President’s Corner

Rudy Darling, SFAS President

By the time you read this, 2020 will be over, and none too soon if you ask me. Between the pandemic, power blackouts, fires, smoke, drought, and political craziness, I’m looking forward to seeing it in the rearview mirror. The year started out fine with successful Christmas Bird Counts, field trips, and a fun membership program in Auburn. Now I’d like to pass along what has been happening with SFAS during the rest of the year.

Like many Audubon chapters we have elected to cancel membership meetings and field trips, as well as the annual Bird-A-Thon out of concern for our membership’s health. However, the SFAS board has continued to be active. Because our average age is well north of 65, most of us are in the “vulnerable” category as far as the virus goes. As a result, after frustrating attempts to conduct business via email, we have had to resort to Zoom board meetings. This has been a challenge for those of us with poor internet connections and computer skills. We have finally got it down and all but two members have been able to attend the monthly board meetings. It has been interesting to say the least. For the first meeting, Willie and Jane Hall attended from their boat in the middle of Lake Davis, where the reception was better than at their campground. Even so, Willie’s voice at times came across sounding much like Stephen Hawking’s computer-generated speech (maybe the boat was rocking). Heath Wakelee appears each month from a beach in Hawaii thanks to Zoom’s background capabilities. Sometimes, when he leans over, his head disappears from his body. Don Rivenes at times sounds like he’s in a tin can.

SFAS grants have helped support studies of the Swainson’s Thrush which is rare in the Sierra.

Photo by Rudy Darling

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My voice was unintelligible to others, so I have had to connect by phone. In spite of it all we have managed to get some business accomplished.

You probably read about our support for Burrowing Owl research and protection in a previous President’s Corner. That is just one of the many grants we award each year to research programs in the Sierra and the foothills. Our grants committee is busy seeking out recipients for the upcoming year’s awards. This year Steve Rose has taken over chairing the committee from Willie Hall, whose many years of service has resulted in our support of research on Flammulated Owls, Swainson’s Thrushes, Black Rails, Tricolored Blackbirds, Willow Flycatchers, and other regional rare species.

Even though our membership programs have been suspended until it is safe to gather in groups again, the program committee has put together a Facebook presentation by Diane and Steve Rose on using e-Bird, which would have been our June meeting program. You do not need a Facebook account; I found it by googling “Sierra Foothills Audubon Facebook.” I hope you get a chance to see it. I just finished watching it and learned a lot about eBird that I did not know (okay, so I’m not all that computer literate).

Another ongoing board project is an updating of our website. We hope to make it more user-friendly, eye-popping, and informative. A committee was formed in September to work on it, including Steve Rose, Willie Hall, and Patti DeLuca (hmmm, Steve and Willie – I’m beginning to see a pattern here). We are aiming to make it look more like the Central Valley Birding Club’s or the Western Field Ornithologists’ websites. Much of the work has already been completed and we will be rolling it out after a few final details are cleared up. Willie will continue as webmaster and Jane as Facebook guru.

We also had discussions about whether to continue sending bimonthly physical copies of “The Phoebe” newsletter, to publish it online only like many other organizations have done, to send less copies per year, or some hybrid option. It is the biggest expense of our operating budget. That budget is not completely covered by contributions from National Audubon Society (NAS) which is why we must send out annual fundraising letters (have you returned yours yet?) and do the spring Bird-A-Thon. We have elected for the time being to continue with hard copies. The cost is currently being alleviated somewhat by having two less pages per issue due to the absence of programs and field trips.

The conservation committee (Don) has its fingers in many pies (mmm … pies), including writing letters of comment about the proposed reopening of the Idaho-Maryland Mine and supporting the organization fighting its dewatering and reopening. Its impacts will affect traffic, air quality, water quality and quantity, global warming, and noise pollution, all of which will impact birds and other wildlife trying to eke out a living in the area. Allison Nelson’s bird banding and education operation in the Empire Mine SHP Bennett Street grasslands just downstream from the mine could be negatively impacted by all of the above factors as well.

What about the Christmas Bird Counts (CBC’s)? NAS notified the count compilers that because of the pandemic, we could either cancel our counts at our discretion or proceed using virus-safe practices (no car-pooling, masks, no sharing of equipment, physical distancing, no post-count physical dinner- bah humbug!), but not to make a decision until at least November 15. Their feeling is that missing one year’s worth of data out of up to 120 years nationwide would not be a huge loss. The Grass Valley CBC has been going for 25 years already, and the Auburn CBC about 40 years. Many CBC’s elected to proceed anyway using Covid restrictions, but as the third wave began to rise and curfews and stay-at-home orders were being issued, they started cancelling left and right. In our area, Auburn, Grass Valley, Lincoln, and Marysville have all been cancelled this year. We look forward to next year’s CBC’s.

As you can see, SFAS is still half-alive and OK. But, man, do I look forward to getting back to field trips, membership programs, the Bird-A-Thon, and in-person board meetings!

Here’s to 2021.
Administration Moves to Finalize Bird-Killer Policy

Ignoring legal challenges, public opposition, and science, the Trump Administration is rushing to finalize a rule to weaken the Migratory Bird Treaty Act.

By National Audubon Society
November 27, 2020

“President Trump may have pardoned a turkey this week, but he’s in a frenzy to finalize his bird-killer policy before the end of the year,” said David Yarnold, president and CEO of the National Audubon Society. “The administration lost in court and is sidestepping that ruling with a rushed, corrupt process designed to keep the next administration from saving the lives of millions of birds. Reinstating this 100-year-old bedrock law must be a top conservation priority for the Biden-Harris Administration and the 117th Congress.

Today the Department of the Interior released its Final Environmental Impact Statement (FEIS) in one of the last steps in its effort to strip away critical protections in the Migratory Bird Treaty Act (MBTA). To speed up the environmental review, the administration minimized the comment period, and failed to undertake a serious analysis of environmental impacts and reasonable alternatives, which robbed the public of an opportunity to participate and see a full accounting of the rule's devastating impacts.

“This environmental review process has made a mockery of the public engagement and scientific review required under the law,” said Yarnold.

The administration’s rollback has received bipartisan opposition including from members of Congress, more than 25 states, numerous tribal governments, scientists, sportsmen, birdwatchers, and 250,000 people who submitted comments opposing the proposed rule change. In August, a federal court invalidated the policy that serves as the legal foundation for the regulatory effort, for which the administration is seeking an appeal.

“We will continue to fight these changes in court, but we need Congress to pass the Migratory Bird Protection Act to reinforce this vital law,” added Yarnold.

In January, the U.S. House Natural Resources Committee voted to advance the Migratory Bird Protection Act, a bill that would counter this rollback and add new innovations to the century-old law. If passed, the new law would end industry’s free pass to kill birds by directing the Fish and Wildlife Service (FWS) to develop a permitting process for “incidental take” through which relevant businesses would implement best management practices and document compliance, further driving innovation in how to best prevent bird deaths.

The rule change would overturn decades of bipartisan precedent, to only extend the MBTA’s protections to activities that purposefully kill birds, exempting all industrial hazards from enforcement. Any “incidental” death—no matter how inevitable, avoidable or devastating to birds—becomes immune from enforcement under the law.

For example, if the administration’s interpretation of the law were in place in 2010, BP would have faced no consequences under the MBTA for the more than one million birds killed in the Deepwater Horizon oil spill. BP ended up paying $100 million in fines thanks specifically protections in the MBTA that would be weakened by the Trump Administration.

A recent report in Science documented that North America has lost 3 billion birds since 1970, and an Audubon report found that two-thirds of North America’s birds are threatened by climate change.

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Virtually all of our bird interest is in the modern birds alive today. But, where did these birds come from? The best guess from fossil finds is that the Archaeopteryx lithographica was the first bird. The feather shapes on the fossil was the kicker.

In 1861, in Solnhofen, Germany, 30 miles north of Munich, a slate splitter named Helmut (kidding about the name), discovered an interesting fossil in the Solnhofen Limestone. Dr. Karl Haberlein got hold of it and sold it to the British Museum for dowry for his daughter. The birdlike fossil was named Archaeopteryx lithographica (ancient wing printed in stone).

1877 turned up a third specimen ten miles away. And in 1956 another was found 275 yds. from the first. All the limestone beds were of the same age.

The Archaeopteryx l., so far, is the oldest known bird, 10 million years older than the next fossil dinosaur bird, the goose/flamingo-like Gallornis straeleni, from the Lower Cretaceous beds in France. It survived, unchanged, for a long time.

The 150 million year old Archaeopteryx is the only bird with reptilian features. Among the reptilian features of Archaeopteryx, which are found in no other bird, are the long tail of twenty vertebrae; an uncomplicated backbone with no fusions; three fingers with claws; no fusions of certain hand bones; simple ribs; and a simple brain with small cerebellum (the part that coordinates muscular activities).

No reptile, with feathers, has been found. The Archaeopteryx feathers are structured just like modern birds. It has 8 primary feathers (modern birds have 10). And the hip bones are arranged the same as modern birds.

Archaeopteryx l., then, was a bird, and a bird of forests. Its feet were adapted to perching. But its bones were not hollow. It must have had limited powers of flight. It was crow sized and averaged 2.0 lbs., double the weight of a crow.

Longtailed, lizard-like, scaly reptiles, about 20 inches long, lived in the previous, Triassic Period. These were Thecodonts that developed short arms and lived on the ground. The theory is that tree forms developed using their arms for climbing and hanging. With their strange legs and balancing lengthly tails they leapt from branch to branch. With their strong arms they climbed, caught and steadied themselves. Gradually their arms developed enlarged scales at the trailing edge--simple flap-like structures at first, then later flaps with joining hooks to enable the flaps to work together when fanned out. Of great importance is that the feather is descended from the Thecodont reptile's scales and gradually evolved as an adaptation to increase it's arm area, grip air and steady it in long leaps.

Five structures of the Archaeopteryx are of prime importance: feathers are asymmetrical for lift; shoulder joint is transitional, allowing flapping but limited upstroke; the hollow-boned wing geometry limited the bird to probably a fluttering motion like pheasants; long tail full of vertebrae, making it's function a mystery; flat breastbone limiting strong muscles for wing upstroke making flight less active and arduous.

It's thrilling that complete skeletons have been found of these first birds giving us factual clues of the looks of the entire body, especially the perfectly preserved casts of the 150 million year old feathers.
Facts and figures on industrial causes of bird mortality in the United States:

- Power lines: Up to 64 million birds per year
- Communication towers: Up to 7 million birds per year
- Oil waste pits: 500,000 to 1 million birds per year
- Oil spills: The 2010 Deepwater Horizon oil spill is estimated to have killed more than 1 million birds

**Media Contact:**
Matt Smelser, matt.smelser@audubon.org, 512.739.9635

Further comment:

Steve Holmer with the American Bird Conservancy said the change would accelerate bird population declines that have swept North America since the 1970s.

How the 1918 treaty gets enforced has sweeping ramifications for the construction of commercial buildings, electric transmission systems and other infrastructure, said Rachel Jones, vice president of the National Association of Manufacturers. Jones said the changes under Trump would be needed to make sure the bird law wasn’t used in an “abusive way.”

That’s a longstanding complaint from industry lawyers despite federal officials’ contention that they bring criminal charges only rarely.

The proposed changes would make permanent the bird-killing policy the agency adopted in 2017—which has since been ruled unlawful by a federal court—overturning decades of bipartisan precedent and giving companies a free pass for bird deaths from industrial hazards such as open oil pits and power lines.

It’s time for Congress to respond to this attack on America’s birds.

Take action today by asking your U.S. Representative to reverse the rollback of the MBTA by supporting the Migratory Bird Protection Act.
HOW MANY WOODPECKERS DO YOU SEE?

Before Covid hit, I had joined a new hiking group and took off on a hike. Of course, I can’t go on a walk in the woods without taking my binoculars, so my new-found friends recognized me as a bird-watcher, and needed to tell me what they knew about “their” birds – the ones in their backyards. One person was confidently listing the birds she could recognize and said “oh, and I have the woodpecker.” I took a deep breath while trying to decide whether to help her identify which woodpecker she was seeing. But, since it was officially a “hike” and not a bird walk, and we were moving along at a brisk pace, I decided to just hike and not try to have a conversation about the many woodpecker species we have here.

But the more I thought about it later, the more I really wanted to elaborate on how many woodpecker species we have and where they are most likely to be seen by casual observers, when out hiking or relaxing in a backyard. So this is my attempt to briefly describe who and where our woodpeckers are. I apologize for any gross generalizations.

In my neck of the woods (south county, elevation 1500), I can relax on my deck and see 5 different species of woodpecker. I have many, many Acorn Woodpeckers who form breeding colonies in the oak trees and telephone poles, and who visit suet feeders. They also fill up any available holes with acorns stored for the winter, including my bluebird nest box entrance holes. You can recognize them by their “clown face”, having swirling white and black on the face and a red cap. Another frequent suet visitor is the Nuttall’s Woodpecker, with beautiful ladder-like stripes going across the back. My smallest woodpecker visitor, and the smallest of N. American woodpeckers, is the Downy Woodpecker (6”), who also searches for a nesting spot in holes in my Live Oak trees. It is more reserved than the first two and does not come in close for the suet. However, I see the Downy in my fruit trees, along with the Red-breasted Sapsucker; they both love my persimmons and apples. You know you have a Sapsucker when you see their shallow sap holes (wells) around the branches in fruit trees; they drill the holes and come back often and sip the sap out of those wells, as do the hummingbirds and some insects. And then there is the Northern Flicker, a beautiful bird with bright orange visible under the wings when it flies and a very conspicuous white rump patch. I have more Flickers this fall than I have ever seen on my property. They feed mostly by foraging on the ground. At first I thought they were attracted to the incredible acorn drop this year, but then I learned that their favorite food was ants, and I do have a lot of large ants around dead limbs and standing snags. So, while I see these 5 woodpecker species at 1500’ elevation, all of them may be seen at elevations up to around 3000’ and some even higher.

Also occasionally seen at my elevation in the Blue Oak woodland is the Lewis’s Woodpecker. I call it the Christmas woodpecker, because it comes only in the winter and is recognized by its red, green, and white plumage, the only green colored woodpecker in N. America.

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As we proceed up-slope to the Grass Valley area, we can add the Hairy Woodpecker, nearly identical in plumage to the Downy, but distinctly larger. Also, at 2,000’ and higher you are likely to see our largest woodpecker, the Pileated Woodpecker, measuring an incredible 16 inches tall, the largest in N. America and the 6th largest woodpecker worldwide. It is HUGE, and is more often heard than seen, especially when you are hiking in dense forest; you may hear its extremely loud and raucous call, or hear the slow, deep drum of the pounding on dead trees searching for ants. The Pileated appears to be the physical model for Woody the Woodpecker cartoon character, and is our only woodpecker with a crest, which is bright red.

As we move higher up in the Sierra, say 4,000’ and higher, you may be lucky enough to see the White-headed or Black-backed Woodpecker. But you would really have to be lucky, as they are both difficult to spot. They are both considered “specialists”, meaning they search for food and nest sites in very specific habitats. Both of these birds look like they are dressed for a formal dinner, showing off their black and white tuxedo plumage. The White-headed’s face and head are totally white. The Black-backed has a black head with a yellow crown, strikingly different from the red crown that most of our woodpeckers display. They can both be found in or near previously burned forest; however, the Black-backed woodpecker provides a an especially valuable service in the conifer forest, feasting on beetle larvae hiding under the bark of a variety of dead and dying trees, helping to control that insect population.

So, if you include the Williamson’s Sapsucker which is occasionally seen at much higher elevations in the lodgepole forest, that brings our total count of species of woodpeckers in Nevada County to a whopping 11 species. So, to say you recognize “the woodpecker” in your yard, well, can you give me a little more information?
The mission of the Sierra Foothills Audubon Society is to educate ourselves and others to the variety and the beauty of our natural environment and to protect our wildlife and natural places.

**NOW ALSO ON YOU TUBE**

**eBird tutorial**

Do you want to record your bird sightings?  
Keep your bird list?  
Learn about trends in populations or migration patterns?

If so... Join us for an eBird tutorial.

This program is expertly presented by Diane and Steve Rose and is now up on our Sierra Foothills Audubon Facebook page. It is a quick overview of the eBird website and details on how to submit your checklist to eBird. This tutorial makes eBird accessible even for an absolute beginner birder. You can access it by searching for Sierra Foothills Audubon on Facebook and find it on You Tube at this link:

https://www.youtube.com/watch?v=P6UL94sDIAs&feature=youtu.be

The program is excellent and I encourage you all to watch it. You do not need a Facebook account, just go to Facebook and put Sierra Foothills Audubon into the search bar then look for the eBird video.

Happy birding and keep those lists coming!

Theresa Thomas 
Program Chair