



The Cactus Wren-Dition

Fall 2002 • Volume L, No. 3



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Snow Bunting photographed by Jim Burns at Reay Lane Sewage Ponds in Thatcher, AZ, April 14 with Canon EOS 1V body, Canon 400 mm f/2.3 lens and Fujichrome Velvia film.

PROGRAMS

Meetings are held the first Tuesday of each month, September-April, at the Phoenix Zoo Auditorium. Meetings start at 7:30, and feature a speaker, book sales, refreshments, and a chance to socialize with fellow MAS members. Non-members welcome!

Join us for a pre-meeting dinner at Pete's 19th Tee, 1405 N Mill Avenue, Tempe (at the Rolling Hills Golf Course) starting at 6:00 p.m. Except for the September meeting which will be our annual potluck starting at 6:30. Each attendee is invited to bring a platter of his or her favorite h'ors de oeuvres, sufficiently large enough to serve at least six people. We'll provide the eating utensils, the plates, and the drinks, bring a friend and enjoy swapping birding stories. The regular meeting will begin at 7:30

PROGRAM TOPICS

September 3: David Reeser - Galapagos Islands.

October 1: Dr. David Pearson, A.S.U. biology professor - "Why are there more bird species some places than others? The use of bird watching skills in science."

November 5: Kevin McCoughlin from Adventure Camera in PA - Belize and Central America.

December 3: Southwest Forest Alliance a non-profit coalition of more than 60 environmental organizations in the Southwest working to protect forest ecosystems through systematic reform presents Old Growth Forever! highlighting the urgent need to protect the remaining stands of old growth forests in the Southwest and concentration on the North Rim of the Grand Canyon, where the Forest Service still allows the logging of old growth and the subsequent destruction of species habitat. Eventually, we hope to create

an Old Growth Preserve to protect this unique biological area.

January 7, 03: Doug Alexander - TBA

March 4: Jim Burns, MAS writer/photographer, highlights his partnership in the 2002 Valley Land Fund Photo Contest with Monica and Ray Burdette, owners of El Canelo Ranch north of Raymondville, Texas. El Canelo is "hunting" ranch now widely known in the birding world for the Ferruginous Pygmy-Owls nesting in the yard at the inn.

April 1: TBA

Speakers wanted: If you have ideas for speakers, or if you would like to make a presentation yourself, please contact Cynthia Donald, Program Chair, at (602) 791-5157 or planres@earthlink.net

NOTES & ANNOUNCEMENTS

Education Chair: It is with regret that we say goodbye to our two term education chair, Sirena Brownlee, who is moving out of state. We wish her success and great birding wherever she goes! We are very pleased to announce our new education chair, Mike Foley. Many of you are familiar with Mike who is a zoo Program Manager (overseeing all paid programs like Nightcamp, Offsites, Camp zoo, Workshops, Critter Care, Horse hands, etc.) and facilities our membership meetings. He also thrills our group with occasional introductions of exotic birds that are being prepared for exhibition. Mike plans to focus his efforts on young adult conservation groups when he replaces Sirena in August. If you have ideas or are willing to assist Mike's contact info is on the back page of this issue

Appleton-Whittell Research Ranch - suffered much damage in the April fire that swept through the ranch. There is both an immediate and a long-term need for volunteers to assist with a wide-range of tasks as the Research Ranch implements a recovery and restoration plan. If you are interested in helping please call Sam Campana at 602 468-6470 for information. Please do not just show up without calling.

The Birdseye Guide to 101 Birding Sites, Phoenix - A new guide published by Rupp Aerial Photography. The maps are excellent, it is all in color and is \$23.95. For more information check www.ruppaerialphoto.com.

West Coast Seabirds: ABA's Institute for Field Ornithology (IFO) - Another workshop to be held August 3-8 with Debi Shearwater and Peter Pyle. For information contact IFO Coordinator Kimberley Lynn at 800-850-2473x235 orifo@aba.org. You can also visit the IFO pages on the ABA site, www.americanbirding.org

Southwest Wings Birding Festival

Festival - August 7-11 in Bisbee. See Field Trips for information

College of Liberal Arts and Sciences

- September 19 at 7:00 p.m. at the Gammage Auditorium - "our Environmental Destiny" by Robert F. Kennedy, Jr. The lecture is free but tickets are required. To obtain tickets contact Denise Endow at 480-965-1441 or denise.endow@asu.edu or Lindy Stanford at 480-727-6186 or lindy.stanford@asu.edu. Also check out the web at <http://clasdean.la.asu.edu/afc/Marshall/>.

The 5th Annual Central Coast Birding Rally

- takes place October 4-6. The event showcases Santa Barbara County, CA, sites on the Central Coast Birding Trail. For information, write to LPAS, PO Box 2045, Lompoc, CA 93438 or check their website: <http://lpas.westhost.com/rally>.

ABA Regional Conference

- January 12-16, 2003, at the Salton Sea, California. For more information call the ABA at 800-850-2473 or check out their website www.americanbirding.org.

ABA Annual Convention - June 2-8, 2003, in Eugene, Oregon. Call the ABA or check their website for more information.

More birding and nature festivals.

www.americanbirding.org

Audubon Adventures: Give the gift of discovery and share your love of the environment. The program is designed for students in grades 4-6. Introduce an entire classroom (up to 32 students) to the wonders of nature for just \$35 (plus shipping charges). You can select your favorite school or let Audubon do it for you. For orders: call 800/813-5037.

A WORD FROM THE PRESIDENT, LAURIE NESSEL

"A man could be a lover and defender of the wilderness without ever in his lifetime leaving the boundaries of asphalt, powerlines, and right-angled surfaces. We need wilderness whether or not we ever set foot in it. We need a refuge even though we may never need to go there." - Edward Abbey

Continuing urban sprawl, inadequate groundwater laws, restrictive state trust grazing leases, state park closures, seemingly interminable attempts to raid the Heritage Fund. These are a few of the issues that effect the state of conservation in Arizona. But you shrug your shoulders thinking, "What can I do?" Well, you can start by participating in elections. As a non-profit 501C-3 organization, we cannot endorse candidates, but we can encourage you to get involved. Register to vote if you haven't already (deadline August 12th). You can download forms from the secretary of State's website (www.sosaz.com). Get to know the candidates in your district, contribute \$5 to their clean elections campaign (deadline August 22nd). Vote in the primary Sept. 10th (early voting begins August 8th) and the general election Nov. 5th (early voting begins Oct. 3rd). You can request an early ballot from the county recorder <http://recorder.maricopa.gov/absentee.htm> 602.506-3535 and vote from home. Vote in the primary Sept. 10th and the general election Nov 5th. Several useful sites include the

Maricopa Audubon T-Shirts are available for sale at member meetings or by mail. They feature a Barn Owl primary flight feather overshadowing the common and Latin names of birds found in Maricopa County. Long-sleeved shirts are available in Charcoal, Med, Large or XL, for \$20.00. Add \$4.00 shipping and handling for the first shirt, \$1.50 for each additional shirt. Please allow 3 weeks for delivery. Make checks out to: Maricopa Audubon Society, 1128 E Geneva Dr., Tempe, AZ 85282. For info, contact Laurie Nessel at (480) 968-5614 or laurienessel@hotmail.com

non-partisan Arizona League of Conservation Voters
<http://www.azlcv.org/scorecard/score1.htm> for the 2002 Arizona Legislative Scorecard.
Also, the Grand Canyon Chapter of the Sierra Club has a comprehensive guide to the 2002 legislative session and scorecard on your representatives
http://arizona.sierraclub.org/political_action

On the ballot is a legislative sponsored initiative involving land exchanges of state trust lands. The legislature has tried to amend the constitution through ballot measures to allow state land swaps four times since 1990 and four times the public saw the inadequacy of those measures and rejected them. Amending the constitution requires a proposition that limits three-way land swaps which usually favor developers, that allows for greater public review and a complete environmental impact analysis. MAS opposes this initiative.

Another way to get involved, from the comfort of your home, is by subscribing to the Audubon Activist Alert. You will receive late breaking alerts requesting that you contact your representatives concerning environmental legislation. Call Shawn Baur at **602.828.3607** or email shawnbaur@hotmail.com. Thank you, Shawn, for your diligence on the many important local as well as national issues that effect our environment.

I look forward to serving you as President of Maricopa Audubon Society. Have a good summer and I hope to see you at the September potluck. Please feel free to contact me or anyone on the board with suggestions, comments, articles fro the newsletter, program ideas or volunteering opportunities.

COMMITTEES/SUPPORT

Activist Alert:

Shawn Bauer
602-828-3607
shawnbaur@hotmail.com

Arizona Audubon Council Rep:

Herb Fibel
408-966-5246
herbertsfibel@aol.com

Bird Alert

Richard & Karen Kaiser
602-276-3312

Field Observations

Janet Witzeman
602-840-6089
jwtzeman@aol.com

Hospitality

Web Page
Michell Fulton
480-968-5141
webmaster@maricopaaudubon.org

Maricopa Audubon Web Site
www.maricopaaudubon.org

AN INVESTMENT IN THE FUTURE

Bequests are an important source of support for the Maricopa Audubon Society. Your chapter has dedicated itself to the protection of natural world through public education and advocacy for the wiser use and preservation of our land, water, air and other irreplaceable natural resources.

You can invest in the future of our natural world by making a bequest in your will to the Maricopa Audubon Society . Talk to your attorney for more information on how this can be accomplished.

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Shade Grown Coffee - ABA is having a sale on Thanksgiving shade grown coffee for ABA members. Call them at 800-634-7736 or go to the web at abasales@abasales.com

Do you have an interesting story to tell about birding? Please forward your **submissions** to the Editor—Deva Burns. Check the back page for address/e-mail. Actually, attaching an article to an e-mail is the absolute easiest way to submit an article. If you have pictures or slides, you do need to send those to me directly. Remember, all articles may not be published the first month after receipt.

From The Editor

By Deva Burns

Who could blame this heron for ignoring the signs along the Scottsdale Greenbelt? As I sit here at my computer on July 1, it is 109 degrees as the sun goes down the western sky in a red ball. It seems the whole state is on fire. Charles Babbitt's article in our last issue looks now to have been a self fulfilling prophecy. Last month I said that all bureaucrats should be required to read it. In this issue we have reprinted his article from the June 30 *Arizona Republic*. Let's hope they have all read this one.

On Saturday last month I spent a marvelous 3 hour breakfast whit Sam Campana our new State Director for Audubon Arizona. I found her extremely enthusiastic and sincere in her plans to advocate for our state's birds and their habitat. She suggested that I use Les Core's announcement of your appointment as her introduction to MAS.

In her first address to us, our new President, Laurie Nessel, has challenged us to become more environmentally aware and politically involved, echoing things which Sam and I discussed over breakfast. It seems fitting, then, that you read the conclusion to Buck Parker's "Earth justice" in this issue. In addition to our regular features, Steve Ganley recounts his trip this spring to Point Pelee where his most unexpected migrant was...Pete Moulton! Richard Kaiser highlights his MAS field trip to Patagonia-Sonoita Creek which is now closed due to extreme fire danger, and Herb Fibel details his Bit Sit! Be sure to check with all trip leaders for a final decision on whether trips will go or not. Now, I plan to go find a waterhole where I can cool off!



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THE RODEO-CHEDISKY FIRE

By Charles Babbit

Drought conditions in Arizona are worse than they have been in over a hundred years. For the first time in 50 years Salt River Project has had to shut down power generation at Roosevelt Dam because of low water levels in Roosevelt Lake. Lakes around Flagstaff and feeder streams on Arizona's creeks and rivers are dry or drying up. In Arizona's high country normally green mountain meadows are brown. Across the state, forests are starved for moisture with trees getting dryer and more brittle with each passing week.

It is no wonder that Arizona is experiencing a very active fire season. Since early spring drought caused fires have been breaking out statewide, from the north rim of the Grand Canyon to Nogales. Fires have been occurring with much more frequency and intensity across a wide spectrum of forest types; from mixed conifer, ponderosa pine and pinyon juniper in the north to mesquite and oak woodland along the Mexican border. In places, grassland fires have been burning.

It is these same severe drought conditions that are the principle cause of and driving force behind the big Rodeo-Chediski fire which have now burned over 400,000 acres in northeastern Arizona. Big fires like the Rodeo-Chediski fire are fairly rare events usually occurring under conditions of severe drought coupled with high temperatures, low humidity, high winds and fire favoring topography. Once these fires start they are generally impossible to control much less extinguish and they usually burn until there is a change in the environmental conditions that caused them in the first place.

Fortunately, no one has been killed and firefighters have been able to concentrate their efforts to try to save communities like Show Low and Heber.

There has been much discussion about how excess forest fuel has contributed to the size and intensity of the Rodeo-Chediski fire. Arizona forests, particularly ponderosa pine forests, are burdened in places with excess fuel in the form of young trees or "dog hair thickets". These are a result of decades of fire suppression and over-grazing. While these conditions exist in some places

Dude fire in 1990 and the Lone fire in 1996. For an angry man whose house has just burned down this might be understandable, but for elected officials it is inexcusable.

Lawsuits brought to stop logging and to protect old-growth habitat have nothing to do with this fire. Logging the forest, particularly big fire-resistant trees, does not reduce the fire hazard especially with big uncontrolled fires. In 1990 the Dude fire erupted in mid-June under environmental and atmospheric conditions almost identical to those in the Rodeo-Chediski fire. The Dude fire swept through logged and un-logged forest with equal ferocity. The same thing happened with other smaller Arizona fires including the Pot fire south of Flagstaff and the Horseshoe fire north of Flagstaff.

Virtually everyone agrees that fuel loads in parts of our forest need to be reduced to lessen fire intensity and restore forests to a more natural condition. The problem is one of economics. There is no commercial market for the young trees that need to be thinned and there simply is not enough money in the federal budget to mechanically thin and remove fuel loads over large areas of the west.

Which brings us back to fire. In spite of the hardship caused by this fire we need to remember that fire is an integral, vital part of our forests. We cannot have healthy, functioning forests without it. The last thing we need to do is try to fireproof our forests with large scale environmentally destructive logging programs.

On the other hand, we need to continue controlled burning, one of the cheapest and most effective ways to reduce excess fuels. We must resist the temptation to jump on and put out wildland fires that do not pose a threat to communities. Fires burning now mean less intense fires burning 20 years from now.

We must also accept the fact that from time to time we will continue to have big uncontrolled fires like the Dude and Rodeo-Chediski. There is not a great deal we can do about them other than working harder to try to protect communities at the

NEW NATIONAL AUDUBON STATE DIRECTOR

By Les Corey

I am extremely pleased to announce that Sam Kathryn Campana of Scottsdale, AZ has joined the National Audubon Society staff as Vice President and State Director for Audubon Arizona. Sam will immediately begin her duties as Audubon Arizona's founding state director.

Sam is a dynamic and effective leader whose creativity and political savvy have made her an outstanding advocate for the arts, the environment and her home town of Scottsdale Arizona, where she served as Mayor from 1996 - 2000. She is a highly visible leader with a strong track record of creative program development and fundraising for important nonprofit ventures and public policy purposes.

Sam is an avid hiker and nature lover who grew up in a small rural community in Idaho, and attended school in Montana before settling in Arizona. She has hiked the Grand Canyon over 50 times and enjoys ringing in the New Year at Phantom Ranch. Sam has a deep love of the outdoors and nature, and views this opportunity to launch the Audubon Arizona state program as a dream come true.

Sam's two passions in life are the arts and the environment. For over 16 years Sam effectively built and lead Arizonans for Cultural Development, Arizona's state arts advocacy organization, and successfully brought the Arizona arts agency's appropriation from 47th in per capita funding nationwide to a rank within the top 25! Sam also led the effort to create the Arizona Arts Trust Fund and the creation of the ArtShare endowment - which will create a \$40M trust fund over ten years funded with public and private monies. As state director for Audubon Arizona, Sam hopes to unite and strengthen Audubon programs and chapters statewide and position Audubon Arizona as an effective force for nature education, habitat preservation and conservation action.

Sam had an outstanding career as a community leader in Scottsdale serving on the City

Council for eight years where she helped implement an Environmentally Sensitive Land Ordinance to help save the McDowell Mountains among other notable accomplishments. As Mayor, Sam helped conceive and craft the Arizona Preserve Initiative to save 19,000 acres of the Sonoran Desert from development and established the McDowell Sonoran Preservation Commission.

Thanks, in part, to Sam's vision and leadership she proudly notes: "One third of Scottsdale land will never be built on!" In addition to her land preservation initiatives, she was able to attract over 10,000 new business level jobs to her community, and led the transition of Scottsdale from being "The West's most Western Town" to earning the "Most Livable City in America" designation from the U.S. Conference of Mayors. As Mayor Sam creatively and effectively addressed important historic preservation, community revitalization and diversity issues as well.

Throughout her personal life as an active volunteer, and her professional career as an advocate and political figure, Sam has dedicated herself to improving the "state of the State". Sam is a highly organized and effective leader who is comfortable in start-up, entrepreneurial environments and is highly attracted to building effective nonprofit organizations. She has an uncanny ability to attract and work successfully with diverse boards of directors and is a coalition builder who believes in team work. She is an extremely effective fund raiser and has an extensive network of contacts with funders and community leaders statewide. Her personal mailing list has over 5,000 Arizonans on it!

Sam is anxious to begin her new assignment with the National Audubon Society having just completed a year long Leadership Fellowship awarded to her by the International

they do not exist over the entire forest landscape and certainly not in all forest types. While no one can say for sure, lower fuel loads would probably have made little or no difference in the size and intensity of this fire given the extreme environmental conditions under which it has been burning.

Unfortunately, finger pointing has already started with environmentalists and lawsuits being singled out for blame for this large destructive burn. The same thing happened after the

urban-wildland interface.

Finally, this fire event should not be used to stampede people into making ill-advised, short-sighted forest management decisions. Forest problems that have been decades in the making will take decades to fix. There will be no quick or easy solutions.

Charles J.Babbitt is a Phoenix attorney , board member and past president of the Maricopa Audubon Society.

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Women's Forum Leadership Foundation. I hope you will join me in welcoming Sam to the National Audubon family. Her new office is located at 4250 E. Camelback Road K193, Phoenix, AZ 85018 602 468 6470. (The NW corner of the NW corner of 44th and Camelback.) Jane Layne is her Office Manager and hours are 9-5, Monday through Friday. They can be reached at scampana@audubon.org or Jlayne@audubon.org and welcome visitors, meeting announcements, and news.

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FALL - 2002 PHOTO QUIZ

By Jim Burns

THIS ISSUE'S CLUE—I consider this the most difficult quiz I have put in the *WRENDITION*, so I'm giving you three very good photos and one very good clue—these three photos were taken in three different states.



A) Good Photo, Easy Bird



B) Good Photo, Difficult Bird



C) Bad Photo, Easy Bird

AZ's SPECIAL SPECIES, PLAIN-CAPPED STARTHROAD

By Jim Burns



Hummingbirds back-to-back in this series? Sure. There are nine species in this family which qualify as special to Arizona--species found only here or more easily here than in any other state, and Plain-capped Starthroat is one which qualifies as a fall specialty. Although all the state records for this hummingbird fall between June and October, many of the summer sightings have been single-observer or one-day-wonders. The August and September records, however, have usually involved birds that were well seen over multiple days or weeks and were thought to be a result of post-breeding dispersal north from Mexico. Fall is the time to be looking and the season when a chase for this species is most feasible.

This is *Heliomaster constantii*, a large but relatively drab hummingbird which breeds in Mexico from the Pacific Slope of Sonora south to Honduras. There are two sight records from New Mexico in addition to the nearly two dozen from our state. Plain-capped Starthroat will be conspicuous amongst the hordes of Arizona fall hummingbirds because of the pattern of white patches on throat, flanks and rump. Though all show up nicely in this photo of the August, '92 Portal bird, be aware that the flank patches are much more obvious in flight and are often concealed in perched starthroats.

The common name, starthroat, derives from the red to coppery-orange highlights which adorn the base of the narrow, otherwise plain, dark gray gorget of this species. In

Some of the sightings have been from the frequented hummer hotspots such as the one last fall at the Santa Rita Lodge in Madera Canyon and the one last month at Tom Beatty's feeders in Miller Canyon. Many others, however, have been away from the traditional feeding stations, with records from the Patagonia-Sonoita Creek Sanctuary, Coronado National Monument at the southern end of the Huachucas, and yes, a bird in Phoenix in October of '78.

Although no other Arizona hummingbird is likely to be confused with Plain-capped Starthroat, there are two species which might cause starthroat seekers a jolt of adrenaline. Occasionally a female Magnificent will have an elongated post-ocular spot, but this species would never show the wide white moustache or the conspicuous white rump patch distinctive to our starthroat. Sometimes at rest an Anna's will display white tufts in the flank area, but Anna's are smaller, proportionately much shorter billed, and likewise would never show a starthroat's white/dark patterns on throat and rump.

When we originally moved to the Valley in June of '78 it took us a few months to settle into new jobs and to realize life here went on a usual despite Arizona's summer heat. When we finally made contact with the MAS hotline, it was October. Plain-capped Starthroat was the lead bird on our first dial-up, and we had absolutely no clue what family of birds it even belonged to. The

immature birds the gorget is usually colorless, and in females the color may appear only as a thin band. In the color slide from which this print was taken, the Portal bird was truly a "starthroat," a single red feather, one glimmering star, standing out against the black sky of the gorget.

Starthroats are highly insectivorous and notably non-aggressive. Because they are not particularly attracted to feeders, it may well be there are several in the state every year that simply go unobserved.

original identification had been met with some skepticism, but Bob Bradley had taken one look and told Mrs. Yoba, the bird's hostess, to go out and get a guest register.

Mrs. Yoba filled her register with listers from all over the country. Ultimately, we missed the bird by one day, but we learned a simple truth about Arizona birding. Anything, anytime, anywhere, and don't let skepticism slow you down or dampen your enthusiasm. Fourteen years later the Portal bird was our first look at a Plain-capped Starthroat.



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THE BIG SIT! RETROSPECTIVELY & PROSPECTIVELY

By Herb Fibel

2001 was the 9th Big Sit!, but only the sixth one for The Granite Reef Asterisks. The Big Sit! is the brainchild of John Himmelman of the New Haven (Connecticut) Bird Club. The event was created to appeal to the sedentary birder. The second Sunday in October was selected, because it is normally a beautiful time of year to sit outside and enjoy the birds and the weather. John decided on a 17 foot diameter circle, because this was the ideally sized area to accommodate a couple of easy chairs, a small picnic table and a barbecue grill, and, because, many years down the road people would no doubt wonder: "Why a 17 foot diameter circle?" The rules are fairly simple and have not changed materially over the years. You only can count the birds you see or hear while you are in the circle. You may tally species from inside the circle for up to 24 hours on count day, or you can do it for an hour. This is a no pressure event. One of the underlying concepts of the event is that if you sit in one place long enough, every bird ever recorded in the area and maybe even a few hitherto unknown to the area, will eventually come by.

In 2001, 460 people participated in this now international event. There were 116 circles (up from 66 in 2000) in 27 states, plus The Netherlands, Mexico, South Africa, and England. 609 bird species were tallied (up from 432 in 2000). Texas went all out in 2001 in an attempt to beat California's No. 1 status in 2000. The Texans went from 3 circles in 2000 to 25 circles in 2001, tallying 228 species on count day, and easily topping California's 2001 total.

As you may well imagine, location, location, location, of your site is everything. I selected the Granite Reef site six years ago, because of its riparian mesquite bosque habitat for passersines, and its wide vista of Granite Reef Reservoir for water and shore birds. On October 14th last year, Pete

Moulton, Cynthia Donald, Ken Howe and I, tallied 50 species in the nine hours we occupied the circle. We added six brand new species to the list, bringing our total for the six years up to an even 100. Adam and Phyllis Martin, and Ken Rupp, dropped by during the day and helped us add to our species total. Although we didn't place very high among the circle totals nationally and internationally this year, the camaraderie was excellent, the weather superb, and almost \$1,200 was raised for Maricopa Audubon's conservation and education efforts through pledges and donations. Our thanks go out to the many donors, with a special thanks to Wild Birds Unlimited, Tempe, for their contribution of some much needed supplies and equipment.

To give you some idea how varied the count efforts are, I learned that there were two other counts in Arizona in 2001. Maureen Hickey tallied 13 species in Catalina State Park north of Tucson, and Valerie Smart tallied 14 species in her back yard in Tucson, bringing our state total for 2001 up to 56. Among the missing, though, in 2001 was Matt Brown's Sonoita Creek Squatters, which in 2000 added 36 species to Arizona's total for that year.

"How can I get involved in the October 13, 2002, international Big Sit!?", you ask. Let me count the ways. You can pick a Big Sit! site of your own, find some convivial birders to join you, reserve your site in advance with new Big Sit! honcho, John Tiana, at jtriana@connix.com or jtriana@rwwater.com, or call him at (203) 401-2749, sit and count on count day, and e-mail your results to John after the event. If that's too much trouble you can let us do the Big Sit! for you, and either send a donation check payable to Maricopa Audubon Society or send a per species pledge for billing after the event to Herb Fibel, 1128 E. Geneva Drive, Tempe, Arizona, 85282.

ARIZONA, ANYTIME, ANYWHERE

By Jim Burns

One of the fun aphorisms that periodically circulates through the birding world is that *sooner or later every bird species will show up at every birding site*. Birders only wish they could live that long and cover that much territory, but those of us lucky enough to live and bird in Arizona know the aphorist's vision might just be fact.

For example, right now, twenty yards out and filling our binocular field with crippling studies of seldom seen plumage and little known feeding habits is an avian visitor from the Arctic. We are in Arizona, three hours from home. The bird is in Arizona, 3000 miles from home. Its back is to us, a beautiful mosaic of darks and lights, leaving a lasting impression of rich, warm, browns in the shoulder area converging in a line up the back of the neck and suffusing out over the crown. The bird quarters toward us and we see the clean white underparts which accentuate the partial collar beneath the clean white throat. The beast turns its head and we view the white face with its dark, beady eye, the dark auricular patch, and the large, pale bill.

Obviously I am with Cynthia Donald, Jo Ann Loza, Pete Moulton, and Joe Woodley on the fishing pier at Site Six on Lake Havasu watching the Yellow-billed Loon getting ready to dive again. Well, no . . . actually I'm not. I'm with Steve Ganley and Roy Jones and we are in the middle of the dry bed at the Reay Lane sewage ponds in Thatcher watching the Snow Bunting getting ready to flip away again into the breeze with his American Pipit and Horned Lark buddies.

Most snowbirds have the sense to leave Arizona about the time temperatures reach into the eighties and the Cactus League is wrapping up. Yesterday thermometers in Phoenix hit 99 and usually suspect starter, Brian Anderson, to our surprise, has already lasted through six innings of a Diamondbacks real season "W." I glance at the calendar

Doonesbury comic strip fame, who suffered a massive heart attack upon supposedly finding a Bachman's Warbler in Yosemite, Liz is alive and doing well according to friends who accompanied her on the trip to Thatcher.

Out-of-state birders who visit periodically for Arizona's regular specialties or the odd Mexican vagrant don't know the half of it. When I leave Thatcher today I could drive to Lake Havasu and see the loon too, but I'm going home to take a nap. I've already seen a Yellow-billed Loon and a Snow Bunting on the same day once before—on Attu. It was 35 degrees and raining snow. The day before yesterday Dale Clark saw the bunting, then drove to the Huachucas to find the Flame-colored Tanager in Miller Canyon. Presumably he used his vehicle's air-conditioning and applied sunscreen liberally.

We hear Arizona birders complain about a lot of things: starlings nesting in the Saguaros; humidity in August; the long drive to the Chiricahuas; the dearth of shorebird sites. I've never heard a birder move from Arizona and not lament that leaving. I've never heard one complain about enjoying a picnic lunch in January, in shorts and shirtsleeves, watching Elegant Tropic, Green Kingfisher, Eastern Phoebe, and Louisiana Waterthrush simultaneously like Jerry Bock and friends did this past winter at Lake Patagonia State Park.

All this is a roundabout way of chiding you for thinking it odd, even disconcerting perhaps, that a *Snow Bunting* found four months ago in late spring just now graces the cover of the newsletter bearing an *August* date and a *fall* designation. Get over it. The incongruities of species, seasons, climates, and habitats define Arizona birding, make it special, exhilarate us, quicken our pulse every time we call the hotline or connect to *birdwg05*.

Would a Red-throated Pipit in Arizona be a Dick Davenport moment

on my watch. It is the middle of April, April 14 to be exact, and both loon and bunting persist here in heat stricken, drought-ridden Arizona. And not way up in Littlefield or over on The Rez, but south of an east/west median line through the state.

If seeing a new bird, a "Life" bird, is the single most exciting thing for an avid birder, then certainly seeing a bird far out of its expected range and seeing one far out of its expected season must rank second and third respectively. Yesterday when Liz Hatcher was here to see the Snow Bunting she experienced all three of these excitations in one eye blink, an extraordinary birding trifecta which is becoming almost commonplace in Arizona. Unlike the legendary Dick Davenport of

you? It would be for me. A decade ago in Alaska I had insufficient looks and took terrible photographs. Every fall there are sightings along the California coast, but did you know there is one record for Arizona? The bird hung out at the sewage ponds in Kayenta for a week in October of '89. This is Arizona. We're due. The phone could ring now, any minute.

If that's not Chuck LaRue on the line, calling from The Rez, and if the El Mirage ponds are dry right now and you're saddened to hear of their imminent demise, give me a call. We'll crank the a-c up to high and drive down to Thatcher. It will be exciting. God only knows what we'll find.



The Cactus Wren-Dition

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Snow Bunting photographed by Jim Burns at Reay Lane Sewage Ponds in Thatcher, AZ, April 14 with Canon EOS 1V body, Canon 400 mm f/2.8 lens and Fujichrome Velvia film.

MARICOPA AUDUBON SOCIETY FIELD TRIPS

By Mark Horlings

Car Pooling:

Maricopa Audubon Strongly encourages carpooling on filed trips. Please make every effort to organize your own carpool; consolidate vehicles at meeting places; and/or contact leaders for car pooling assistance. It is recommended that passengers reimburse drivers 5 to 10 cents per mile.

Legend:

Limit: Maximum number of participants per filed trip. Please call early to make your reservations.

Difficulty Levels 1 through 5: 1 equals very low level of exertion, short walking distance, considerable birding from vehicle and possible multiple birding stops. 5 equals very high level of difficulty with respect to exertion. Longer hiking distances are expected with possible steep trails.

Reminders:

- Wear neutral colored clothing and sturdy walking shoes.
- bring sunscreen, sunglasses, head protection and water
- Avoid wearing bright colors
- bring your binoculars
- don't forget to have FUN!!

Several of our fall trips may have to be canceled because of forest closings this summer. Be sure to call the leader for current updates.. Callow spring migrants are now hardy survivors, heading south.

Wednesday, August 7 through Sunday, August 11 - Southwest Wings Birding Festival will be held in Bisbee.. Call 1-800 946-4777 for information.

Friday, August 16 through Sunday, August 18 - Grand Canyon North Rim. Gorgeous scenery and great birds. Migrating warblers, Blue Grouse, Three-toed Woodpecker, Cassin's Finch and many more. We will drive and make camp Friday, bird all day Saturday and Sunday morning, then return. Stay at D.Mott campground, Jacob's Lake, the North Rim or Kaibab

Saturday, August 24 - Ramsay Canyon-Sierra Vista. August is a great month for fledglings, early migrants, and hummingbirds. We will meet at noon at the Nature Conservancy parking lot. Non-TNC members should bring \$5 for entrance. Expect temperatures in the 80's. Bring a lunch, water, and a poncho or raincoat. We will return in the early afternoon. Difficulty 2. Limit 20. Call leader for information.

Phoenix Contact: Mark Horlings (MHorlings@aol.com)
Leader: Mark Pretti
(520) 378-2640

Saturday, September 7 - Buenos Aires National Wildlife Refuge, Brown Canyon & Arivaca Cienega. It will still be a little hot, but this weekend offers the best chance to see a variety of migrant hummingbirds. Montezuma's quail are present although spotted only about 10% of the time. September and October are the best months of the year for verdant scenery.

A refuge naturalist will lead us on a morning hike (5 miles round trip) through a sycamore canyon, ending at a 47-foot natural bridge. The canyon is at 4000' elevation. After lunch, we'll visit the riparian area at Arivaca Cienega. There is a fee of \$5 per person. Meet at 8:00 a.m. Bring walking shoes, sunscreen, lunch, water, and a poncho. Please contact leader for information and reservations.

Limit: 20
Difficulty: 3
Leader: Bonnie Swarbrick
(520) 823-4251
Phoenix Contact: Mark Horlings (MHorlings@aol.com)

Sunday, October 6 - Hart Prairie Preserve-Flagstaff. We will meet at The Nature Conservancy headquarters, 2601 N. Fort Valley Road (Hwy 180) in Flagstaff at 10:00 a.m. and carpool to the preserve. Expected migrants include orange-crowned, black-throated gray, and Virginia warblers. Three-toed woodpeckers, sharp-shinned hawks, and prairie falcons are in the area.

(continued from page 9)
By Mark Horlings

Saturday, October 12th - Arcosanti and the Agua Fria River. Great birding as the weather cools along the Agua Fria River. Likely sightings of belted kingfisher and vermillion flycatcher. Zone-tailed hawks and yellow billed cuckoos have also been sighted here. Sixty miles north of Phoenix off I-17. Bring lunch, water, and good walking shoes. Please contact leader for information and reservations.

Limit: 15
Difficulty: 3
Leader: Dwayne Fink
(480) 967-9202,
edna.fink@asu.edu

Saturday, October 19th - Hassayampa River Preserve-Wickenberg. Easy trails along the river make this an ideal place to see fall migrants and resident upper Sonoran bird species. Bring lunch and shoes fit to wade across shallow water. Please contact leaders for information and reservations.

Limit: 20
Difficulty 2 (water crossings)
Co-leaders: Harvey Beatty
(480) 991-190 and
Mark Horlings
(602) 279-2238,
MHorlings@aol.com

Saturday, October 26th - Haunted Canyon. We will enter Tonto National Forest 60 miles east of Phoenix (assuming a good monsoon) to look for late fall migrants in the perennial waters of Haunted Canyon. The Canyon hosts a major tributary of Pinto Creek at 3500 feet elevation. Enjoy a 95% forest canopy, including one seed juniper and Arizona Alder. We may see Plumbeous Vireo, Bewick's Wren, and Band-Tailed Pigeon. Contact Leader for reservations and information.

Saturday, November 2nd - Boyce Thompson Arboretum. We will assemble at 7:00 a.m. in the valley and carpool 60 miles to the Arboretum. The Arboretum always produces a good variety of species and occasionally a genuine surprise. An excellent site for beginners. Bring lunch. Call leader for reservations and information.

Difficulty: 1
Leader: Marceline Van DeWater
(480) 922-4910.

Tuesday, November 12 - Gilbert Library Ponds. The ponds and surrounding marshes attracting migrating wildfowl, wintering raptors, and passerines. Bring a spotting scope, if available, lunch and water.

Limit: 15
Difficulty: 1, if that. They don't get any easier.
Leader: Cindy West
(480) 830-5332
cwestbirdr@juno.com

Saturday, November 16: - Cottonwood. We will visit two or three locations near Cottonwood, including Dead Horse Ranch State Park and Tavasci Marsh. We will meet in the a.m. in north Phoenix and carpool to Cottonwood. Expect to see a variety of residents and waterfowl. Contact leader for reservations and information.

Limit: 15
Difficulty: 2
Leader: Richard Kaiser
(602) 276-3312

Limit:15

Lodge. Must contact leader for details and reservation before August 1, 2002. Limit: 15.

Leader: Charles Babbitt
(602) 840-1772

Bring a lunch and \$5 fee for non-TNC members. Monsoon failure may force a second cancellation of this trip, so be sure to call.

Limit 20.

Difficulty 2 (Easy nature trail-about one and a half miles around).
Phoenix Contact: Mark Horlings
(MHorlings@aol.com)
Leader: Todd Barnell
(928) 774-8892

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Difficulty: 3 (3 mile hike)
Leader: Laurie Nessel
(480) 968-5614

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Snow Bunting photographed by **Jim Burns** at Reay Lane Sewage Ponds in Thatcher, AZ, April 14 with Canon EOS 1V body, Canon 400 mm f/2.3 lens and Fujichrome Velvia film.

Photo Quiz Answers

By Jim Burns

The internet discussion on thrasher distribution which ensued last March when Stuart Healy and I questioned John Prather's sighting of multiple Curve-billeds at the Salome Highway site reiterated two key tenets of bird identification-just because you see a bird doesn't mean you will be able to or have to put a label on it, and just because locals have not recorded a species in an area doesn't mean it may not be seen there. As Stuart so perceptively pointed out, habitats and the bird populations they car can and do change over time.

Fall is when migrant thrashers pass through central Arizona and migrant birders begin to visit the Salome Highway site. Scratching around in the shadows under a bush or scampering away through the desert scrub are typical thrasher sighting scenarios. Thus, thrashers in black and white is a good exercise because it takes us beyond our reliance on color to considerations of shape and structure, which may be all you get if your thrasher isn't teed up and singing in full sunlight as it might be during a late winter/early spring breeding season.

Our eight thrasher species are notoriously difficult because several of them share habitat, plumage characteristics, and structural features. Any thrasher observation should begin with two precautions. Be meticulous in your evaluation of field marks, and resist the temptation to base identification on preconceived notions and expectations.

A) Good Photo, Easy Bird

Here we see a robust thrasher with a very thick bill, both mandibles decurved, and a peaked crown. We see a light iris and relatively dark plumage, uniform except for the lighter throat and the indistinct, perhaps circular spotting in the breast and belly.

Let's eliminate Brown and Long-billed because their streaking is much more distinct and neat. In fact, let's eliminate these two species from the entire quiz for that reason, but before you leave for south Texas this winter, let me show you my Long-billed slides which I incorrectly labeled "Brown." Thrashers are NEVER

If you think this can't be a Le Conte's because it's too dark overall, let me remind you this bird is not frontlit like our first and third birds, but sidelit, flanks and topside shadowed by the front half of its body. An it has a dark eye.

If you think this can't be a Crissal because of that dark eye, let me show you some of my color slides of Crissals wherein the iris appears dark because of the angle of light, and let me give you a quote from a field guide published in 1985 which says "The Crissal is virtually identical to the California Thrasher."

If you think this can't be a California because the face isn't strongly enough patterned or contrasty enough with the throat, notice that the bird is singing and the wind is blowing big time. The throat feathers are distended and all of the bird's plumage is in disarray. Just two more monkey wrenches in your best case field observation scenario.

Here again is the hear of the thrasher matter. this is a good, close-up shot, but if you don't know where this photograph was taken, the identification of this bird is very problematical, and these same problems can and will occur in the field. In this case color would have been somewhat helpful. In sunlight, even at this angle, I can't imagine the beady black patent leather eye of Le Conte's not standing our more obviously from the pale, plain face. So tell me if this is a California or a Crissal. I don't think you can conclusively decide form this photo.

This California Thrasher was photographed Easter Day 2001 at Lake Hodges north of San Diego. Oh, and that curve-billed in our first photo was taken at Papago Park near the zoo in Phoenix.

C) Bad Photo, Easy Bird

Usually the solution to our final quiz is easier and more to the point by virtue of our considerations of the first tow birds. Thus, we know this thrasher is one of three: Curve-billed, Bendire's, or Sage. Compared to our Curve-billed, this bird appears somewhat smaller, somewhat shorter billed, and the lower mandible, if

FIELD OBSERVATIONS - MARCH, APRIL, MAY 2002

By Janet Witzeman

This spring birders experienced one of the best migrations in recent memory. Observers spoke of warblers and empidonax flycatchers "dripping" from the trees in all the usual birding areas, as well as good numbers of all the other migrants.

The **Yellow-billed Loon**, present at Lake Havasu City at least since Feb 1, remained until the late date of Apr. 11 (m.ob.). Three Clark's Grebes were seen with Western Grebes on Saguaro Lake on the late date of May 11, providing the first may record in the county for this species (TC). Am. White Pelicans, rare visitors, were observed in three areas: two at Lake Pleasant Mar. 9 (TC, TM), up to 26 at Gillespie Dam from Mar. 17 - 23, with one still present mar. 31.

Bitterns were found at 115the Ave and the Gila River mar, 23 (fide TC) and at Willcox Lake in s.e. Arizona May 7 - 18 (DStj *et al.*). A Least Bittern was found at a new location at the Maricopa Agricultural Center May 4 (RD); individual Least Bittern continued to be seen at the Tres Rios Ponds and 115th Ave. and the Gila River May 3 (R&JWz,PH), and along the Salt River, w. of the Cobble Pond May 27 (MR). An immature Snowy Egret was seen begging from an adult at the Tres Rios Ponds Mar. 7 (RWz,MR) and both Snowy and Great Egrets were observed on nests at the rookery off of Painted Rock Dam Road Mar. 29 (HD).

The large flock of at least 100 Black-bellied Whistling-Ducks continued to be seen at the Tress Rios Ponds Mar. 7 (RWz,MR), one was seen in the Indian Bend Wash Mar. 17 (JBu), 44 were observed at the El Mirage Pond Mar. 30, and numbers were reported on nests at the rookery off of Painted Rock Dam Road Mar. 29 (HD). Individual Wood Ducks were reported at the Arizona Country Club in e. Phoenix Mar. 2 (MD), in Freestone Park in Mesa Mar. 25 (HF), and on Pine Lake in the Hualapai Mts. Mar. 15 (KB). A large number of

Pond on the late date of May 18 (TC,RJ). The **Long-tailed Duck**, below Parker Dam since Jan. 10, remained until Apr. 4 (m.ob.). One of the pairs of Barrow's Goldeneyes that wintered below Parker Dam, remained until Apr 11 (m.ob.).

A Gray Hawk, a casual visitor to Maricopa County, was observed at Lower Camp Creek Apr. 18 (RWd). The pair of **Red-shouldered Hawks** returned to the Hassayampa River Preserve (hereafter HRP) for the third year Mar. 9 (TC,TM), Another **Red-shouldered Hawk** was discovered near Clear Creek Campground, e. of Camp Verde May 2 (BD,LH,AV,RWd). A Golden Eagle was seen at a lower than usual elevation near 115th Ave. and the Gila River Mar. 3 (RWz).

A pair of Virginia Rails, discovered at the cattail marsh on El Mirage Rd., n. of the Gila River Apr. 23 (TM) and an individual, seen at the Neely Ranch in Gilbert Apr. 25 (RD) probably represented wintering or migrating birds. There has been no evidence of this species' nesting in the county since May 1995 when a pair was found nesting in a marsh across the river from Coon Bluff (DT).

A Snowy Plover and two Red-necked Phalaropes were observed at a pond between Ocotillo and Chandler Heights Blvd. in Gilbert May 18 (TC,RJ). Am. Avocets were found nesting at a **sewage pond at the Air Force Base s. of Gila Bend** Apr. 17 (TC), at the Gilbert Water Ranch Apr. 24 (JBu), and at the Neely Ranch in Gilbert May 12 (RHu). Black-necked Stilts were also found nesting at the Gilbert Water Ranch Apr. 24 (JBu). Individual Willets were seen at Arlington May 3 (R&JWZ,PH) and at the Ocotillo and Gilbert Pond May 11 (RJ). A late Western Sandpiper was found at a pond s. of Gila Bend May 19 (TC). A Dunlin was reported at the Gila Bend Sewage Ponds Mar. 11 (HD).

Two Bonaparte's Gulls were reported at the Gila Bend Sewage Ponds May 11 and May 19 (TC). Two Caspian Terns were observed at Gillespie Dam on the late date of May 11 (fide TC) and three were seen at the

as easy as they seem in the guide books!.

Nets, let's eliminate thrashers with unmarked underparts, and let's eliminate Sage Thrasher because of that big, honking bill. Now, tell me if this is a Bendire's or a Curve-billed. Some field guides say Bendire's lower mandibles is straight. Sibley says only that it is "straighter." Sibley also says Bendire's has a peaked crown. Most field guides characterize Bendire's spots as arrowhead or triangular, but not all remind you that these spots fade out and become less distinct with wear. Most will tell you Bendire's is shaped like Sage, whereas Curve-billed has a Crissal jizz, but when you're this close anything is going to look big and chesty. And don't forget that juvenile Curved-billeds have shorter bills and lighter irises than adults? So, tell me if this is a Bendire's or a Curve-billed.

Here's the heart of the thrasher matter. This is the best Curve-billed (I observed it both calling and singing) photograph I've ever taken, perhaps the best I've ever seen, and I don't believe you can conclusively determine from this photograph whether this bird is a Bendire's or a Curve-billed. And color wouldn't have helped us a bit! Are you beginning to get the thrasher picture now? This Curve-billed Thrasher was photographed March 1999 in....

B) Good Photo, Difficult Bird

Well, only three of our eight thrashers have unmarked underparts. But, those three share a similar shape, a light throat with strong, dark moustachial markings, a tail longer than Curve-billed, and a bill that is longer and thinner and thus more obviously downcurved than Curve-billed, and a bill that is longer and thinner and thus more obviously downcurved than Curve-billed. Sure, you won't see a California Thrasher in Arizona, but Crissal and Le Conte's have been seen at the Salome Highway site in the same bush, and both occur in the California deserts not far from proper California Thrasher habitat.

not straight, does at least appear straighter. We see rounded crown, a light iris and the same indistinct, perhaps circular spotting on the breast and belly.

It wouldn't be hard in field to glance at this bird and think Sage Thrasher. There seems to be a hint of a wingbar, but it could be the play of light. The spotting seems more distinct than we're used to seeing on a Curve-billed or a Bendire's, and remember that the crisp, contrasty spotting on Sage fades out by late summer. But you just can't get past that long, curved bill-too long and curved for any Sage Thrasher

Let's eliminate Sage and go back to the quiz clue. We've had an Arizona thrasher and a California thrasher. Bendire's breed in Utah and New Mexico and can even be found in Nevada and Colorado. Sure, and your preconceived notions and expectations follow you around to every state in the union. This bird is not a Bendire's. This is *Toxostoma curvirostre oberholseri*, the Texas race of Curve-billed, photographed near Raymondville, Texas, February 2002.

Compared to our central Arizona Curve-billed *T.c. paleri*, *T.c. oberholseri*, is smaller, somewhat shorter billed, shows wingbars like a Sage and tailspots like a Bendire's, and has a lighter ventral background color which makes its spot appear more distinct. To my tin ear the songs sound very similar, but it's a good bet if you netted a Texas Curve-billed and released it in Phoenix it would die without progeny.

These two races of Curve-billed may well be split in the future after further DNA studies.

I'm not sure what Stuart learned from his initial inquiry regarding thrashers at the Salome Highway site, but learned never to question another birder's identification (at least not publicly). That's probably a good lesson for all of us, and here's another one Question carefully every thrasher identification you ever make.

Wood Ducks (35-40) were reported on a pond near the Verde River near Clarkdale Mar. 16 (TC,TM). The Eurasian Wigeon was still present on the Indian Bend Wash Pond n. of McKellips Rd. Mar. 7 (AS). A female Canvasback was still present on the Gilbert/Riggs

Tempe Marsh e. of McClintock on the late date of May 27 (DStu). Individual Least Terns were seen at Willcox Lake May 14 at least to May 27 (fide MS) and at Cow Springs Lake in n.e. Arizona May 16 (CL,DDiT). The Eurasian Collared-Doves at Palo Verde were found to have increased in number to seven and three more

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Snow Bunting photographed by Jim Burns at Reay Lane Sewage Ponds in Thatcher, AZ, April 14 with Canon EOS 1V body, Canon 400 mm f/2.8 lens and Fujichrome Velvia film.

FIELD OBSERVATIONS - MARCH, APRIL, MAY 2002 (continued from Page 12)

By Janet Witzeman

were found at Paloma May 19 (TC). One Eurasian Collared-Dove was observed at Nutrioso in the White Mts. May 27 (SBa). A male Ruddy Ground-Dove was seen in s.w. Phoenix May 26 (BG) and the male at El Mirage Pond was relocated May 27 (TC).

A Black-billed Cuckoo was discovered at Cow Springs Lake in n.e. Arizona May 15 (CL,DDit); there have been only five previous state records. Flammulated Owls are sometimes seen at lower than usual elevations during migration; one was reported near 40th St. and McDonald Dr. May 2 (LB). A Burrowing Owl was seen at a new location - at the Maricopa Agricultural Center May 2 (RD). A Whippoor-will, a rare summer resident above Slate-creek Divide, was heard there May 11 (TC).

A Broad-billed hummingbird, a rare visitor to Maricopa County was seen in Carefree Apr. 13 (NS,WT) and a female was discovered incubating eggs, in the same nest as last year, at Boyce Thompson Arboretum (hereafter BTA) Apr. 14 (TC). An Anna's Hummingbird was seen at the spring on Mt. Ord May 11 (TC) a higher than usual elevation, although there have been two previous records at this location and nearby Slate Creek Divide. An adult male Calliope Hummingbird, discovered on Mt. Ord May 11 (TC), provided the fourth spring record for Maricopa County. Two Rufous Hummingbirds, uncommon in spring, were observed at the HRP Mar 11 (JBo). A late Red-naped Sapsucker was observed at Mesquite Wash Apr. 22 (R&JWz).

A singing N. Beardless Tyrannulet was observed Apr. 14 at BTA where the species is seldom recorded (TC). A Greater Pewee, an uncommon transient, was heard calling on Mt. Ord May 11 (TC). A Yellow-bellied Flycatcher was discovered at Cow Springs May 16 (CL,DDit); there have been only two previous state records, both from s.e. Arizona. A pair of Tropical Kingbirds returned May 4 to HRP where they nested for the first time a year ago (JWo).

A White-eyed Vireo was discovered at Page Springs Fish Hatchery May 2 (JE); there have been 17 previous state records. Individual singing male Yellow-

A group of Mexican Jays, irregular wanderers to Maricopa County, were seen above Slate Creek Divide Apr. 30 (SG) and three from that group were still present there May 11 (TC). A pair of Com. Ravens were found nesting at a lower than usual elevation, at the top Hayden Library at ASU in Tempe, Apr. 9; five eggs were counted May 3 and three or four chicks were observed May 21 (DStu).

A Winter Wren (a rare winter visitor) and an Am. Dipper (an uncommon resident) were observed in Oak Creek Canyon Mar. 16 (TC,TM). Large numbers of Cedar Waxwings were reported in many areas during the period: several at Seven Springs Mar. 3 (MR), 100 at the HRP Mar. 9 (TC,TM), 20 at Bushnell Tanks May 6 (PH,R&JWz), 12 at Whitlow Dam May 24 (JBa), 50 along Sycamore Creek May 25 (MAS field trip), as well as in the Chiricahuas and Patagonia in s.e. Arizona in May (m.ob.).

A Tennessee Warbler was discovered in Dreamy Draw May 5 (MP). A female N. Parula was found at BTA Apr. 14 (TC). The Yellow Warbler, that was wintering at the Cobble Ponds, remained at least until Mar. 10 (HS). A Black-and-white Warbler was found at the Desert Botanical Garden May 13 (SaBa *et al.*). A Worm-eating Warbler, discovered at the Phoenix Zoo Apr. 17 (RJ), provided the sixth record for Maricopa County and the first in April. An Ovenbird was discovered near 115th Ave. and Southern May 26 (BG) and another individual was reported near Big Lake Lookout in the White Mts. May 27 (StBa). Individual N. Waterthrushes were observed at Whitlow Dam May 2 (JBa) and at Cameron Seep in n. AZ May 14 (CL,DStj,MS).

A red-faced Warbler was seen carrying nest material above Slate Creek Divide May 11 (TC), adding more information about the nesting status of that species in the County. Although the species has been observed in that area in May and summer since 1998, nesting was not confirmed until a year ago when an adult was seen feeding a juvenile there June 10 (SG). A Painted Redstart, seen along Cave Creek Rd., s.e. of Spur Cross Mar. 25 (WrT), probably represented an individual that was wintering in that area. A Yellow-breasted Chat was found

FIELD OBSERVATIONS - MARCH, APRIL, MAY 2002 (Continued from Page 13)

By Janet Witzeman

Brewer's and White-crowned Sparrows

were still present in s.w. Phoenix on May 27 (TC), about a week later than usual. A

Grasshopper Sparrow was mist netted at the HRP May 11 (fide TC); there have been eight previous County records. One of the White-throated Sparrow that wintered at BTA was still present Apr. 14 (TC). Another individual was observed in a n. Scottsdale yard Apr. 7 (WT). A Yellow-eyed Junco was discovered just below the summit of Mt. Ord May 12 (StBa); there have been only two previous County records.

The Pyrrhuloxia, that wintered at the Desert Botanical Garden remained until Apr. 8 (SaBa, R&KK,m.ob.). There were more Rose-Breasted Grosbeaks reported than usual: a male at the Cameron Trading Post May 14 (DStj,MS,CL), a male in New River (CaC), a female and a singing male at Paloma May 19 (TC), a male near Springerville, Wt. Mts. May 20 (BG), a male at Whitlow Dam May 30 (JBa), as well as several in s.e. AZ.

A Lazuli Bunting, seen along the Verde River, n. of Rio Verde Apr. 7 (TC), was a week earlier than usual. More Indigo Buntings than usual ere reported: a male at Mesquite Wash Apr. 24 (LH), two at Paloma May 19 (TC), one in New River May 20 (CaC), and a male at BTA May 24 (JBa).

A Com. Grackle was found s.e. of Nutrioso in the Hite Mts. May 27 (StBa). A female Orchard Oriole was present in a yard in Ahwatukee from January to mid-March, as well as the same period the year before (Sa&GBa). Another individual, a first year male, was discovered at the

ponds in Thatcher May 13 and was still present in early June (JWI). Two adult Short-tailed Hawks were seen over Barfoot Junction in the Chiricahuas May 4 (RT). A Black Skimmer was discovered at a lake in e. Tucson May 7-9 (CIC). At least one Buff-collared Nightjar was seen and heard in California Gulch during May (RHo, MK).

A female Tropical Parula was reported along the San Pedro River May 20 (fide MS); there has been only one previous state record. A Magnolia Warbler was found at the Patagonia Roadside Rest May 23 (MS). A Pine Warbler was found at Marana Mar. 8-11 (RHo *et al.*). The pair of Rufous-capped Warblers in French Joe Canyon were found nesting Apr. 13 and were seen feeding young May (m.ob.). An adult male Scarlet Tanager was discovered in the Patton's yard in Patagonia May 20-23 (RB *et al.*). A male Flame-colored Tanager was found in Miller Canyon Apr. 11 and was still present in early June (m.ob.). A Snow Bunting, discovered at the Reay Lane Sewage ponds in Thatcher Apr. 11-20 (JWI *et al.*), provided only the second record for Arizona. Three individual male Baltimore Orioles were found in separate areas in s.e. Arizona during May (fide MS).

ABBREVIATIONS:

Boyce Thomson Arboretum (BTA)
Hassayampa River Preserve (HRP),
many observers (m.ob.)

OBSERVERS:

Steve Barlow, Sally & Gordon Barnes, Jack Bartley, Robin Baxter, Ken Bielek, Jerry Bock, Scott Burge, Jim Burns, Loreen Bustardi, Carol Caldwell, Cliff Cathers, Troy Corman, Bix Demaree, Henry Detwiler, Rich Ditch, Dean DiTommaso, Margaret Dyckman, Jeff Estis, Herb Fibel, Steve Ganley, Kathy Groschupf, Bill Grossi, Liz Hatcher, Peter Herkenrath, Rich Hoyer, Ron Huettner, Roy Jones, Richard & Karen Kaiser, Melody Kehl, Chuck LaRue, Gabe Martinez, Tracy McCarthy, Mike Plagens, Mike Rupp, Norm Shrout, Andy Spencer, Dave Stejskal, Mark Stevenson, Diane Stuart, Rick Taylor, Walter Thurber,

throated Vireos were discovered at Tonto National Monument Apr 18 (GM) and at Cow Springs Lake May 15 - 24 (CL,DDit). A Cassin's Vireo was observed at Rio Verde Apr. 17 (HF). A Hutton's Vireo was seen collecting nest material on the early date of Mar. 9 and at a lower than usual elevation at the HRP (TC,TM).

in an unusual location - in a Tempe yard May 15 (KG).

A Clay-colored Sparrow was discovered in a Scottsdale yard May 16-18 (JBa); there have been five previous county records. Another individual was found at the golf course in Page in n. AZ May 14 (MS,CL,DStj).

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Cameron Trading Post May 14 (MS,DStj,CL). A Red Crossbill, an irregular visitor, was seen in Papago Park Apr. 24 (MP).

Dick Todd, Anita Van Auken, Russ Widner, John Williams, Robert Witzeman, Joe Woodley, Kevin & Barry Zimmer

Highlights from s.e. Arizona: An adult **Least Grebe** was discovered at Sweetwater Wetlands, Tucson May 8 (K&BZ) and was still present in early June. A female **Surf Scoter** was found at Reay Lane Sewage

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Last updated: September 26, 2002



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Snow Bunting photographed by Jim Burns at Reay Lane Sewage Ponds in Thatcher, AZ, April 14 with Canon EOS 1V body, Canon 400 mm f/2.8 lens and Fujichrome Velvia film..

EARTH JUSTICE: BECAUSE THE EARTH NEEDS A GOOD LAWYER

(continued from last issue)

By Buck Parker

BLM LANDS, Off-Road Vehicles and R.S. 2477. Revised Statute 2477 is an artifact of the 1866 Mining Law, passed during the opening of the West to encourage the public to build roads across federal lands. R.S. 2477 was finally repealed in 1976. It has been resurrected in recent years by local politicians, off-road vehicle enthusiasts and development interests, who contend that they are still entitled to build highways or operate off-road vehicles anywhere there was a trail or cowpath before 1976. They further argue that such roads or off-road vehicle use are not subject to regulation by the federal government and that affected federal lands no longer qualify for wilderness protection. Alaska claims about one million miles of such roads, but no state has pursued R.S. 2477 claims more vigorously than Utah.

In an especially egregious example of using litigation and the courts as cover for doing what you want to do, the Bush administration and the State of Utah are actively discussing the settlement of a *potential* suit by Utah that would confirm as many as 10,000 claims of rights of way, mainly in southern Utah. Once they have settled on the wording (which shouldn't be difficult, given that Utah and Interior Department officials are fundamentally in agreement), Utah will file a complaint in federal court asserting its claims; at the same time the state and the Justice Department will file their agreement as a "consent decree" to be approved by the court as concluding the litigation.

Although the agreement is being negotiated between two of the most public institutions one can think of, the federal government and a state government, both the Department of the Interior and Utah have refused to disclose anything about the discussions. Representing The Wilderness Society and Southern Utah Wilderness Alliance, Earthjustice attorneys have been forced to resort to the Freedom of Information Act to try to get information on a subject critical to the future of all federal lands in Utah. Ultimately we will

transmit diseases that can wipe out wild stocks and also pass on to wild stocks genetic weaknesses that develop in hatchery strains; further, if hatchery-bred fish must be included in determining whether salmon are threatened, important constraints on destroying rivers and spawning habitat are removed.

Late last year a federal district court judge in Oregon accepted Pacific Legal Foundation's argument and overturned the listing of wild coho as threatened, thus jeopardizing one of the most far-reaching habitat restoration

programs in the country. Senior Justice Department officials, happy with the outcome, declined to appeal. At that point Earthjustice successfully intervened in the case, and we have appealed the district court's ruling to the Ninth Circuit Court of Appeals. Briefing is under way, but no date has been set for oral argument.

WATER QUALITY

Public opinion and irrefutable science foiled the administration's infamous attempt to allow more arsenic in drinking water, but its attempt to weaken other water quality and wetland programs have gone largely unnoticed. The two areas of greatest concern are the administration's easing of restrictions on the destruction of wetlands and its rollback of regulations to address the country's biggest water pollution problem, runoff from polluted land. Here again the administration is attempting to use litigation and the courts as cover for rolling back environmental progress.

Filling Streams and Wetlands. This story is worth spending a little time on, both in its own right and because it illustrates a much more pervasive problem.

The Clean Water Act prohibits filling streams and wetlands without a permit issued by the Army Corps of Engineers. The permit requirement

EARTH JUSTICE: BECAUSE THE EARTH NEEDS A GOOD LAWYER

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be included in any settlement discussions. The Justice Department denied the request to be included in the negotiations. Pending a deal between the Corps and industry, the case remains stayed.

Another key dispute has been about what kind of a permit is required by the Act. Industry and the Corps favor "general permits," which grant automatic approval nationwide to certain kinds of activities, without any individualized consideration and without the involvement of other agencies or the public in the process. In March 2000 the Corps issued a new rule restricting the use of general permits where streams and wetlands are filled. Although that rule made a significant improvement, it left some gaping problems unaddressed and disappointed many environmentalists.

Last fall the Corps of Engineers proposed to weaken even that compromise rule significantly. Scientists at the U.S. Fish and Wildlife Service, within the Department of the Interior, studied the proposed change and prepared that agency's comments, as required by law. Their comments were highly critical of the change, concluding that they were not justified by science and would "result in tremendous destruction of aquatic and terrestrial habitats." The scientists then submitted their comments to Interior Secretary Gale Norton's second-in-command, former coal mining lobbyist Steven Griles, for forwarding to the Corps.

Griles never forwarded the Fish and Wildlife Service's comments to the Corps, and the period for comment closed without any input from the federal agency whose scientists know most about the problem. When this became known, an Interior spokesman said that the problem is the Senate's fault — the comments were not forwarded to the Corps because Interior is short-staffed, and that is because the Senate has not confirmed all of the President's and Gale Norton's nominations for Interior posts. Griles, however, has a record

undercut the Clean Water Act; industries affected by the new regulations immediately brought suits of their own aimed at overturning requirements that would require reductions in the quantity of waste allowed to reach streams and rivers.

These legal challenges were pending when the Bush administration took office. But rather than defend the new regulations, which included over 100 consensus recommendations from a 20-member advisory committee, the new Justice Department asked the court to stay all the cases for 18 months while the Bush administration's EPA considers changing the rules to make them more acceptable to the timber and agricultural corporations. In the meantime, the existing rule's implementation has also been postponed for the same period, stopping the non-point source program in its tracks. The official excuse offered by EPA Administrator Whitman was, of course, that the rule had been challenged in court.

AIR QUALITY

Although the energy industry is behind much of the Bush administration's public lands agenda, its grip on the executive branch is most apparent in the efforts to roll back regulatory — and perhaps even statutory — protection for our air.

Refinery Emissions. One case in point is a Clean Air Act rule with the very modest goal of prohibiting refineries from increasing their emissions of toxic pollutants. Earthjustice is challenging the rule because it does not go far enough — for example, the rule does not require significant reductions in benzene emissions of the sort currently being achieved by refiners in California and New England. Nevertheless, two refiners, Amarada Hess and Hosvena, have challenged the rule for imposing any limitations at all. The situation is ripe for another "settlement" by the administration that will attempt to give industry what it wants under cover of a court order.

challenge any parts of the consent decree that we think contravene federal law.

ENDANGERED SPECIES

Bush administration officials have so far refrained from a direct attack on the Endangered Species Act, preferring to underfund the Fish and Wildlife Service's endangered species programs. Developers and others are nevertheless challenging listing decisions and species recovery programs all over the country, and these cases are now being defended by Justice Department lawyers who must answer to political appointees. In what is probably the most important of these challenges, involving West Coast coho salmon runs, the administration has allowed a district court judge to overturn a listing without appealing his decision. Fortunately, we are.

In *Alsea Valley Alliance v. Evans* the industry-financed Pacific Legal Foundation seeks to overturn the listing of naturally breeding, or wild, coho salmon as threatened. The listing decision, the result of earlier Earthjustice litigation, will require changes in a broad range of human activities in the Pacific Northwest, including logging, grazing, pesticide and fertilizer use and real estate development. Pacific Legal Foundation argues that the Endangered Species Act does not allow federal scientists to distinguish between wild and hatchery-bred fish. The argument would thus deprive the federal government, or any government, of the authority to address the threat that hatchery-bred fish pose to wild stocks. Hatchery-bred fish

was imposed by Congress to stem the widespread loss of ecologically important wetlands and streams that would otherwise be drained or filled for urban development. Developers and agribusiness have fought for decades to narrow or otherwise undermine this provision, the most important public control over their activities.

On April 16, 2001, just before Earth Day, the President and EPA Administrator Whitman announced they would implement a new rule issued jointly by EPA and the Corps of Engineers under the Clinton administration to narrow the regulatory loophole. The administration's statements of public support helped improve its environmental image just when the media was paying most attention to environmental issues.

The homebuilding and mining industries, however, had already challenged the new rule in the courts, and on April 19, three days later, the Justice Department quietly asked the federal court hearing the cases to stay the litigation because the administration and the homebuilders and mining industry were in settlement discussions that might lead to changes in the rule. Under the cloud of litigation and possible revision, the rule was left in limbo and widely ignored by the Corps. Representing the Sierra Club, National Wildlife Federation and the North Carolina Wildlife Federation, Earthjustice immediately moved to intervene to defend the rule, over industry's objection, asking the Justice Department to

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of "deep sixing" reports he doesn't like, having done essentially the same thing under the Reagan administration, when he rejected a report by BLM economists that ran counter to his desire to reduce royalties paid by coal companies for mining on federal land (1988), and another Fish and Wildlife Service report that criticized proposals for oil drilling off California's coast (1989). As the *Atlanta Journal-Constitution* editorialized, Griles is not simply an example of a fox guarding the henhouse - he's a fox with feathers in his mouth. And, unfortunately, he has a lot of company in the administration.

As yet, no final version of the revised rule has been published that can be challenged in court. But any challenge to a final rule will be significantly more difficult thanks to the fact that the Fish and Wildlife Service was effectively silenced by its superiors in the administration.

"Non-Point Source" Cleanup. Although the Clean Water Act of 1972 has been very effective in reducing pollution from industrial facilities and municipal sewage plants, there are essentially no limits on the amount of wastes that can flow into a stream or lake from logging, farming, or other activities that do not channelize their waste into a specific point of discharge -- they simply allow it to run off in the rain and snow. The result is that diffuse, "non-point" runoff, especially from agricultural operations, is our biggest source of water pollution.

Reacting to a round of lawsuits filed by Earthjustice and others around the country successfully implementing the non-point source program in many states, EPA adopted regulations in 2000 to guide compliance with this long-dormant part of the Clean Water Act. The rule would apply to more than 20,000 bodies of dirty water that are candidates for non-point pollution controls, including more than 300,000 miles of river and shoreline and five million acres of lakes. Once again, the EPA rule reflects compromises — some of them aimed at blunting the effect of court rulings obtained in our cases. Earthjustice challenged the regulations where they

Air Pollution from Agricultural Sources. The Bush administration is also working against the laws it is supposed to enforce in lower-profile but not less important ways. Many people are surprised to learn that California's Central Valley is one of the worst-polluted air quality regions in the country, surpassing even Los Angeles for smog. To meet minimum air quality standards set by EPA to protect public health, emissions must be reduced by about one third, an impossible task without significant cuts in air pollution from agricultural sources, including huge diesel irrigation pumps. The Clean Air Act's pollution-reduction requirements are applied to large pollution sources through permits issued under Title V of the Act, either by EPA itself or by a state whose permit program is approved by the Administrator as complying with the act.

California is among the states seeking EPA's approval to assume responsibility for implementing Title V, but California is unique in having a state law prohibiting local air pollution control districts from requiring permits for any agricultural activity. Protected from the requirements that apply to other industries, agribusiness has declined to do its part in cleaning up the Central Valley's air. In 1995 and 1996, the EPA Administrator refused to fully approve California's Title V program, citing the exemption for agriculture as inconsistent with the Clean Air Act's mandate that Title V permits must apply to every major source of pollution. The language of the statute could not be plainer: "the Administrator may not exempt any major source." EPA gave California two years to eliminate the exemption or face disapproval of its program.

In December 2001, EPA Administrator Whitman did a complete about-face and approved the California Title V program, complete with the exemption for agriculture, effectively rewriting the Act to insulate agribusiness. Earthjustice has been asked by the Latino Issues Forum, Medical

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Snow Bunting photographed by Jim Burns at Reay Lane Sewage Ponds in Thatcher, AZ, April 14 with Canon EOS 1V body, Canon 400 mm f/2.8 lens and Fujichrome Velvia film.

SPRING AT POINT PELEE



By Steve Ganley

Point Pelee Provincial Park is truly one of the great spring migration locations in all of North America. I had the good fortune to take my first trip there this past May and I was not disappointed. I am sure that some years are better than others, but birders from the west will be happy with what they see even if the locals try and tell you that it is a bad year. Migration takes a little longer to get this far north and long after southern Arizona's migration had slowed to a trickle, things are just getting good at Point Pelee.

Point Pelee is a rather narrow, wooded peninsula that extends south into Lake Erie from Ontario, Canada. The migrating birds that are heading north through the central flyway come to the large body of water of Lake Erie and are reluctant to fly across it. They stop at the southern edge of Lake Erie at places like Crane Creek State Park and Magee Marsh in northern Ohio which are also good places to witness spring migration. Depending on the weather conditions the migrants either pile up at Crane Creek waiting for a tailwind or they head north across Lake Erie. After crossing Lake Erie the first thing the birds will see is Point Pelee sticking out into the water and they head right for it.

The tip of Pelee is where a lot of the action is first thing in the morning. The park runs a tram from the Visitor's Centre to the tip of Point Pelee every twenty minutes starting very early in the morning. This is the most southern point in all of Canada. Often the trees and bushes are dripping birds. The newly arrived birds are tired and hungry and often allow close approach for photographs. I saw many birds just standing on the sand near the water eating bugs, one day it was about 15-

Vireos, Catbirds, Thrushes, throw in a few male Scarlet Tanagers, Orchard and Baltimore Orioles, Blue Jays and Indigo Buntings and color seems to be everywhere.

Some species migrate a little earlier than others and you can adjust your visit depending on what species you want to see the most. The birds often come through in waves. One day there may be lots of Magnolia Warblers and Blackpolls and on the next there may be lots of Bay-breasted and Blackburnian Warblers. Every day there is a little different mixture of birds and you need several days to visit all of the locations in the park. There are subtle differences in habitats that make one place just a little better for one species over another. There are grassy areas that are good for sparrows; they have a marsh boardwalk that goes out into the cattails so you can look for rails and bitterns and there are numerous wooded trails that will hold flycatchers, thrushes, orioles and chickadees.

The basic logistics for a trip to Point Pelee are to fly into Detroit, Michigan and rent a car for the short drive into Ontario, Canada and then on to Pelee. I was a little hard core and took a flight that left Phoenix at 11:00 p.m. and with the 3 1/2 hour flight time and three hour time change, I arrived in Detroit at 5:30 a.m. and after getting luggage and a rental car I was able to get to Point Pelee by 7:00 a.m. for a long day of birding. One thing that takes a little getting used to is the fact that it stays light out until after 9:00 p.m., even in May. You can bird all day, go eat dinner and still have three more hours of light to bird.

There are plenty of accommodations in the town of Leamington which is

PATAGONIA FIELD TRIP REVIEW

Patagonia Area, Sunday, April 21, 2002

By Richard Kaiser

Although the Patagonia and Nogales area of southern Arizona is at a higher elevation than Phoenix, and so usually somewhat cooler, we can be grateful that this field trip did not occur one week earlier, when the high temperature in Phoenix reached 100 degrees. Instead, this weekend had some pleasant temperatures and light breezes. Warbler migration had started, some orioles and flycatchers had arrived, and Gray Hawks were establishing territories, so spring certainly was here.

Our small group of only seven birdwatchers made the loop via the Railroad and Creek Trails at The Nature Conservancy's Patagonia Sonoita Creek Preserve. The Railroad Trail's embankments at each end provide great views of the creek, with the water attracting many birds, and it was here we saw Bridled Titmouse, Black Phoebe, Common Yellowthroat, and Acorn Woodpecker. Continuing on down the trail, we heard and saw White-breasted Nuthatch, Summer Tanager, Wilson's Warblers, and Spotted Towhee. Great Blue Herons, a pair of Mallards, and a Belted Kingfisher were seen in flight. Flycatchers were quite prevalent, especially kingbirds, Vermilion Flycatchers (males and females), and what we best determined were Western Wood-Pewees. In previous visits here, I had never seen as many Gray Hawks (in flight) as we did on this field trip, and their cries were heard frequently. Under trees, scurrying amongst leaves, from the Creek Trail, were several flocks of Lark Sparrows. Unfortunately, the Great Horned Owl that my wife, Karen, spotted roosting in a tree from this same trail on Saturday was not there on Sunday. But we were able to observe two hummingbird nests very close over or to the side of the trail, on both days. Other

birds sighted of very notable interest were Brown Creeper, Yellow Warbler, Northern Beardless-Tyrannulet, and Song Sparrow.

The variety of birds at the preserve made us reluctant to leave, but for some of us, it was a first visit to the neighboring home of Wally and Marion Paton, where their feeders attract many species, especially hummingbirds. Broad-billed and Black-chinned Hummingbirds were the only ones seen, and common, at this time of year. Other seed feeders, or a pool of water, attracted Gila Woodpecker, Lazuli Bunting, Brown-headed Cowbird, and Inca Dove. Here were the only sightings on our trip of Black-headed Grosbeak, Bullock's Oriole, and European Starling.

From here, a few of us traveled south on Highway 82 towards Nogales, to the community and golf course of Kino Springs. Two ponds here are very famous in attracting birds. The new species at the first pond were Green Heron, Northern Rough-winged Swallows, and Red-winged Blackbirds, but we also saw more Wilson's Warblers, Cassin's Kingbirds, Vermilion Flycatchers, and Yellow-rumped Warblers. On Saturday only, I scouted the second pond by walking completely around it, and I'm glad I did, seeing here only, Barn Swallows, three Ruddy Ducks, two American Coots, one Killdeer, and ... seven Fulvous Whistling-Ducks!

My trip list yields to an impressive sixty species, although this includes a few "questionable" bird sightings, like Black Vulture and Chipping Sparrow. Still, it proves the "Patagonia Area" is one of the best birdwatching spots in Arizona. Do yourself a favor, and join the next Maricopa Audubon Society field trip here!

EARTH JUSTICE: BECAUSE THE EARTH NEEDS A GOOD LAWYER

20 Baltimore Orioles scattered along the shore and on another morning it was Eastern Kingbirds and even a couple of Black-throated Green Warblers. The very tip of Point Pelee is a sand spit and it is the resting place for large numbers of gulls, terns and shorebirds. From this vantage point you can also scan out into Lake Erie and see loons, cormorants and scoters flying by. There are flocks of Black-bellied Plovers and Dunlin in breeding plumage and with some luck you might pick out a Little Gull in with the flock of Bonaparte's Gulls.

Of course the real stars of Point Pelee are the warblers. These colorful songbirds are all over and the males are singing making it much easier to find them. The visitor's center keeps a log of what warblers are being seen and on what trails. They also have a large map that they mark with a grease pencil what unusual birds are being seen and where. They also have guided walks several times during the day. A morning of birding with twenty species of warblers would not be that unusual. I found the Woodland Nature Trail that starts right out the back door of the Visitor's Center is a great place to start. Don't be surprised if you spend two hours just going around this loop trail once. There are plenty of birds to see besides warblers on this trail. There are

the gateway to Point Pelee. I found that all of the parks and businesses in the area took American money and with a favorable exchange rate things were quite reasonable. There are several other locations in the area that would be interesting to birders. Wheatley Provincial Park is about 10 miles east of Leamington and has a large campground and good birding. Rondeau Provincial Park is about an hour east of Leamington and has larger trees and there are a few species of birds there that you won't find at Pelee. If you are going to be there for a week or more, take a couple of days and go north to the boreal forests of Algonquin Woods. There you may find Spruce Grouse and Boreal Chickadees and other species usually found much farther north. Another option is to go into Michigan and take a trip to either Grayling or Mio, Michigan for the Kirtland's Warbler. This is about your only chance to see this rare warbler.

I found the entire Point Pelee area a delightful birding destination that would be fun for birders of any skill level. If you want a little more of a challenge, go to Point Pelee in the fall when the birds will be a little harder to ID. Even if you go just to see spring warblers you will enjoy it.

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Alliance for Healthy Air, Sierra Club, the Center on Race, Poverty and the Environment and other groups to challenge her decision.

This is a far longer memo than I intended to write when I began, but I thought it important to lay out the facts that underlie our assessment of the administration's environmental record after one year in office. As I have been writing I am struck by the penchant for secrecy that seems to mark so many of the administration's appointees. Perhaps this is the result of their backgrounds in industries where business secrets are important; if so, they have carried this love of secrecy into government, where it is far less appropriate. The devious, disguised methods by which they try to roll back environmental regulations also suggest that they don't think they have the public behind them - that people would be good and mad if they understood what's going on. They would be, and they should be.

In all, I would say that Bush administration officials have used their first year in office to position themselves for rolling back environmental regulations but that for the most part it is too early to tell whether they will succeed. The events of last fall clearly took public attention elsewhere, but in the last month we have seen a renewed interest and awareness of domestic issues; that leads to a better informed public and always works to the environment's advantage. Also, although we are already in the courts over many issues, many issues will not come before the courts, or be resolved by the courts, for another year or two, and it is there that many of these issues will ultimately be decided. You can be sure Earthjustice lawyers will be in court, too, doing our best to ensure that the judges hear the full story. We thank you for playing your part, too, in supporting that effort, and hope that we can continue to count on it

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CLASSIFIED AD

Arivaca, SE Arizona: Casa Bella B&B: closest lodging to California Gulch (Five-striped Sparrow!), and Buenos Aires NWR, 6 comfortable rms w/baths, secluded on 20 acres; reasonable rates incl. a delicious breakfast & other meals by arrangement. Winner top 15 most environmentally friendly B&B - Arrington Press. 877/604-3385; www.casa-bella-bandb.com.

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