabilizes shorelines, and provides native fish and wildlife cover, including nursery habitat for their young. Aquatic plants are also habitat for invertebrates that serve as food for fish, birds, and other animals. Reduction in these native plants due to mute swans can cause population declines in fish and other wildlife.

Mute swans are one of the most aggressive waterfowl species and can injure or displace native wildlife; they have also been known to directly kill the young of other species. Adult mute swans may become especially aggressive toward people and pets in areas where they have become accustomed to food handouts. During nesting and rearing of young, they often drive off people, pets, and other waterfowl that enter their territories. Mute swans have even knocked people from their boat and drowned them.

- **Don't mute swans keep Canada geese away?**

No. Mute swans may keep a single pair of Canada geese off a pond for a short time, but Canada geese often occupy the same bodies of water as mute swans. Furthermore, mute swans come with their own problems. They are larger and more aggressive than Canada geese, and they cause more environmental damage. They may also push more Canada geese onto land.

- **What can I do about mute swans?**

The DNR will issue [free permits](#) to public properties to legally take mute swans, render eggs incapable of hatching, or to destroy nests in public areas. Resident landowners and tenants do not need a permit from the DNR to legally take mute swans that are causing damage or posing a health or safety threat to people or domestic animals on their own land.

Use abatement techniques. Abatement must be used frequently if chosen as a site-specific management strategy. On a broad scale, control methods, such as deterrents, relocation, and sterilization, have not proven to be effective. Mute swans that have been relocated will cause the same problems in a new location and will reproduce elsewhere. Sterilization is cost-prohibitive, causes undue stress on the animal, and those animals will continue to negatively affect habitat and native wildlife.

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

Do not feed mute swans because doing so will encourage mute swans to remain in the area. Be mindful of incidental feeding, an example of which is spillage from birdfeeders.

- **What is the legal status of mute swans?**

Federal protection for the exotic mute swan was removed by the Migratory Bird Treaty Reform Act in 2004 because mute swans are not native to this country. Native tundra and state endangered trumpeter swans remain protected. In Indiana, mute swans are currently protected under state law, so a permit is required to take a mute swan from public property. Live mute swans can be possessed without a permit but must be pinioned (made flightless) and kept in an enclosure that prevents their escape into the wild. Mute swan populations are healthy in their native ranges of Europe and Asia and are not of high conservation concern.

- **If I have mute swans on my private pond or property owned by me that are attempting to nest, have hatched young, or are aggressive, what can I legally do?**

On your personal property, you may deter the birds, destroy nests, and legally take mute swans without a permit from Indiana DNR, following local ordinances. If mute swans are on public water adjacent to your private property, permits must be secured to lethally remove the birds; however, they can be discouraged without a permit if the mute swans are not harmed.

- **Mute swans are nesting on public water, so what can be done?**

Nests can be destroyed prior to eggs being laid, when no permit is needed. Once eggs are in the nest, then a permit through the Indiana DNR Division of Fish & Wildlife must be obtained before disturbing the eggs.

- **There are aggressive mute swans defending nests and/or young on the public water that I live on or visit. What are the options to remove the adults (and young, if present)?**

In situations in which mute swan aggression is not resolved by removing the nest and eggs or deterring the adults, you should work with the lake association or local property owners association to seek a permit through the Indiana DNR Division of Fish & Wildlife to euthanize the adults (and young, if present). The mute swans must be euthanized by individuals approved by the lake or property owners association. A permit can only be issued to someone with the legal authority to represent lake and property owners on the property in question (e.g., HOA, Property Manager, etc.).

- **I have mute swans on my property or on the public water where I live/recreate. Can the mute swans be trapped and relocated to another location?**

Because mute swans are an invasive species and can create conflicts, the DNR recommends euthanizing the mute swans instead of relocating them.

Doc:DNRqandamuteswans

[DNR: Fish & Wildlife: Questions & Answers](#)

**Issue #2--Why was mute swan lethal control undertaken without input from lake residents, association members or the entire board of directors? Was the process of deciding to kill the mute swans appropriate and was the control carried out legally, correctly and properly? Will the Indiana DNR or USDA remove or control swans?**

**Response:**

- Notice to CLA Membership regarding lethal control of the mute swans was Inadequate
- CLA board did NOT formally approve the killing
- The decision-making process appropriately included gathering facts, researching the problem of increasing swan population and learning about control options.
- Indiana Department of Natural Resources supports mute swan control (lethal and non-lethal) but does not have the resources to carry out control measures.
- Since the CLA initiated mute swan control we have learned that the US Department of Agriculture (USDA) does have a program to control mute swans.

**Notice to CLA Board and Membership was Inadequate**

Obtaining a DNR Nuisance Wild Animal Control Permit in the name of the Crooked Lake Association requires full disclosure of relevant facts and active discussion for an official decision. Selecting the correct method of control, including lethal means, needs to be discussed in an open manner and a motion and vote on such decisions must be recorded in the meeting minutes of the Board of Directors. Further, the Board of Directors agrees that members of the Association should be notified of the board's concerns about nuisance wildlife and be given the opportunity for input on the need and method of control.

Notification of a proposed intention to control the mute swan population should have been sent out to residents of Crooked Lake prior to a board decision. Input from lake residents and association members should be a component of managing wildlife on the lake.

**Board of Directors did not Sanction the Killing**

The Crooked Lake Association Board of Directors did not formally approve of the killing of the 8 mute swans. This action was initiated based on an assumption that the entire board supported lethal control of mute swans on Crooked Lake. While the board was aware of mute swans on the lake and their threat to the lake environment, no decision was made on their control by the entire board. The board was not informed, consequently the board did not approve of this measure.

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

### **Decision to Kill Swans**

In researching the problems associated with the non-native mute swan, we itemized several factors which influenced our decision to use the permitted lethal option, rather than less severe options. These include the following:

- In spring of 2025 we discovered that a pair of nesting swans had become established and had laid eggs—a first for Crooked Lake
- The decision to apply for a Nuisance Wild Animal permit was a little late in the season to complete nest destruction or egg addling in a timely manner
- We were unprepared to oil eggs or destroy the nest before the cygnets left the nest because of:
  - The difficulty of reaching the floating swan nest
  - The apparent difficulty of safely destroying the nest or eggs due to the protective aggression of the nesting mute swans
  - The lack of proper safety gear and other equipment to access the nest.
- A CLA board member experienced an act of aggression by a mute swan in his yard.
- An experienced hunter was not contacted and had not volunteered until September
- DNR staff recommended that euthanasia was effective.

### **Authority of DNR to Control Mute Swans**

Neither the Lake Association nor lake residents own Crooked Lake. The public lakes in Indiana are owned by the State of Indiana. Management of the lake is controlled by laws passed by the Indiana legislature and regulations issued and monitored by the Indiana Department of Natural Resources (DNR).

### **DNR Permit Authorizing control of Mute Swans**

Mute Swans are not protected by federal law. Indiana law establishes the authority of the DNR to regulate mute swans. Upon the application by an appropriate person or entity, DNR can issue a Nuisance Wildlife Control Permit specifying the methods allowed to control mute swans on a particular lake. A lake association is an entity that can apply for a Nuisance Wild Animal Control permit. A Nuisance Wild Animal Control permit was issued to Crooked Lake Association in 2025. While, in the past, the DNR has been involved in the actual destruction of mute swans on several Indiana lakes, it no longer does this due to staffing shortages and current policy.

Application for, or issuance and implementation of the permit do not legally require notification or permission of lake residents. The Crooked Lake Association has issued a moratorium on killing mute swans that will last until the implementation of a policy on Nuisance Wild Animal Control.

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

### **Indiana Department of Natural Resources position on problem wildlife:**

*The Department of Natural Resources does not provide removal or capture services for problem wildlife. If necessary, you can contact a qualified [Wildlife](#) or [Waterfowl Control Operator](#) to deal with problem wildlife (such as causing damage or posing a threat to people or domestic animals). Operators name their own rates and fees.*

Clickable Internet Reference: [DNR: Fish & Wildlife: Living with Wildlife](#)

### **According to the Indiana Department of Natural Resources:**

*Because mute swans are not native to the United States, federal protection for the species under the Migratory Bird Treaty Reform Act was removed in 2004. In Indiana, however, mute swans are currently regulated, and a permit from Indiana DNR is required to disturb eggs or to capture or legally take a mute swan, unless it is on property that you own or lease. Live mute swans may be kept as pets, bred in captivity, and sold without a permit from the DNR, but must be pinioned (i.e., made flightless) and kept in an enclosure that prevents their escape into the wild.*

Clickable Internet Reference: [DNR: Fish & Wildlife: Mute Swans](#)

### **Consultation with DNR TWF and USDA Staff**

In the process of deciding whether mute swan control was warranted and then the appropriate control methods to employ, directors George Banta and Bob Remaly talked to local and regional DNR personnel. Adam Phelps, IDNR Biologist, Levi Knach, IDNR, Lyn Crighton, TWF, and Jordan Bohlanda, USDA all had helpful information to share. Based on these discussions, they learned about the threats posed by mute swans such as aggressiveness, out competing native wildlife, destruction of habitat, and impairment of lake water quality. According to the DNR personnel contacted, Michigan, Ohio, Wisconsin, and Minnesota all have active state programs to eliminate the mute swan. As noted above, the permit issued by the DNR authorizes several options for control of mute swans, including nest destruction, oiling eggs, egg destruction and killing the swans.

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

**Issue #3—Was the safety of residents taken into consideration?**

**Response:**

Safety considerations included:

- Minimizing lake residents' exposure to hazards
- Working with a safety conscious hunter

Safety of residents received top consideration. Even though the shooting of swans was unfortunately witnessed by several lake residents, the time of day was selected for minimum amount of lake traffic. Midafternoon is usually quiet in terms of boats and people on the lake. The shooter's boat was the only boat on the lake at the time.

The experienced shooter knew to, and did, fire away from the direction of houses and people. Swans were herded away from populated areas toward wooded areas where the risk of errant pellets to people on the lake was minimized.

Ammunition was steel BB's fired from a shotgun. This is the same as commonly used in goose and duck hunting on the lake and has a short range of lethality- generally 20 yards. The shooter shot in a downward direction to minimize distance the BB's travel.

In our attempts to fulfill our mission and vision, our activities should consider the safety of all lake residents. The board will continue to consider this and determine how best to secure the safety of the residents of Crooked Lake.

**Our Vision Statement:**

To restore and preserve the natural beauty and water quality of Crooked Lake.

**Our Mission Statement:**

The mission of the Crooked Lake Association is to mitigate erosion, sediment build up, pollution and other environmental threats to healthy water, by proven scientific land and water management practices.

**Issue #4—What will be the process of dealing with the swans in the future? Will the Crooked Lake Association look into other methods of control?**

**Response:**

- Continue to Research issues and Provide Education
- Managing the population, not 100% eradication of mute swans is CLA's goal
- CLA will consider all control methods in the future
- CLA will create a Nuisance Animal Control Policy

**Research and Education**

A Nuisance Wild Animal Control Policy is being developed and one of the components of this policy will be continued research into nuisance animal issues and control methods. Input from association members and lake residents will be sought before considering future wildlife control. In addition, the Crooked Lake Association will carry on with our stated purpose of providing education on all threats to lake water quality.

**100% Eradication is not the Goal**

If swans are allowed to establish residence by nesting and breeding, their imprinting behavior could lead to major population growth on Crooked Lake. While it is unlikely that, even if we wanted to, we could completely eradicate the Mute Swan from Crooked Lake, it is desirable to manage the population and limit the number of swans that nest and reproduce here.

*"When lethal control is impractical due to safety concerns, or is not desired by the landowner, nest destruction is recommended as a form of localized population control."*

Clickable Internet Reference:

[From Beauty to Beast — from The Wildlife Professional - The Wildlife Society](#)

**Alternative Methods of Control**

Methods of control allowed under the Nuisance Wild Animal Control Permit issued by the Indiana Department of Natural Resources include destruction of nests, oiling or destruction of eggs, and killing. The DNR does not recognize relocation as an effective means of control. The Nuisance Wildlife Control Permit issued by the Permit Staff of the Indiana Division of Fish and Wildlife in 2025 to the Crooked Lake Association lists the alternative mute swan controls allowed for Crooked Lake through the end of the year as follows:

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

- *Oil or otherwise destroy eggs and/or remove nests by hand. If removed, the nest and any eggs must be discarded in the trash, and cannot be retained, sold, traded, bartered, or gifted. May take adult and juvenile swans with firearms and air rifles and use suppressors and spotlights to assist in taking mute swans. Firearms can be used only where safe and legal to do so and with ammunition appropriate for the species. The firearm must be capable of producing a quick death by a shot to the brain of the swan. Firearms may be discharged only in accordance with local regulations/ordinances.*

### **CLA Will Create a Nuisance Wild Animal Control Policy**

The proposed Nuisance Wild Animal Policy should establish that the CLA board will discuss and decide, using member and lake resident input, whether control is warranted and which methods of control should be utilized. The policy will include:

- Data collection of available information such as mute swan population numbers, nesting pairs, juveniles, water testing data including nutrient and E. coli readings, estimates of vegetation damage and a record of incidents of aggression.
- Regular monitoring of available data by board and association members can help to advise lake residents and volunteers of the severity of the threat to Crooked Lake from increasing mute swan population.
- Standards for assessing the data should be established to help determine the threat level posed by the mute swans
- Evaluation of the availability and effectiveness of Swan control alternatives
- Indiana DNR Division of Fish & Wildlife input
- Full board review of facts, research, consideration of alternatives, motion, vote and ruling will be documented in corporate minutes
- Provision for notice to CLA membership
  - a. of nuisance wild animal concerns
  - b. of the opportunity for input on whether control is warranted
  - c. of the opportunity for input on the method of control to be undertaken
  - d. of a general timeline for control efforts.

**Issue #5—How does the Crooked Lake Association select directors for the board? What is the process of becoming a member of the Board of Directors?**

**Response:**

- The Listening Session on Swan Control raised questions about how the Board of Directors and officers are elected.
- CLA is a member driven organization and directors are elected by the members and trusted to conduct the business of the corporation to the best of their abilities.

The Bylaws state that paid-up members vote on the election of Directors at the annual meeting. Currently, under the bylaws, officers are elected by board members at the first Board of Directors meeting after the annual meeting. Results of both elections are recorded in the minutes of the respective meetings. Officer and board member names are also posted on the Crooked Lake website.

The Board is currently working on a policy to set and clarify the process of recruitment, nomination and election of directors, with a review of past processes.

**Direct response by board member:** Persons show an interest in coming onto the board, nominations are presented and nominees are voted on by the members present at the annual meeting.

**Additional Direct response of some board members:** We need women and youth on the board, and members are encouraged to express interest in serving as a director.

**Issue #6—Could the Crooked Lake Association do a better job of communicating with and listening to lake residents? Are there Bylaws statements covering the rights of residents?**

**Response:**

- The Listening Session on Swan Control raised questions about the CLA board of directors' communication with members and lake residents.
- There were questions about the rights and safety of Lake Association Members.
- The CLA will consider creating a policy that will establish the right of members and residents to future notification of activities on the lake.
- A comment was made about lack of detail in the CLA minutes and a need to summarize discussions held during the board meetings.

**Communication**

Good communication with its members is vital to any organization and breakdown of communication, evidenced by our current situation, must be repaired as soon as possible. The Crooked Lake Association can and will do a better job of communicating with our members and lake residents in the future.

**Notification**

Any lake-wide activities or actions are important, and residents should receive notice. Efforts to manage wildlife on Crooked Lake are important to many residents and notification is the proper thing to do. The Association Bylaws were rewritten and approved by the Board in 2024 and 2025. Currently there are no specific provisions for notification of members. The Board will draft a policy related to notification rights.

**Board Meeting Minutes**

The board follows standards set by Robert's Rules of Order in terms of the preparation of board meeting minutes and the recording of decisions made. Board meeting minutes should adequately cover the topics discussed and all decisions made but are not intended to be a fully detailed narrative of the meeting.

**Crooked Lake Association is not a homeowner's association**

For clarification: since the Crooked Lake Association is not a homeowner's association, CLA has no authority over individual property owners' property rights or property management.

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

**Issue #7—Concerning the shooter's actions, experience, safety consciousness, compliance with hunting requirements and regulations.**

**Detailed account from the shooter:**

- The shooter stated that his boat has dual GPS units providing precise location and speed in mph. He indicated that at no time did his boat exceed 9.8 mph.
- He affirmed that he has 17 years of waterfowl hunting experience and identified the firearm used as a waterfowl shotgun.
- He maintained that he follows all regulations and requirements.
- He indicated that he uses steel BB shot which is preferred for waterfowl for many reasons including its effectiveness and safety for the environment. This ammunition has an expected lethal range of up to 20 yards.
- He stated that the swans were herded away from houses, he took no shots greater than 10 feet from the boat, made sure the bow was pointed toward the wooded shore away from houses, and checked first to see if anyone was near the line of fire. He affirmed that his boat was the only boat on the lake at the time.
- He affirmed that all shots taken were in the proper direction, away from houses and that all shots taken were at a downward angle. He asserted that he paid attention to the pattern of the BBs striking the water beyond the target to verify that no shot carried too far from the boat.
- On Thursday September 25, he declared that he was able to make swift clean kills on all four Mute Swans.
- He assured residents that three out of the four kills on Tuesday September 30 were swift, clean kills and the fourth was dispatched quickly because he did not want the animal to suffer.
- He told the person who confronted him on September 30 at the public access that he had a permit and she was free to take his license plate number and call law enforcement and the DNR.
- He stated that, according to the representative of the DNR who met with him after the incident on September 30, his actions were lawful and proper. He had a legal permit to take the swans and did not cause any property damage.
- He confirmed that he was concerned for his own safety when he heard shots being fired from shore.

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

**Issue #8—Going forward.**

**Proposed Nuisance Wild Animal Control Policy**

The CLA board of directors will create a policy concerning nuisance wildlife or other natural factors posing potential harm to the lake. The policy will address elements to be considered in identifying wildlife harm to the lake, solutions appropriate to the extent of the harm, considerations warranting application for a DNR permit, appropriate notice and participation of lake residents, board minutes and votes, and safety considerations. The policy will be published on the Association's official web site.

**Moratorium on Lethal Control of Mute Swans**

The board is establishing a moratorium on its lethal control of mute swans on Crooked Lake until the board creates the policy outlined above. The current permit allowing lethal action expires on December 31, 2025. A new permit will be sought only in compliance with the policy and required procedures for decision making, notices, and safety.

**Review Bylaws**

The CLA board will review its bylaws and create or clarify existing policy on nomination and election of directors of the Association.

**Going forward CLA will:**

- Continue to host educational events on threats to lake water quality
- Continue to research methods of control of nuisance wildlife.
- Seek the input of association members and lake residents on the control and means of control of nuisance wildlife.
- Draft a policy to determine the rights of members and residents to future notification of activities on the lake.
- Establish procedures for decision making, notices, and safety.
- Review its bylaws and create or clarify existing policy on nomination and election of directors of the Association.
- Create a policy concerning swans and other wildlife posing potential harm to the lake and the policy will be published on the Association's official web site.

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

Appendix 1  
Opening Statement, invasive Mute Swan control undertaken by  
the Crooked Lake Association --Phil Walker

Before I begin, I would ask you to please read the handout George Banta and Bob Remaly prepared that has useful information on Mute Swans

These are the steps we took leading up to the events of September 25 & 30 when 8 Mute Swans (6 adults and 2 juveniles) were killed on Crooked Lake.

- In March of 2024 a discussion of a potential Mute Swan problem was held during our monthly Board of Directors meeting. Bob Remaly offered to do some research and report back to the board.
- At the April 18, 2024, Board of Directors meeting, Bob gave a report on Mute Swans in North America, and it was decided that the information would be included in the Summer 2024 CLA Newsletter.
- The Summer 2024 CLA Newsletter published an article on Waterfowl Management covering several problems associated with Mute Swans and wild geese on lakes in Indiana.
- Mute Swans on Tri Lakes- letter of support.
  - In late May 2025, I received a request from the Tri Lakes Association President for a letter from CLA supporting Mute Swan control on Tri-Lakes. This was intended to show the DNR that the Mute Swan problem extended to several lakes in the area in an effort to induce the DNR to begin control measures.
  - I conducted a survey of CLA Board of Directors that showed 7 of 8 directors were in favor of a letter being written indicating our support.
  - I wrote the letter to Todd Nichols, President of the Tri-Lakes Association on May 28, 2025.
- In May and June, board members George Banta and Bob Remaly independently spoke to representatives of the Indiana DNR to determine a way to take care of what we perceived to be a threat to Crooked Lake. While the DNR continues to support the control of mute swans on Indiana lakes and reservoirs, they do not have the funding or the personnel to control Mute Swans.
- A brief report was presented at the 2025 CLA annual meeting listing several problems caused by Mute Swans.
- I mention these board meeting discussions, reports, the newsletter, the survey and discussions with the DNR to show that neither the Crooked Lake Association nor lake residents were uninformed about the Mute Swan issue.
- I felt that given
  - 1) the level of communication to lake residents and the CLA board of directors
  - 2) the directors' expressed support for Mute Swan control on Tri Lakes and area

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

lakes including Crooked Lake and

3) the inability of the Indiana DNR to control Mute Swans for Crooked Lake

there was reason enough to seek a permit for Mute Swan control on Crooked Lake. That error is on me.

- Early June 2025: I applied for and was granted a permit for Nuisance Wild Animal Control through the DNR. There was no cost for the application or the permit.
- We contacted an experienced volunteer hunter who has helped other lakes with Mute Swan control. There was no compensation paid to this individual.
- While there was communication from CLA to its members and discussions and expressions of general support from the CLA Board of Directors for doing something about the Mute Swan problem, there was nothing explicitly discussed about CLA actually getting a permit to kill swans. I made the decision to get the permit and to begin the process of Mute Swan control.
- A final point I would like to make before turning the discussion over to our guests involves timing, notification, and method.
  - Our timing for the actual control was not good.
  - There was no public notification about what we intended to do
  - And the method of control, while effective and inexpensive, was insensitive to lake residents. We can and must do better.

# Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

## Appendix 2

Call to order: 6:30 p.m.

All interested persons who appeared were invited to speak. The people present (in the order they signed in) were: Violet Roberts, Kevin Runkle, Amy Hoffman, Don Miller, Becky Steinhoff, Jerry Steinhoff, Tiffany Herron, Diane and Bob Johnson, Colleen Barva, Susan Farris, Brian and Barb Neer, Heather Reid, Hanna Geieger, Todd Reid, Lisa Walker, Jane Synder. Catherine Balay was present but did not sign in.

Ground rules were presented. President Phil Walker gave a statement on the Mute Swan Control Incidents of September 25 and 30, 2025. The Board will make a response in one week on the points made in the Listening Session.

Below is a report of the questions, comments, and requests made by the speakers. These are a paraphrase of the speakers' actual words but written in the first person. Although every effort was made for accuracy, the exact words of the speaker were not generally captured. Any direct response given by a board member immediately after a speaker's question, comment or request was also reported. The names of each speaker are listed in the order of their presentations. However, because several speakers presented multiple times throughout the evening, all of each speaker's presentations are grouped together. Most of the speakers reflected hurt and sadness related to the incidents, but repetition of comments was avoided. Some comments captured by other board members were not tied to specific speakers and are listed next in the record. Other direct comments made by board members are included at the end.

### **Hannah Geiger**

Ms Geiger's Question: Why did the board allow the shooting of 8 Mute Swans?

Ms. Geiger's Comments: I have never seen any aggression from the Mute Swans. Mute Swan shootings occurred on September 25 and 30<sup>th</sup>. I witnessed one shooting. My son was present. The shooting occurred within the sight of my home. The shooter used excessive speed in his boat. I know the shooting was legal, but the shooter's speed was in excess of the speed limit and the shooting was not done safely.

**Direct response by board member:** Denise McCann commented that she saw one incident of shooting. 2 adults and juveniles were shot: 2 shots per Mute Swan. This was not the same incident that Ms. Geiger's observed.

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

Ms Geiger's Question: Was the name of the shooter Derrick Fisher as stated on the permit?

**Direct response by board member:** yes.

Ms Geiger's Question: What is the process to get on the board of directors?

**Direct response by board member:** Persons show an interest in coming onto the board, nominations are presented at the annual meeting, nominated persons are voted on by the members present at the annual meeting.

**Additional response of some board members:** We need women and youth on the board, and members are encouraged to express interest in serving as a director.

Ms. Geiger's Question: Could "Facebook" provide notice of the board meetings?

**Direct response by board member:** The Facebook page is not part of (or controlled by, or an official site of) the Association. The Facebook page has its own administrators. The official website for the Lake Association is at "crookedlakenoblewhitleycoindiana.com". The official website contains meeting notices and minutes. The Association has in the past published a newsletter with notice of events and would like to resume this practice.

Ms. Geiger's Question: Was there a vote on the swans by the board of directors as a whole?

**Direct response by board:** the final answer given was "no".

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

### **Catherine Balay**

Ms Balay's Questions: Who had the audacity to do this action?

Ms. Balay's Comments: She was not notified. She was saddened. The shooting was cruel. Swans mate for life and what will the surviving swans do?

Ms. Balay's request: The residents want to know and be asked their opinions.

Ms. Balay's question: Could we oil the eggs for the future?

### **Todd Reid**

Mr. Reid's Question: Why did we take them [swans] out? What is the reason for the shooting? Is it the intent to continue to cull the Mute Swans?

Mr. Reid's Comments: Fish excrete 6000 lbs of urine and feces into the lake daily. My grandson was present when the shooting began. I shot my gun in the air. The manner of the shooting was not compliant with hunting requirements. No one owns the lake. Any person can seek a permit to take action against the swans. The shooter was reckless. It happens. Let's not do it again.

### **Colleen Barva**

Questions: What does the term "invasive" mean? Wouldn't it be better to call the mute swans "nonnative"? Where were the swan bodies taken?

**Direct response:** The swan bodies were buried.

### **Violet Roberts**

Ms. Robert's Question: Why wasn't there a vote about the shooting?

Ms Robert's Comments: I have never seen any aggressive behavior from the swans. We should just leave the swans alone. They are not hurting anyone. The shooter treated me badly. When I asked the shooter, they did not tell me they had a permit. Five board people should not make the decision about the swans. I would be interested in being on the board. In the past there was a closed ballot process.

Ms. Robert's Requests: Don't do it again. Please do not kill any more.

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

### **Diane Johnson**

Ms. Johnson's Question: What is the plan going forward with the Mute Swans?

Ms Johnson's Comments on Swans: I am here for the wildlife. Since the incident I have not seen any wildlife on the lake. I enjoy seeing the wildlife. 80% of the residents are against what happened.

Ms. Johnson's Comment on the Board: Put it [swan issue] to a vote of lake residents. Residents should be talked to. "We" use to vote for the board of directors at the annual meeting. Interested persons could run for the board and there was a closed ballot at the election. This does not happen anymore.

### **Lisa Wilson**

**Ms. Wilson's Questions:** Why weren't the Mute Swan eggs oiled? What about the transient swans? What about all the geese? What about migratory birds?

Ms. Wilson's Comments: There were 43 swans on the lake last winter, huddled around the opening in the ice. There was no harm.

**Direct response from board:** Mute Swans are not migratory but do go between lakes.

### **Kevin Runkle**

**Mr. Runkle's Questions:** What about the shooter who did the shooting? Is the Association or lake liable for his actions?

Mr. Runkle's Questions: Statements or implications were made by Mr Runkle and others generally that the shooting was not done safely.

### **Amy Hoffman**

**Ms. Hoffman's comments and questions:**

I was an eyewitness to the shooting on September 30<sup>th</sup>. The shooter did not seem to be experienced.

The shooting "hurt", caused trauma, and has/will cause division within the lake community.

The board was not transparent about its intended action. There is nothing in the minutes about the intended action. There was a vague statement at the annual meeting about harms of Mute Swans. The residents should have been given a "heads up". The swan

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

destruction should not be decided by the board, but by federal or state authorities if the problem is big enough.

The options of nest disruption, culling and puncturing swan eggs are available

The Mute Swan is not that different from the Trumpeter Swan. They are of the same genus. Both are aggressive regarding protection of their young. The Trumpeter swan eats even more plant life than the Mute Swan.

The residents love the wildlife. Give wild animals their space.

Aggressiveness or danger of the Mute Swans is exaggerated. They may bump or bruise others in some situations, but they do not break bones. The rhetoric of danger is overstated. Research shows only one death of a kayaker possibly related to a Mute Swan; however, the causation was exaggerated because there were non-swan circumstances.

Could the minutes of the board meetings be more detailed? Could the board minutes not just contain conclusions, but at least a summary of the discussion? Could the moratorium on destruction of swans continue?

**Direct response by Phil Walker:** The board follows the Rules of Order in fashioning the minutes. The moratorium will remain while the board considers the questions and responses presented tonight. The DNR permit allowing destruction expires at the end of calendar year 2025.

### **Don Miller**

Mr. Miller's Comment: My friends on Lakes Webster, Tippy and/or Wawasee said that 100 mute swans were destroyed on those lakes and that the DNR assisted with the destruction.

**Direct response by Phil Walker:** The DNR is no longer willing to help with eradication but will issue a permit for it to be legally done by specified persons. The discussion or statements by board members indicated uncertainty of when DNR participation in swan destruction occurred - perhaps 12 years ago or more.

### **Jane Snyder**

**Ms Snyder's Questions:** Do the bylaws contain statements about the rights of residents and about safety?

## Response to Questions and Comments made at the CLA Mute Swan Control Listening Session of October 16, 2025

### **Susan Farris**

**Ms Farris's Comment:** A lady on Loon Lake told me that she would not take her child out into Loon Lake as long as the swans were present.

### **Comments recorded by other board members and not attributed to a specific speaker by this secretary:**

The little swans are not a problem.

Why kill them if there has been no aggression shown?

If it is water quality what about all the rest of the wildlife pooping in the lake?

Are you going to be removing all of them in the future?

We want the reason.

Shooter must feel guilty. I approached them at the boat ramp, and they ran out of there as fast as they could pack.

I shot my gun in the air to get their attention afraid for my grandson.

We don't pay dues for the board to just do what they want to do.

We live on this lake for the wildlife. I want a vote for things like this.

Is the shooter insured by the association?

No one feeds them on the lake, so they don't associate humans with food.

Stay away from them and they won't be aggressive to you

### **Independent Comments by board or past board members**

**Comments by John Meier:** The swans are invasive and the board deals with other invasives. Persons on Loon and other local lakes experienced aggression from Mute Swans. Geese and Ducks are regularly culled by the fact that they can be legally shot during hunting season. The mission of the lake association is to keep the lake clean and pristine.

**Comment from Bob Remaly:** I was literally attacked by the female swan on Crooked Lake.

**Comment from George Banta:** Every state in the Great Lakes region has an official eradication program for Mute Swans.

**Comment by Phil Walker.** Decisions of the board are made by a 51% vote of the board members present to conduct business, and 67% vote of the board is needed to modify the bylaws.

Response to Questions and Comments made at the CLA Mute Swan Control  
Listening Session of October 16, 2025

**Appendix 3: anything that doesn't fit anywhere else**

**Mute Swans mate for life**

One speaker at the listening session was concerned about the possibility that a surviving swan might be adversely affected if their mate is killed. Mute Swans do mate for life but if one partner dies or the pair fails to breed successfully, they will re-mate with another partner.

Reference: Cornell Lab Bird Academy. [www.allaboutbirds.com](http://www.allaboutbirds.com)