

Mission: Building on the tradition of special interest in birds, Yellowstone Valley Audubon Society is organized to promote enjoyment and protection of the natural environment through education, activism, and conservation of bird habitat.

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Depredation Permits at the Miles City Hatchery Update July 2023

It has been almost three years since Yellowstone Valley Audubon Society (YVAS) first learned of the shooting of Ospreys at the Miles City State Hatchery by MT Fish Wildlife & Parks (MFWP) personnel. It actually started in 2018 when the US Fish Wildlife Service (USFWS) began issuing annual depredation permits for Ospreys to the Hatchery without complying with the National Environmental Policy Act (NEPA). However, it wasn't until September 2020 that YVAS became aware of the killing of Ospreys and the numbers of other fish-eating birds. In 2018 the breeding success rate of Ospreys in the Miles City area crashed. YVAS (and Earth Justice) stepped in to the problems and are working on solutions.

In the spring of 2023, **The Journal of Raptor Research** published an article written by Dr. Marco Restani, "*Range Contraction of an Osprey Population Following Lethal Control at a State Fish Hatchery in Montana.*" With the assistance of trained nest monitors, Dr. Restani has been conducting a long-term Osprey nesting, breeding and banding study along the Yellowstone River that began in 2012 and continues today. The link to his article can be found on the YVAS website's homepage (yvaudubon.org) or at <https://yvaudubon.org/wp-content/uploads/2023/03/Journal-of-Raptor-Research-Osprey-Miles-City-Hatchery-Article-by-M.-Restani.pdf>



MFWP MCFH Site Visit Fall of 2022

Photo by Steve Regele

In April 2023, on YVAS's behalf, Earth Justice mailed a letter to Director Martha Williams of the USFWS requesting an explanation as to why the USFWS failed to comply with NEPA, and the depredation permit system. They failed to prepare an Environmental Impact Statement (EIS) or Environmental Assessment (EA) as required by NEPA, along with appropriate opportunities for public comment and participation. USFWS claims that a categorical exclusion applies to these depredation permits issued to MFWP's Hatchery despite the significant impacts to birds, including the eastern extent of osprey populations in Montana. We are still waiting for an explanation.

Continued on Page 4

The next YVAS meeting will be held on Monday, Sept 18, at the Mayflower Church on the corner of Poly and Rehberg Lane. A social with coffee and cookies begins at 6:30 PM; the program begins at 7:00 PM.

May 26th Riverfront Park. No Rain and All FUN!

Thunder and rain pounded the park shortly before its scheduled start of 5:30 pm but one person showed up! Good on you Ginny! The rain stopped right on schedule and the birds came out singing. From the parking area Yellow Warblers chased each other and a gorgeous male Black-headed Grosbeak sang from the top of a snag. Its rusty orange breast had a slash of yellow running down its center. Its song was the sweetest of the evening. A male Lazuli Bunting warbled from the very top of a spruce.

Deeper into the park we heard a calling least flycatcher and one of several Red-eyed Vireos and Western Wood Pewees. We also heard the teacher-teacher-teacher song of the Ovenbird but could not spot it in the thickets. We also got a glimpse of a Yellow-breasted Chat.

Reaching the river, we saw a couple Spotted Sandpipers, a pair of Common Mergansers and 17 American White Pelicans on a gravel bar. They were bunched up closely together so that once they tucked in their heads, we thought they looked like a flock of stranded sheep.

We kept listening for the song of the Plumbeous Vireo, who are late migrants, but we were skunked. There was hardly a moment when there was any sound vacuum as House Wrens loudly sang around every bend in the trail and the Yellow Warbler songs were pleasantly incessant. A few Swanson's Thrushes flute-like songs tickled our delighted ears, and we finally saw one of the shy thrushes.

My favorite warbler of the evening was the American Redstart in its flashy plumage of black and orange (the male). We saw at least a half a dozen. Sorry yellow warbler and common yellowthroat! The surprise bird of the evening was a couple Chimney Swifts flying over Lake Josephine. We counted a total of 36 species on our 2-mile stroll.

Submitted by Mike Weber

Field Trip Report: Two Moon Park

May 27 dawned gray and rainy, with dark clouds threatening a real downpour. Promptly at 7:00 am, the skies opened and the rain pounded down. I reluctantly sent a message to the Bird Trip Notification List: "Bird Trip to Two Moon Park CANCELED!"

I might as well go to my exercise class, I thought. As I got in the car at 8:00 a.m. dressed to sweat, I got a text from Kristin. "I'm going to be 5 minutes late getting to Two Moon, but I'm coming!" said her note.

I grabbed my phone and called her: "Kristin! Don't go to Two Moon! I canceled the bird trip! It's raining!"

Kristin replied, "But I'm already here now and there are five other people here, too! It's a beautiful day!"

I vaulted from the car, changed my clothes, grabbed my binoculars, jumped back into the car, and managed to arrive at (sunny!) Two Moon Park by 8:30! The happy birders had already seen 14 or 15 species, including Lazuli Buntings and Red-Eyed Vireos. After I made copious apologies, we hiked the Two Moon loop and added another 16 species to our list. The Yellow-breasted Chat was particularly well-represented (16 individuals), as were Yellow Warblers (26), and of course, the darling Starlings (also 26). We saw 8 American Redstarts, a Spotted Towhee, and three Black-headed Grosbeaks, as well as the usual garden varieties. The Common Yellowthroat was heard everywhere, but never deigned to show his black mask. Neither did we see nor hear the Ovenbird. All told 32 species were counted.

I learned three important lessons:

1. NEVER assume the weather on the Far West End of Billings is the same as the weather on the Far East End of the Heights!
2. The Leader ALWAYS shows up, even if she ends up being the only one standing there in the rain!
3. Audubon folks are wonderful (and forgiving, too).

Submitted by Sue Weinreis

Field Trip Report: Red Lodge Area

Saturday, June 10th was a verdant and rain-free morning for seven birders. Susan Hovde took the lead in helping us explore bountiful bird habitats in the Red Lodge area.

Our first stop was near Bear Creek, where we turned off the highway onto Brophy Road. Soon, the rutted lane and temperate weather seemed more suited to walking than driving, so we abandoned our vehicles and continued onward and upward to the accompaniment of melodious Meadowlarks.

Bullock's Orioles were the showiest denizens of the Brophy Road ravine, looking radiant against the green backdrop. As a songbird novice, I was fortunate to be with experienced birders who could identify species by song, because there was a whole lot of singing going on. We sighted and/or heard Green-tailed Towhees, Spotted Towhees, Yellow-breasted Chats, Lazuli Buntings, Gray Catbirds, and an Eastern Kingbird, among others. My personal favorite was seeing my first Dusky Flycatcher--a bird I had never even heard of before Saturday.

Our second stop was at Nichol's Creek. Susan Hovde's claim that this is a good place to see two species of hummingbirds proved true. Sure enough, they were both prominently perched near the start of the trail--a Broad-tailed and a Calliope. I was easily distracted by the wildflowers, but I think an Orange-crowned Warbler was seen, as well as heard, by others. There were additional birds including, but not limited to, a Warbling Vireo and a Red Crossbill.



Larkspur and Prairie Smoke at Nichol's Creek



Brophy Road

Around noon, heeding the siren call of sack lunches waiting for us back in our vehicles, we headed down the path just in time to avoid a sudden deluge of rain.

It was a morning well spent. The Red Lodge area has obvious attractions such as photogenic scenery and big mammals. Careful looking and listening reveals a much more diverse and complex ecosystem.

*Photos and report submitted
by Ginny Waples*

Broadview Ponds Postscript

On Saturday, May 6, 2023, eight birders lead by Stan Heath, took off towards Broadview Ponds, stopping on several side roads, and at a pond along the highway, to pick up some wonderful migrants. The most impressive sighting of the trip was a Golden Eagle nest on Ballard Ivie Road.

In a return trip July 4 to Ballard Ivie Road, this juvenile Golden Eagle was found in the nest!

Submitted by Pam Pipal and Ruth Vanderhorst



Depredation Permits Update July 2023 *Continued*

On July 7, 2023, YVAS attended a meeting with the US Fish Wildlife Service, MT Fish Wildlife & Parks Hatchery Division and the MFWP Nongame Division at the Miles City State Hatchery. The majority of the meeting consisted of a walking tour of the Miles City Hatchery allowing the Hatchery personnel to talk about their facility. This was actually YVAS's first opportunity to address the USFWS on their protocol for issuing depredation permits to hatcheries. Here are a few of the takeaways.

1. There will not be an EIS (Environmental Impact Statement) or EA (Environmental Assessment) under NEPA (National Environmental Policy Act) at the fish hatchery (or any fish hatchery). Rather, the USFWS is now looking at the "big picture" nationwide and will likely go with a Programmatic EIS rather than the current site-specific EIS. This is still under discussion and will be at least one to two years before it is applied.
2. The USFWS has never turned down a depredation permit to an applicant. This was stated to me during the hatchery walking tour and again to the group at lunch.
3. The 2023 Depredation Permit for the Miles City Hatchery (2 ospreys, 10 great blue herons, 10 double-crested cormorants, 40 Canada geese) was issued on May 9, 2023, by the USFWS.
4. USFWS is still working their way through YVAS's FOIA (Freedom of Information Act) request that was filed by Earth Justice in November 2022.

This remains an ongoing and serious concern. To read previous Flyer articles on this situation see the April 2021, January 2022 and July 2022 issues which can be found on our website's Publication page under Archived Flyers.

Submitted by Deb Regele



*Miles City Fish Hatchery
MFWP MCFH Site Visit Fall of 2022
Photo by Steve Regele*



Chirps and Tweets



Membership Secretary Position Open

YVAS is looking for a Membership Secretary to maintain the names and mailing addresses, both physical and email, of our Chapter's members as well as their renewal and expiration dates. This information is emailed to you regularly by our Treasurer, Pam Pipal. You will also need to email the names and mailing addresses of those members receiving the hardcopy Flyer to the printer when the editor has finalized the newsletter. This work can be done on a home computer or laptop. It requires the use of MS Excel, the internet and email.

If you are interested or want more information, contact Deb at debregelel@gmail.com or home phone at 406-200-7873.

BIRDING FIELD TRIPS COMING UP

Sat Aug 5: Shorebirds, Hawks, Prairie Birds

Mike Weber, leader

Meet 8:00 a.m. at Rocky Sack Lunch

Sat Sept 2: Bridger Creek Stan Heath, leader

Meet 8:00 a.m. Itch-Kep-Pe Park,
Columbus Sack Lunch

Sept Date TBD Bowdoin NWR in Malta

Stan Heath & Susan Hovde, leaders

Sat Sept 16: Red Lodge Area Hawk Watch

Marco Restani, leader

Meet 8:00 a.m. at Red Lodge Town Pump
Conoco Sack lunch and lawn chair



**Maybe a rain
jacket too?**

*June 6 photo by
Susan Hovde in
Bear Canyon*

Coming up at Montana Audubon Center

Please register in advance on the MAC website
for all activities: mtaudubon.org/center

Aug 1 Evening Exploration: 4:30pm-7:30pm

Explore and enjoy the ponds, the wildlife and the changes in our plants as we move from winter to spring and spring to summer. Or get in a canoe and explore the ponds with the setting sun. Choose your own adventure to enjoy with your friends and family. Suggested donation \$10/canoe, or free for members of MAC.

Aug 4 Bat Night Hike: 8:30pm-10pm

Dive into the mesmerizing world of bats! Join us for a fun night learning cool bat facts, then heading out with special acoustic equipment to find them. Bring a flashlight and good walking shoes. Suggested donation \$5/person.



Aug 10 Herpetology Hunt 8:00pm – 9:30pm

Join the knowledgeable naturalists at the Montana Audubon Center for a frog-filled and toad-ally exciting adventure searching for reptiles and amphibians of Southeastern Montana. Suggested donation \$5/person for Members, \$10/person for Non-Members, Kids 12 & under free.

Aug 12 Bird Stroll: 8:30 am - 10am

Enjoy a morning stroll by the river and learn a few birds on the way. Suggested donation \$10/adults, \$5/students, or free for MAC members.

Aug 12 Weekend Wonders Family Program: 10:30am-12pm

Every month features a nature theme, an outdoor adventure, and a hands-on learning experience from an expert in their field. Suggested donation \$5/person or free for MAC members.

Aug 18 Bugs N Brews 9pm - midnight

Join entomologist Marian Kirst on an invertebrate-filled adventure you'll never forget! Enjoy local microbrews while you use different insect collecting techniques to find and observe insects, spiders and their kin. Non-Members: \$25/person Members: \$22.50/person

Aug 19 Cocoa & Crawlers 7:30-9:30pm

Join entomologist Marian Kirst on a family-friendly bug hunting extravaganza! Participants will use different insect collecting techniques to attract, examine and identify insects and spiders, the critters that make the natural world go 'round. Join us for a deeper look into the life of these small, yet mighty, creatures. Non-Members: Adults: \$15 and Kids: \$5/person. Members: Adults: \$12/person Kids: \$3/person.

*Submitted by Rebecca Mathias
Community Programs Coordinator
(406) 294-5099 (Office)
rmathias@mtaudubon.org*

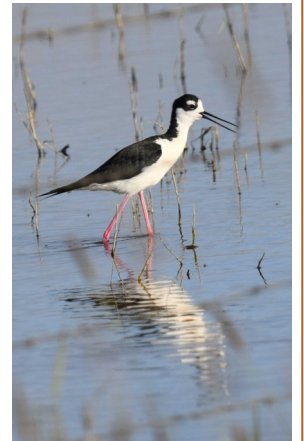
Big Lake Bliss July 3, 2023



After visiting Big Lake in late April, I concluded that this may be the year that Big Lake dries up. The lack of winter snow and sparse early spring rain: the lake was evaporating. Water levels were lower than a trip I had taken on April 1st. The intake culverts that flow under Wheat Basin Road that help fill Big Lake were dry. Despite the shrinking lake, the nesting island was busy with American White Pelicans, Double-crested Cormorants and California and Ring-billed gulls.

Then the rains came. Early June saw record precipitation and on June 8th my son Charlie and I drove out to see what the rains had brought. We made our way down a muddy Eastlick Road and saw that Eastlick Pond a couple of miles west of Molt was full and the Eastern part of Big Lake was filling. Our trip was cut short by a thunderstorm.

On July 3rd, Will Crain and I drove to Molt to check out the country. The large seasonal pond north of the grain elevators in Molt, which was dry in May, was now brimming with water and birds. Several Sora rails could be heard calling and dozens of ducks were on the water. A few Avocets were observed. Another seasonal pond across the road held some early southbound shorebirds, a dozen Greater Yellowlegs, 3 Solitary Sandpipers and one Long-billed Dowitcher. There was also a pair of Black-necked Stilts. More Soras could be heard. Up the road we surprised a red fox pup.

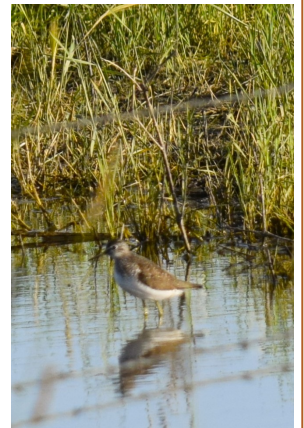


Black-necked Stilt

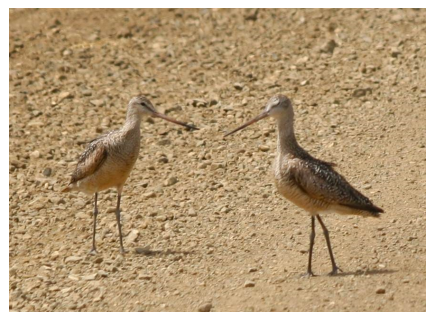


Red Fox

Approaching Big Lake on Wheat Basin Road we came to the intake culverts which feed water into Big Lake. The water was up to the road and water was rushing through the culverts and a large lake backed up behind the intake culverts. Observing Big Lake near the nesting island, the lake was filling and if the water continues to pour in it will likely reach capacity. Much of the exposed mudflats were covered with water. Many young gulls paddled in the water with their parents and some too young to swim were still on the island. There were pelican chicks of various ages on the island, and we saw adult cormorants, but we did not see any young birds. Highlights included a flock of White-faced Ibis, a wayward Whimbrel and 21 Marbled Godwits that were just north of Big Lake on Molt Rapelje Road. There was water on both sides of that road and some of the godwits were loafing on the road.



Solitary Sandpiper



Marbled Godwits

Submitted by Mike Weber

Photos by William Crain

YVAS MEETINGS & PUBLIC PROGRAMS

Next Board of Directors Meeting: Aug 14, 2023 —The YVAS meeting of the Board of Directors will be held from 4 pm to 6 pm. Board of Directors meetings are held the second Monday of the month. Board meetings are open to all members.

In-Person Program: Sep 18, 2023. Programs will be held on the third Monday of the month at the Mayflower Church on the corner of Rehberg Lane and Poly Drive in Billings. Doors open at 6:30 for coffee and cookies; the program begins at 7:00 pm.

Board of Directors

President (Acting): Steve Linder 406-380-0073
 becon1@bresnan.net
 Vice President: vacant
 Secretary: Sue Weinreis 406-855-4181
 granpeak47@gmail.com
 Treasurer: Pam Pipal 406-245-4517 ppipal@
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 Steve McConnell 509-868-8277 mcconnells@billingsmt.gov
 Kristin Neva 406-672-8912 ksneva@gmail.com
 Deb Regele 406-200-7873 debregele@gmail.com
 Bruce Waage 406-698-3126 bruce.waage@outlook.com

Committees and Assignments

Christmas Bird Count: Jerry Dalton 406-656-3656
 jerrydalton96@gmail.com
 Facebook: Ginny Waples 406-850-1056
 waplesv@gmail.com
 Field Trip Chair: Carolyn Jones 406-670-4449
 carolyn684@gmail.com
 Flyer Editor: Kristin Neva 406-672-8912
 yvasflyer@gmail.com

(Committees, continued)

Injured Raptors: Montana Raptor Conservation
 Center 406-585-1211
 Injured Waterfowl: WJH Bird Resources 406-652-
 7175 wjhbird@yahoo.com
 Peter Cummins membership.
 Membership Data: Carolyn Jones 406-670-4449
 data.yvas@gmail.com carolyn684@gmail.com
 Mt Bluebird Habitat Project: Sue Weinreis 406-855-4181
 granpeak47@gmail.com
 Osprey Nest Monitor Coord: Deb Regele 406-200-7873
 debregele@gmail.com
 Osprey Research Coord: Marco Restani 460-425-2608
 restani@stcloudstate.edu
 Program Committee: YVAS Board of Directors
 Publicity: YVAS Board of Directors
 Recycling (aluminum): Larry Handsaker 406-855-
 9832 or 918 Ave C, Billings
 Recycling (baling twine): Deb Regele 406-200-7873
 debregele@gmail.com
 Website: Deb Regele 406-200-7873
 debregele@gmail.com

***** Membership Updates *****

Chapter members listed below are up for renewal. Please use the application form below (include your email address) and submit, along with a check, to any Board Member or mail it to the address on the application.

♦ **August renewal:** Donn and Dorothy Bartlett, Mary and Bob Francis, Cindy Meccage, Barb Pitman

Yellowstone Valley Audubon Society
 Application for New & Renewal Membership



Yellowstone Valley Audubon Society is a not-for-profit 501(c)(3) organization. Our federal tax ID number is 51-0206955.

Please enroll me as a supporting member of Yellowstone Valley Audubon Society. I understand I will be supporting local Chapter activities and receiving the local newsletter. I will enjoy full family Chapter benefits.

Make check payable to **Yellowstone Valley Audubon Society** for \$25. If applying for a new or renewing student membership, make check for \$15 and indicate academic affiliation.

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____

Do you want to receive the YVAS Flyer electronically?
 ___ YES ___ NO

Send this application and your check to:

Yellowstone Valley Audubon Society
 P.O. Box 1075
 Billings, MT 59103-1075



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**Osprey Flight School
at Nest 405**

Photos by Ginny Waples

