



Migratory Bird Treaty Act (MBTA)

from National Audubon Society



A flock of Western Sandpipers. Photo: Don McCullough

It's good to know that while so much of our nation had been stalled, conservation efforts are still moving in progressive direction. The Migratory Bird Treaty Act has been under attack by the Department of Interior, based on a legal opinion by Daniel Jorjani, the Interior's top lawyer, which tried to say that the MBTA did not prohibit "incidental take", which means the unintentional, but foreseeable and avoidable injury or killing of birds.

This would have meant that the BP Oil spill, which killed more than 1 million birds, would not be a crime.

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.

U.S. District Judge Valerie Caproni added this thought to her ruling: "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."

The ruling is a major win for six environmental groups 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."

President's Message

by Jody Banaszak

Hello my little birding friends! Hope you all are well. I don't know about you but I've had it! This will go down as one of the worst years in history. Between coronavirus, black lives matter, riots, shootings, hurricane Isaias, and an election year, it's been insane! And don't forget the idiots who have forgotten how to drive since staying in from coronavirus. And the slobs who still throw their masks and rubber gloves in the parking lots. Ugh. But during all this, I have found out that many people, unlike before the virus, have been feeding and watching birds and doing more gardening. This is great news!

I am lucky to live on a canal and have many birds in my yard. My neighbor and I have the canal come into our backyards, where the rest of the street have their yards go all the way back to the canal. His is bulkheaded and mine isn't. Because of this, I get a lot of water birds. A tree fell in the canal at the end of my property during storm Isaias. As my son was cutting it up, I sat on the dock opposite him on the other side. I sat there with a big smile on my face as I watched a family of tree swallows sitting with their mother on a dead tree with their mouths open and flapping their wings. They later got a flying lesson. Yes! Eat those mosquitos! Then a great egret flew over. Two little green herons landed in the trees, as did a king fisher that then dove for a fish. All of a sudden a group of bait fish hopped up out of the water. The laughing gulls and other gulls came in for dinner. Then an osprey flew over with a fish. I thought to myself that if it wasn't so hot in the sun this summer, I should sit out here more often and enjoy this bird sanctuary. Or maybe I'll just sit in the shade. It was so relaxing. Watching birds IS relaxing, and something we all need now. I'm still waiting for a hummer though. I hope I never have to move.

We've had to, unfortunately, cancel a lot of things this year, due to the coronavirus. The May dinner, June outdoor meeting at Brookside, bird walks, and monthly indoor meetings. It was very disappointing, for whatever reason, only to have 5 people sign on for the virtual meeting with Ranger Eric on Quail and Ticks.

Many Audubon clubs are facing the same problems. There are many places that you can go on walks by yourself though. Smith Point has a boardwalk to the bay. Cupsogue County Park on Dune Road, Quogue Wildlife Refuge, Wertheim National Wildlife Refuge, where one of our members, Bob Glasser took some great shots of warblers, Bayard Cutting Arboretum, Heckscher State Park, and EPCAL Park at the Veterans Field lot, south of Rte. 25, west of the National Cemetery entrance. So get out there and enjoy the birds! Bring a lounge chair!! Stay well and happy birding.

- Jody

Another "Love a Tree" Reminder

by Annette Brownell

This recent storm left a lot of us without power or internet for days. For me it was over a week. I will not get into the lament about how it is the 21st century and by now, electric and cable lines are not novel and this should have been figured out.

My real sadness comes from seeing all the trees that took a beating – and worse – all the trees that will ultimately be cut down now. I know some of it is unavoidable, but much of what has been an awful trend in the past decade is avoidable. Just some thoughts to remember -or learn for the first time.

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Dinner Update

by Annette Brownell

We had great hopes to have a fun dinner with a dynamic and interesting speaker from the Long Island Pine Barrens Society in late October. But, as the date edged closer and people's comfort levels are really not where they need to be in order for us to meet, greet and have a successful dinner, we have sadly decided to table it until the spring (no pun intended). As the dinner is a big fund raiser, Great South Bay Audubon had been financially affected, like nearly all other not-for-profits. But, as you can see from the other information in this newsletter, all is not lost. There is some great news to report.

We are continuing to host meetings beginning again in September and have terrific speakers lined up. These meetings will most likely be totally virtual, but the details as well as meeting i.d.'s will be available on our website. And – checkout the victory news for The Migratory Bird Treaty Act (MBTA) – a passion of mine, along with trees.



- Trees don't make wind – they break it. There are tornados in Kansas because it is flat corn field. There are tornados on Long Island now because we have destroyed the woodlands. Trees protect us.
- Poorly pruned trees are much more likely to break, tear and twist. I'm sure I am not the only person who has noticed that PSEG – and they're out of state, have no interest in what our landscape looks like. Crews, do a horrible job of pruning around wires that at this point in time should be mostly underground.
- Large trees, like the 60 – 80-foot oaks are essential to our environment. They are deep rooted and put the water down into the ground, helping to clean it as it goes. We live on a sand bar. We should be very conscious about where our water comes from and how it is protected. Additionally, a large oak is host to some 500 different species of insects that the birds feed on. PLANT NATIVE.
- When you – or your neighbor – decides to take down a huge tree and grind away the roots, they compromise the roots of the adjoining trees. There is a whole network of protection going on under the surface.
- Before you decide that a tree should come down, consult an arborist – not a tree guy who will be more than happy to take your money. Maybe the tree needs some pruning or nutrients. A number of years ago I was told that my backyard maple had a gurgling root and a borer. The tree looked sad. The leaves would begin turning in August and falling in September. It would bud in the spring and then poorly leaf out. I was told I have about 2 years on the tree. As you can imagine, I didn't like that answer. I bought some food spikes and hammered them in around the drip line. I pruned out dead or stressing branches. 8 years later, the tree is doing well.

BYOB: Bring Your Own Bag

by Annette Brownell



National Audubon and Great South Bay Audubon continues to work for a safer environment. What happened to BYOB? – Bring your own bag?

According to DEC, New Yorkers use a staggering 23 billion plastic bags each year. Plastic bags take over 500 years to break down, harm fish and wildlife, and clog machinery at recycling facilities. Just look at the trees along the roadways. Or clean a beach. New York was off to a good start when the plastic bag ban took effect on March 1 as many customers were bringing their own reusable bags. But when a Long Island-based plastic bag company sued the state to block the ban, DEC agreed to an initial 30-day delay on implementation. Then the health crisis hit and DEC extended the enforcement of the law twice, extending the deadline for enforcement until June 15, 2020. We have signed onto a letter to urge the DEC not to extend the deadline again but to immediately inform stores that on June 15, 2020 they are expected to comply with the plastic bag ban law. There have been reports that some stores prohibit consumers from using reusable bags, though such policies vary week by week. While some grocery workers were concerned about contracting the virus through contact with bags, the Center for Disease Control recently amended their website to make clear that touching surfaces is not a significant mode of transmitting the virus. There is no scientific evidence that reusable bags spread COVID- 19. The virus spreads mainly from person-to-person who are in close contact with one another, through respiratory droplets produced when an infected person coughs, sneezes, or talks.

Good thought - Reusable bags are washable. BBYOB – Bring back your own bottles In 1982, the NYS Legislature adopted one of the most sweeping and effective environmental laws in the history of the state. A simple mandatory nickel deposit on certain beverage containers has resulted in cleaner communities, better quality recyclables, and the creation of jobs. Here's an interesting statistic: Containers that have beverage deposits achieve a substantially higher recycling rate than containers that are recycled through municipal recycling programs. According to the Container Deposit Institute: Aluminum cans with deposits achieve a recycling rate of 78%. Without deposits 36%. PET Plastic with deposits achieve a recycling rate of 59%. Without deposits, 14%. Glass bottles with deposits achieve a recycling rate of 64%. Without deposits, 14%. Many consumers, having already paid the five-cent deposit, are stockpiling returnable containers at home. Social distancing must be established at the container return areas at stores, just as it has been done at check-out lines. 9 million metric tons of plastic enter the ocean every year. In the next decade there will be 1 pound of plastic in the ocean for every 3 pounds of fish.

As the state reopens, let's renew our commitment to the environment.

The Heart of the Matter by Harry Anderson

Nature itself is a master conserver. The creatures in it are never given more or less than they need. This is exemplified by hearts, organs that vary wildly in size and performance. The largest animal on the planet and the largest animal that ever lived is the Blue Whale. It can reach a length of 98 feet and weigh as much as 190 tons. This kind of massiveness has a heart to match. It weighs 950 pounds, that's about as much as a Jersey Cow. Even so, it only beats at about 5 to 6 times per minute, 3 while diving. That's something of a bpm record, but it is so strong, it can be heard 2 miles away.

The Cheetah's heart at rest beats at 120 beats per minute, but in a few seconds, it can rise to 250 in a 70 mph chase. The Octopus has three hearts, 2 to pump blood into the gills, and the other one for everything else. A Giraffe's heart weighs 24 pounds and is strong enough to pump blood up its 6 foot neck. An Elephant's heart weighs as much as a toddler and thumps at 60 bpm. An adult horse has a bpm rate of between 36 and 44. Rather slow, considering. But those thoroughbreds that tear up the track at 40 miles an hour can pump out in excess of 200. The earthworm has a heart that does not beat. It's blood is pumped by squeezing. The Pigmy Shrew's heart pumps at 1,200 bpm. That's about 16 beats per second. The Hummingbird heart rate beats that by throbbing at 1,200. A Frog's falls between 40 and 60, closer to ours. As for us, Neil Armstrong's heart beat at 150 bpm when the Eagle landed on the moon. That's 80% higher than a typical 38 year old man. Contrast that with a well trained athlete who can bring it down to 40. For most of us heartbeats generally range from 60 - 100 bpm, higher if you are in love or reacting to politics.



Cedar Waxwings by Helga Merryman

At the beginning of May, I had a nice surprise, a flock of Cedar Waxwings landed just outside my window and pecked at buds on the Viburnum bushes (I hope they come back to eat the berries). Cedar Waxwings are gregarious, regal looking birds that you're likely to see in flocks year-round flitting so fast at the tree-tops that it's hard to get a good look at them. They are medium-sized, soft-grayish brown, with a yellowish wash on the belly, a conspicuous crest, black mask and yellow band at the edge of their tail. Red wax-like tips on their wings give Cedar Waxwings part of their name, and their fondness for cedar berries completes it. Their call is thin lisping and high pitched. Groups of Cedar Waxwings are known as an "ear-full" or a "museum". Waxwings are found sitting in fruit trees swallowing berries whole. Sometimes a group are observed lined up on a branch passing a berry from one to another all the way down the row. With the increased use of ornamental fruit bearing trees in landscaping, Waxwings are becoming more common in urban areas. Sometimes when berries become over-ripe the birds become tipsy when they ingest them.

Friends who lived down south where the streets were lined with Ash trees sent us news articles every year relating how the birds would gorge on overripe berries and end up fluttering all over the city sidewalks in a drunken stupor. During summer, a large variety of fruits including serviceberry, mulberry, dogwood, and raspberries are their diet which is supplemented with protein-rich insects. When feeding on fruits, Cedar Waxwings pluck them one by one and swallow the entire thing at once. Breeding usually begins around June, but may be put off until as late as August possibly dependent on food supply. Female waxwings do almost all the nest building, weaving twigs, grasses, cattail down, blossoms, and similar materials into a bulky cup. Sometimes they save time by stealing nesting materials from other birds' nests. The clutch size is about 2-6 eggs and they have 1-2 broods, the incubation is done by the female alone, the young are tended by both parents. They range from North to Central America usually nesting in Canada and Northern United States. To encourage them to visit your yard plant fruit bearing trees and bushes, and a water source would be welcome. With so much dire news of birds in danger, It's nice to know that Waxwings are not endangered and may even be increasing.

Art & Photography for Autumn 2020



Little Green Heron by Jack Carlson



Pine Warbler by Bob Glasser



Little Green Heron by Heather Meyer



Male Blue Bird by Bob Glasser

The Fran File Award by Annette Brownell



Astrid Otero, pictured, at the Fran File memorial bench at Bayard Cutting Arboretum.

Each year at our annual dinner, we give someone the Fran File Award. Many of us never had the opportunity to meet Fran and really understand what a remarkable person Fran was. I have read in our archives about Fran and everyone I have spoken to that knew her speaks with a gleam in their eye about her. I can tell that I missed meeting a really special person.

In the words of Fran's very good friend, Astrid Otero, "Fran was everybody's friend and benefactor, always willing to undertake even more tasks and problems than she was handling already. Never saying no to help out, she was a backbone of GSBAS for many years, contributing with her never ending energy and expertise. People like Fran are not easy to find; she was very special."

When Fran passed away in 1990, Great South Bay Audubon honored her memory by having a bench built at Bayard Cutting Arboretum. Her very good friend, Arthur Singer, a world renown bird artist, donated several signed prints as a fund raiser and the Fran File Award was born.

Very recently, Astrid contacted us to let us know that the bench at the arboretum has fallen under disrepair and the dedication plaque has disappeared. She suggested that it is only fitting to repair the bench and replace the plaque.

Great South Bay Audubon Society is not just steward of Brookside County Park or of the environment. We are also stewards of our history and the very soul of what goes into organizations such as this.

Part of that is keeping remembrance of those who have forged the way for us. We will assess the damage and obtain estimates for repairs, keeping you informed as to the next steps. I hope that you will consider this a worthy project.

SOLITUDE AND MEMORIES.

We dedicate this bench as a symbol of love, friendship and admiration, with fond memories to Fran File.

Forever this bench will be here to remind
whoever passes, or sits down to rest,
that we show our love to one of a kind,
to us she was one of the best.
So Fran, this is our dedication
to you, for your unselfish deeds,
for giving your all on every occasion,
when you helped so many in their needs.
This bench represents our gratitude,
it'll stand here for years on end,
and when we sit here in solitude,
our thoughts will go back to the times we spent
together, and you will sit here besides us in spirit
we'll reminisce about long ago,
when from your knowledge we'd benefit,
when your love for birds just seemed to grow
and you shared it all with anyone.
Now you're missed by everyone you knew.
So may this bench immortalize some
of our memories of you.

Astrid Otero

Solitude and Memories, a poem written by Astrid Otero in memory of Fran File.

Upcoming Events

Coyotes on Long Island with Enrico Nardone **September 17**

Nardone will be speaking on coyotes and the environmental benefits of them repopulating on Long Island.

Amazing Spiders with Tamson S. Yeh **October 15**

Participants will learn about spiders they are likely to encounter in their homes and landscape, their ecology, and the importance of spiders in literature, art, science, and medicine, spider lore and more!

All About Owls with Ken Elkins **November 19**

Open your eyes wide for a fascinating look into the secret lives of all eleven species of owls. We'll discuss the threats to all owls created by humans.

GSBAS Annual Holiday Party

December 17

Details TBA



Directions to Brookside County Park
59 Brook St, Sayville 11782

The park is located on the north side of Brook St., just east of, and diagonally across from Sayville High School. Look for the large white sign that says "Brookside County Park". From the West and East via Sunrise Hwy: Sunrise Highway to Locust Ave. South, to Montauk Highway. Make a left onto Montauk Highway. Then a quick left onto Brook Street. (traffic light). Continue 2 miles, just past Sayville High School. The entrance to the park is on the left (north side of street). Look for the "Brookside County Park" sign.

You may park in the high school parking lot and walk across the street to the park.

Feeder Survey

by Helga Merryman

The GSBAS Feeder Survey has been run for many years. The reward of the survey is to bring awareness of nature to our doorstep and share our observations with others. Everyone is welcome to join the survey at any time during the counting period from November to March. With the tough time the past months have visited upon us, participation in the survey will be a welcome distraction for the whole family.

How Does the Survey work?

1) The counting period is 5 months from November to March. You are welcome to join the survey at any time.

2) During the first 15 days of each month, view your feeders, count the number of each individual bird species you observe, report the largest number of each individual species seen at any one time, example, if you see 10 Cardinals on the 1st, 5 on the 8th, and 3 on the 10th only report the largest amount seen, (10 Cardinals). The birds may actually be at your feeder or attracted to your yard by feeding activity.

3) Using the form provided, use one form per month to record the largest number of individual species seen. Add any extra species.

4) No later of the 19th of each survey month, mail your completed form to Helga Merryman, 38 S. Carl Ave., Babylon, N.Y., 11702. You can also send your sightings and photos to me at eider55owl@optonline.net. Please put FEEDER SURVEY in the subject line. I will compile the information and the results will be published in the following issue of the Sandpiper.

WE ARE LOOKING FOR... Red-tailed Hawk, Sharp-shinned Hawk, Cooper's Hawk, Rock pigeon, Mourning Dove, Monk Parakeet, Red-bellied Woodpecker, Yellow-bellied Sapsucker, Downy Woodpecker, Hairy Woodpecker, Northern Flicker, Blue Jay, American Crow, Black-capped Chickadee, Tufted Titmouse, Red-breasted Nuthatch, White-breasted Nuthatch, Carolina Wren, American Robin, Northern Mockingbird, Brown Thrasher, European Starling, Towhee, Fox Sparrow, Song Sparrow, White-throated Sparrow, Dark-eyed Junco, Northern Cardinal, Red-winged Blackbird, Common Grackle, Brown-headed Cowbird, House Finch, American Goldfinch, House Sparrow



Great South Bay Audubon Society Membership

Become a member of Great South Bay Audubon Society. Your contribution will support GSBAS conservation efforts, educational programs and our stewardship at Brookside County Park.

Please make checks payable to **Great South Bay Audubon Society** and mail to **GSBAS, P.O. Box 267, Sayville, NY 11782**

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