

A voice for education and conservation in the natural world
Rogue Valley Audubon Society
www.roguevalleyaudubon.org

Deadline for the October issue is September 20



SEPTEMBER Program

Tuesday, Sept. 22 at 7:00 pm

FIGHTING CRIME WITH FEATHERS:

The Casebook of a Forensic Ornithologist

Presented by PEPPER TRAIL



Join us on Zoom as our own Pepper Trail, the world's leading forensic ornithologist, lifts the curtain on the secret world of wildlife crime at our first meeting of the season. As the ornithologist at the National Fish and Wildlife Forensics Lab in Ashland for over 20 years, Pepper has seen it all, from carved hornbill skulls to Harpy Eagle headdresses to oil-covered roadrunners to hummingbird love charms. He will illustrate all this and more in this informative (and sometimes appalling) talk. (See Zoom instructions on page 2).

September Program continued on page 2

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Chapter Program meetings are held on the fourth Tuesday of the month, September through April, at 7:00 pm. Meetings take place at 1801 E. Jackson St., Medford, in Lidgate Hall of the Medford Congregational Church. NOTE: Until further notice, chapter meetings will be held on Zoom.

September Program continued from page 1

Zoom instructions

The September chapter meeting will be live on Zoom on Tuesday, Sept. 22 at 7:00 pm. Attendees will need to register by Sept. 19 via a new mailing list created just for RVAS Zoom events. Click on this link (<https://www.roguevalleyaudubon.org/zoom-signup/>) or go to the RVAS home page and follow the instructions on this story to register.

After you register, you will be sent an email with the Zoom link to the Sept. 22 chapter meeting. You will also be sent a link to a practice sign-in session on Sept. 20. Please note that the meeting host will not be able to troubleshoot problems with audio or logging on the night of the meeting. If you would like to practice signing on, please do so at the optional Sept. 20 session.

If you are new to using Zoom, OLLI has helpful information about using Zoom at <https://inside.sou.edu/olli/courses/index.html>.

Vaux's Swift Spring Migration Highlights

This year, Carol Mockridge spearheaded the first ever northbound spring count of Vaux's Swifts at Hedrick Middle School in Medford. This roost ranked #10 for all the North American migratory roost sites posted on vauxhappening.org!

Dates: 4/27 to 5/28, 2020

Total swifts: 9,028

High count days:

4/27 - 911
5/3 - 1,015
5/4 - 569
5/14 - 560
5/18 - 678



Vaux's Swift
Credit: Nate Trimble

Volunteers are needed to count the Vaux's Swifts as they drop into roost at dusk at Hedrick Chimney and other sites. If you would like to volunteer to count the swifts, check out details in Bird-Centric Events on Page 10!

Status of upcoming events

Field trips - Suspended until further notice

September Chapter Meeting - Sept 22 @ 7pm

Letter from the Board

Difficult times call for bold actions. The goals for the 2020 - 2021 season only number three, yet they're some of our biggest yet. Here they are:

1. Keep RVAS going

Through this COVID-19 pandemic, the board is meeting on Zoom and making creative decisions to keep the chapter solvent and the membership engaged, and to support local, state, and federal conservation campaigns. Chapter meetings will be online until further notice, and other annual events are each being looked at. Our summer intern, SOU Environmental Education Graduate Student Brenda Miller, surveyed Oregon and other Audubon chapters to see how they are adapting to the challenges of COVID-19. Miller's report can be read at <http://www.roguevalleyaudubon.org/wp-content/uploads/2020/08/RVAS-COVID-Action-Plan.pdf>.

2. Succession planning

The board just said goodbye to Laura Fleming, who stepped down after many years of dedicated service to the chapter. She will be missed, and we thank her. We are currently in need of a couple of new board members who will bring us their enthusiasm and fresh ideas. Please let any board member know if you are interested in joining the RVAS board. We look forward to you joining the team!

3. Save the Hedrick Middle School chimney

The board is 100% behind this effort. We are still waiting for the school district to receive bids for the retrofit and sign a Memorandum of Understanding with us. Our budget goals for the last two years have maximized our fund-raising while minimizing our spending. The board voted to set aside not only the Foss bequest, but our holiday auction and Birdathon income for the past two years in preparation for our upcoming capital campaign. In the meantime, we are continuing nightly counts of the 2020 spring and fall Vaux's Swift migration at the chimney. In addition to making a large citizen science contribution, they demonstrate the great value of the Hedrick chimney for this amazing bird species.

Carol Mockridge
RVAS President

Financial Summary for period July 2019 to June 2020

Susan M. Stone, Treasurer

The total income of \$14,573 for the fiscal year July 1, 2019 to June 30, 2020 came from the following sources:

Dues	\$3,584
National Audubon Society	1,870
Donations	4,677
Holiday Event Auction	4,008
Sales of Birds of Jackson County	234
Advertising in The Chat	200

The total expenses of the 2019-2020 fiscal year in the amount of \$11,005 went to the following:

Administrative Expenses	\$5,958
Mission Expenses:	5,047*

*Mission expenses included funds for the Hedrick Middle School Swift Education Project, for two Project Feeder-watches (North Mountain Park and Jacksonville Elementary School), for the Southern Oregon University Fall in the Field Program, and miscellaneous mission expenses.

Thank you, Rogue Valley Audubon Society members, for your generous donations and contributions!

The Great Fall Migration Big Sit: Who has the birdiest yard in the Rogue Valley?

I had many grand ornithological adventures planned this spring and summer that unfortunately were canceled or put on hold due to the Covid-19 pandemic. Field work, leading field trips, birding festivals, group surveys, all right-ly canceled to protect the health of our community. While Covid-19 has thrown a wrench into so many of my plans, the situation we find ourselves in now has also given me more time to just sit and watch birds, especially the birds in my yard.



An ideal “Big Sit” staging location.
Credit: Nate Trimble

My wife and I are blessed to live in a neighborhood in Ashland with a lot of native trees and shrubs that are great for bird life. We logged our 75th yard species recently (Western Bluebird being the most recent addition) from our little yard in town. I am finding that there is a lot to learn about bird behavior, movement, and vocalizations by watching them from my porch. Instead of hurrying from place to place to find as many species as possible, I am spending a lot more time watching individuals, contemplating what they are doing, and becoming ever more familiar with their many vocalizations. I especially enjoyed spring migration, where a different cast of avian characters paraded through the trees over my porch every day.

Lately, all this yard birding has got me thinking, how many species might I be able to record from my yard in a single day? **Join**

me (figuratively of course) on September 19, from 12 am to 12 am, and try to rack up as many species from YOUR yard as possible in 24 hours. Mid-September hopefully will provide both good weather and fall migrants. I will compile the data, come up with a master list of all birds detected, and declare who has the birdiest yard in the land. The winner will get the glory of being mentioned in the next issue of *The Chat*.

Rules are as follows:

- The Big Sit begins at **12 am September 19 and ends at 12 am September 20**. Any birds detected outside this time don't count towards the contest.
- All birds must be detected from within the boundaries of your yard (the lot or piece of property on which your house is located). You can move anywhere within this boundary. Birds detected from inside your house also count.
- All birds seen or heard from your yard count, even if they do not actually enter the yard. For example, a Great Horned Owl heard in the distance at night, or a Turkey Vulture seen soaring far away both count for your list, as long as they are detected while you are within your property boundaries.
- Email your final list to Nate Trimble: nateltrimble@hotmail.com. Participants are encouraged to submit their lists to eBird as well.

That's it! I hope you all are staying safe and taking the time to slow down and enjoy the birds around where you live. I'm looking forward to seeing what we find.

Nate Trimble

RVAS Field Trip Committee Chair

Field Notes for Jackson County Summer 2020

By Frank Lospalluto

The strange summer of 2020 is almost gone, and while the future looks as bleak as ever, there are still birds moving in and out of our lives. Like perhaps many of you, I have been spending more time observing the birds around where I live. And it has been utterly amazing! For that I give thanks. In this issue we'll review a few of the highlights from the past couple of months and save a more thorough survey of sightings for future issues.

A lone **Eared Grebe** was on Agate Lake Jun 12. (JK) A single **Clark's Grebe** was on Lost Creek Reservoir with a single Western Grebe Aug 5. (JK)

The Chat took its summer hiatus before **Common Night-hawks** reappeared in late May. Now they are beginning to leave; ten were spotted near Howard Prairie Lake Aug 2. (JV)

Vaux's Swifts are starting their migration and beginning to show up at roost sites throughout the Northwest. A small commercial building in Phoenix near the I-5 interchange has been hosting over 150 swifts each evening in its chimney, with 201 birds on Aug 23. (KM)

A **Baird's Sandpiper** was at Kirtland Ponds Aug 8. (JK) A **Semipalmated Sandpiper** was found there July 22 (AL, LdB) and another was seen Aug 15. (JK) A **Pectoral Sandpiper** showed at Kirtland Ponds Aug 23. (JK) Two **Red-necked Phalaropes** were on Emigrant Lake Aug 18 and two were at Kirtland Ponds the same day. (RA) Two **Lesser Yellowlegs** were at Kirtland Jul 25 (BF) and one was on the shoreline at Howard Prairie Lake Aug 2. (JV)

Green Herons are a lot easier to spot post-breeding, and there have been numerous reports from area lakes and ponds. (FE, JC, KS)

Lewis's Woodpeckers are starting to return to our area post-breeding; two were on Grizzly Peak Aug 22. (JC)

Multiple **RED-EYED VIREOS** were observed at Rogue River Preserve this summer, first detected during a point count survey as they were in 2019. All indications are that a small breeding colony may be forming. We will see if they return again next season. There was a colony near this location in the 1970's. While being one of the

more abundant neotropical songbirds in the east (one birder told me they were like "fleas" in New Hampshire this summer), they are very uncommon in the west. They are attracted to the riparian forest with its gallery of large cottonwoods. We are fortunate that Southern Oregon Land Conservancy now owns this property.



A **GRAY CATBIRD** was found around the Sands property in Eagle Point Jun 6. (HS) These birds breed in a few locations on the east side of the Cascades in dense riparian vegetation. A second singing **CALIFORNIA THRASHER** (besides the one in Talent) was observed in Jackson County Jun 11 in the Soda Mtn. Wilderness below Soda Mtn. during a KBO point count survey. The bird was singing in the chaparral within a mile of the state border. This is the third reliable sighting in the Cascade-Siskiyou N.M. that contains appropriate habitat for this species to breed. With the implementation of this long-term monitoring project that focuses on oak-related habitats in the monument we may soon find evidence of breeding. This bird was doing some very rigorous and sustained advertising and was detected a number of times during the survey. (FDL)

Red Crossbills have been reported in our region more regularly the last few months. This writer has noticed something of a cone crop on a few different conifer species upon which the crossbills feast.

A couple of different **Rose-breasted Grosbeaks** were reported this summer. One was in Phoenix visiting a feeder Jun 19 (MP) and one was in Butte Falls Jun 3. (LF)

Thanks to everyone who contributed observations to this abbreviated version including: Laura Fleming, Michael Plank, Howard Sands, Alex Lamoreaux, Lauren diBiccardi, Kristi Mergenthaler, Jon Cox, Kay Simmons, John Vial, Bill Feusahrens, Forrest English and Janet Kelly.

All omissions, errors and awkward phrasing are my own. Peace.

The Conservation Column

By Pepper Trail

Welcome back from summer! I hope you all got out and spent plenty of time enjoying the wild birds and wild places of our beautiful region – maintaining social distancing, of course.

So, what do you want to hear first – the good news or the bad news? I think most people prefer to hear the bad news first. But there's been so little good news lately, let's start with that.

Resounding Victory for the Migratory Bird Treaty Act

No law degree is required to understand the ruling U.S. District Judge Valerie Caproni handed down on August 10, declaring that the Interior Department's interpretation of the century-old Migratory Bird Treaty Act (MBTA) is flat-out wrong.

The judge's decision struck down a 2017 legal opinion issued by Daniel Jorjani, Interior's top lawyer, which claimed the MBTA did not prohibit "incidental take," a term for the unintentional but foreseeable and avoidable injury or killing of birds, often through industrial activity. For decades, the U.S. Fish and Wildlife Service (FWS) has used the threat of potential prosecution under the MBTA to convince companies to take steps to prevent killing birds, such as covering oil waste pits or marking power lines to make them more visible to birds in flight.

Under Jorjani's opinion, even mass killings of birds—such as the 2010 BP oil spill, which killed an estimated 1 million birds and resulted in a \$100 million fine against the company under the MBTA—would not be punishable if killing birds wasn't the intention. Guided by that interpretation, the FWS has opted not to investigate cases of incidental take, and even counseled companies and local governments that they need not take steps to protect birds.

Caproni eviscerated that reading of the law. Powerfully referencing *To Kill a Mockingbird*, she wrote "It is not only a sin to kill a mockingbird, it is also a crime." That has been the letter of the law for the past century. But if the Department of the Interior has its way, many mockingbirds and other migratory birds that delight people and support ecosystems throughout the country will be killed without legal consequence."



Snow Geese at Bosque Del Apache NWR
Credit: Lee Karney / USFWS

The ruling is a major win for six environmental groups (including National Audubon) and eight states whose three consolidated complaints argued that the law clearly makes it illegal to kill, hunt, capture, or attempt to capture a bird or egg without a permit "by any means or in any manner." Caproni agreed, ruling that Interior's position was "simply an unpersuasive interpretation of the MBTA's unambiguous prohibition on killing protected birds." The judge also rebuked Jorjani for issuing an opinion without tapping the expertise of federal wildlife officials. "There is no evidence of input from the agency actually tasked with implementing the statute: FWS," she wrote.

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Conservation Column continued from page 6

Conservationists were thrilled at the judgment's forceful endorsement of their position. "The ruling is completely unambiguous on every count. Every rationale the government gave to try to uphold this rollback of the MBTA, the judge shot them all down," says Erik Schneider, policy manager for the National Audubon Society, which was among the plaintiffs.

Caproni's decision is a significant blow to Interior's effort to enshrine Jorjani's opinion in a formal rule, which would make the allowance of incidental take more difficult for a later administration to reverse. Part of the justification for such a reversal could come from the department's recent draft environmental impact statement on the proposed rule, which says it is likely to push some bird species onto the endangered species list.

An Interior spokesperson declined to say if the department would continue work to finalize that rule despite the court decision, instead offering an emailed statement: "Today's opinion undermines a common sense interpretation of the law and runs contrary to recent efforts, shared across the political spectrum, to de-criminalize unintentional conduct."

To buttress this victory, conservationists want Congress to step in and spell out even more clearly that the MBTA does not apply only to killing birds on purpose. The Migratory Bird Protection Act, which has passed a House committee but hasn't yet received a vote in the full chamber or a companion bill in the Senate, would affirm that the MBTA prohibits incidental take. It also would set up a permitting program whereby companies would be protected from legal action as long as they adopt industry best practices to limit harm to birds. "Congressional action could potentially build on this victory," Schneider says, "and help provide even greater stability going forward."

Administration Opens the Floodgates on Methane

OK, now the bad news. I'll limit myself to just two.

On August 12, the Environmental Protection Agency (EPA) finalized a rule eliminating Obama-era rules requiring energy companies to limit methane emissions. Methane is a by-product of natural gas extraction, and is a far more potent "greenhouse gas" than CO₂. It is estimated that the rule changes will lead to the release of about 850,000 tons of planet-warming methane into the atmosphere over the next 10 years.

EPA director Andrew Wheeler has justified the move by citing EPA data showing that leaks from domestic oil and gas wells have remained steady over the past decade, even as oil and gas production boomed.

However, numerous recent studies show the opposite: that methane emissions from drilling sites in the United States are far more extensive than the EPA's official numbers. Overall, methane levels are in fact climbing steadily nationwide, according to the research, and have reached record highs globally in part because of leaks from fossil fuel production.

"Over the past few years there has been an explosion of new research on this, and the literature has coalesced — 80 percent of papers show that methane from oil and gas leaks is two to three times higher than the EPA's estimates," said Robert Howarth, an earth systems scientist at Cornell University, who last year published a study estimating that North American gas production was responsible for about a third of the global increase in methane emissions over the past decade.

"It's crazy to roll back this rule," said Dr. Howarth. "Twenty-five percent of the human-caused warming over the past 20 years is due to methane. Methane is going up. We need it to go down."

The Arctic National Wildlife Refuge Opened to Oil and Gas Leasing

On August 17, the Trump administration finalized its plan to open up part of the Arctic National Wildlife Refuge in Alaska to oil and gas development, a move that overturns six decades of protections for the largest remaining stretch of wilderness in the United States.

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Conservation Column continued from page 7

The decision sets the stage for what is expected to be a fierce legal battle over the fate of the refuge's vast, remote coastal plain, which is believed to sit atop billions of barrels of oil but is also home to polar bears and migrating herds of caribou.

The Interior Department said on Monday that it had completed its required reviews and would begin preparations to auction off drilling leases. "I do believe there could be a lease sale by the end of the year," Interior Secretary David Bernhardt said.

Environmentalists, who have battled for decades to keep energy companies out of the refuge, say the Interior Department failed to adequately consider the effects that oil and gas development could have on climate change and wildlife. They and other opponents, including some Alaska Native groups, are expected to file lawsuits to try to block lease sales.

"We will continue to fight this at every turn," said Adam Kolton, executive director of the Alaska Wilderness League, in a statement. "Any oil company that would seek to drill in the Arctic Refuge will face enormous reputational, legal, and financial risks."

Though any oil production within the refuge would still be at least a decade in the future, companies that bought leases could begin the process of seeking permits and exploring for oil and gas. The Democratic nominee for president, Joseph R. Biden Jr., has called for permanent protection of the refuge. However, if he were to win the White House, it could prove difficult for his administration to overturn existing lease rights once they have been auctioned to energy companies.

Even if oil companies do decide to purchase leases, that is still just the first step in a long, uncertain process. "You've got a lot of tripwires ahead," said David Hayes, who served as a deputy interior secretary under President Barack Obama and is now executive director of the State Energy and Environmental Impact Center at the New York University School of Law. "Anyone buying a lease is potentially buying years of litigation along with that lease."

I hope I don't have to convince any readers of *The Chat* that the most important thing you can do for birds – and for the planet – this year is to VOTE. Let me just repeat that: **VOTE! VOTE! VOTE! VOTE! VOTE! VOTE! VOTE! VOTE! VOTE! VOTE!**



It is RVAS **membership renewal time!** Please renew by **OCT. 31.**


Please renew your membership by Oct. 31. Renew online, by mailing in our membership form, or use the form in *The Chat*. Your membership will support all the excellent programs your local chapter provides and the conservation work RVAS supports. Your membership will keep RVAS strong even during this the COVID-19 Pandemic.

Membership is \$20 but if you wish to receive a paper copy of The Chat please include an extra \$25 to cover printing and mailing costs (\$45 total).

Your membership includes:

- Educational and social membership meetings (free and open to members and the public) on Zoom.
- *The Chat* newsletter
- Website (www.roguevalleyaudubon.org)
- Birding forum for posting sightings and active locations
- Monthly field trips and bird walks*
- Educational programs for students and adults
- Monitoring of regional conservation issues
- Work with local wildlife managers to improve access and bird habitats
- Bird counts for national species censuses*
- Support for local research projects

*When state guidelines allow during pandemic.



Renewal time for RVAS Membership

Mail check to: Rogue Valley Audubon, P. O.Box 8597, Medford, OR 97501 or join online at www.roguevalleyaudubon.org using PayPal. Thanks for your continued support.

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_____ Check here if you would like to volunteer for Rogue Valley Audubon Society.

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BIRDCENTRIC EVENTS FROM AROUND THE REGION

Wild Birds Unlimited

Monthly Educational Talk: Flickers, A Keystone Species

Some birds play a major role in keeping important aspects of the natural world alive and well. Flickers are one of these species. This presentation explains the concept of being a keystone species. Come join us for a delightful presentation, with great photography, explaining the important and fascinating role flickers play in our world. Due to social distancing requirements, this talk is limited to 10 participants and masks are required. Please call 541-772-2107 or come into the store to reserve your seat today. Presented by Shannon Rio.

DATE: Wednesday, September 16th

TIME: 5-6 pm

PLACE: Wild Birds Unlimited, 961 Medford Center, Medford

COST: Free

Bird Walks: Denman Wildlife Area

Max McClarnon will be leading a walk to Denman Wildlife Area in White City. Due to social distancing requirements, this walk is limited to 9 participants, masks are required, and we will meet at Denman rather than carpooling. Bring binoculars, water, and any snacks desired. For more information on where to meet and to reserve your spot, call 541-772-2107 or come into the store.

DATE: Saturday, September 19th

TIME: 9 am

PLACE: Denman Wildlife Area

COST: Free

Erin Linton will be leading a walk to Denman Wildlife Area in White City. Due to social distancing requirements, this walk is limited to 9 participants, masks are required, and we will meet at Denman rather than carpooling. Bring binoculars, water, and any snacks desired. For more information on where to meet and to reserve your spot, call 541-772-2107 or come into the store.

DATE: Wednesday, September 23rd

TIME: 9 am

PLACE: Denman Wildlife Area

COST: Free

Vaux's Swift Migration Fall Surveys

The Vaux's Swift Show has returned! Volunteers are sought to conduct swift surveys at all locations through the month of September and, in some cases, into early October. Training is helpful but not required.

RVAS is coordinating surveys at Hedrick Middle School, and a second private site in Medford. If you would like to assist with the count, contact Kate Halstead for details (katherine.elspeth@gmail.com). Or, just come to Hedrick School at dusk and join in the count! Social distance and masks are required.

Additional surveys: **Voorhies Mansion** at EdenVale Winery in Medford, **Nunan Estate** in Jacksonville, a site by **McLoughlin Middle School** in West Medford, and a new site near the **Phoenix freeway exit**: Contact Kristi Mergenthaler at coprolitemergie@yahoo.com to sign up.

Remember, we are guests at all of these private locations and want the property owners to be happy with us. For instance, Voorhies Mansion is closed after hours; please don't visit when they are closed unless you've signed up to do a survey and have contacted Kristi.

City of Ashland Parks and Recreation

Due to COVID-19 and social distancing measures in place, many of our events may need to be canceled or postponed. Please check <http://ashland.or.us/events> often as we navigate our 2020 Summer & Fall Events Schedule.

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184 Oak Street, Ashland Oregon 97520

Update: RVAS Birding Field Trips

The RVAS board met in early August and voted to suspend all field trips until further notice due to the COVID-19 pandemic. Suspended trips include the First Wednesday Walks at Denman Wildlife Area. Nate Trimble, our field trip committee chair, pointed out several factors that make field trips potentially unsafe at this time, and also noted current Oregon's rule that limit groups to 10 people.

We look forward to birding with our friends again when the COVID circumstances improve. In the meantime, we encourage our members to continue their own birding adventures with their households or quarantine bubbles. Or participate in our Great Fall Migration Big Sit (details on page 4)!



Happy times!!
Credit: George Gentry / USFWS



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*Valid 1/2/20 thru 12/31/20 at the Medford, OR WBU store. One discount per purchase. Not valid on previous purchases, optics, gift cards, DSC memberships, or sale items.

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ROGUE VALLEY AUDUBON SOCIETY

THE CHAT

Newsletter of the
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RETURN SERVICE REQUESTED



Sign up to receive easy notification of Chapter activities

Your Audubon Chapter wants to be sure you are aware of upcoming field trips, chapter meetings, the most recent edition of *The Chat*, and other items we post on-line.

E-mail RogueValleyAudubon@gmail.com and ask to be added to the e-mail notification list. And be assured, we will never share your e-mail address with any other organizations.

