

# NEW LATE DATE AND FIRST DECEMBER RECORD OF YELLOW-BELLIED FLYCATCHER IN NEW YORK STATE

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**Abstract**—On Sunday, 6 December 2009, an *Empidonax* flycatcher was observed feeding actively in the picnic area at Zach's Bay, Jones Beach State Park, Nassau County, New York. The four observers present concluded that the bird was a Yellow-bellied Flycatcher (*Empidonax flaviventris*), obtained digital photographs, and recorded detailed field notes. This observation represents a new late date and a first early winter record for the species in New York State.

On 6 December 2009, I was birding the Jones Beach strip, that portion of the Long Island barrier beach stretching from West End on Jones Inlet east to Captree State Park on Fire Island Inlet. It was a sunny, cold day with strong winds out of the northwest, a harbinger of the weather southeastern New York was going to experience for the majority of the month. My trip began at West End, where an obliging Orange-crowned Warbler was observed in the parkway median, staying still long enough to be viewed by a number of other birders. At about 10:30 AM I left West End and headed for Zach's Bay.

I walked north into the Zach's Bay picnic area about 11:00 AM, thinking that the hedgerow vegetation around the picnic grounds would provide a wind barrier from the northwest winds and a good microclimate for any late insectivorous species. I was not disappointed as the first (and only) bird I observed was an *Empidonax* flycatcher feeding up against the north hedgerow. I had mixed feelings about seeing the bird: intrigued that an Empid flycatcher was still present at such a late date, and some trepidation at attempting a potentially difficult identification.

## **The *Empidonax* Challenge**

For my first ten years or so of active birding, I made no attempt to identify migrant, non-calling *Empidonax* flycatchers to species. Many field guide authors stressed the difficulty in identifying these birds outside of the breeding season, and the guides themselves provided little or no information on how to do so. As more information on *Empidonax* flycatchers became available, notably Whitney & Kaufman's 1985-1987 series, birders gained confidence in identifying some out of season Empid flycatchers. Kaufman (2002) cautioned that this new-found confidence was sometimes overstated, as when birders attempted to identify every Empid they saw by matching illustrations in field guides to birds in the field but failed to consider the range of variation possible within each species (*Birding* 34: 136-145). The availability of more detailed information encouraged

birders to try to identify fall *Empidonax*, but the possibility that a bird might be a western stray was, for many years, not on most birders' radar.

The earliest confirmed records of western North American *Empidonax* in the Northeast involved birds that were measured and photographed in the hand, for instance, a Gray Flycatcher collected in Massachusetts in 1969; a Hammond's Flycatcher banded in Massachusetts in 1988; and "Western" Flycatchers (= Pacific-slope/Cordilleran Flycatchers) in PA, NJ, and Long Island (Buckley and Mitra 2003). These records served to increase the number of possible species that eastern birders needed to consider, but the Empid sighting that really made Long Island birders sit up and take notice was New York State's first Hammond's Flycatcher (*Empidonax hammondi*), discovered by the late John Fritz and Doug Futuyma at Jones Beach West End on 27-28 Oct 2001 (KB 52: 2-7). This individual was cooperative, observed by many birders, and initiated extensive discussion on *Empidonax* identification.

An article in *The Kingbird* by Robert O. Paxton in 2002 (KB 52: 220-221) began with the admonition that "not all late fall *Empidonax* flycatchers are western strays" and presented three November records of Yellow-bellied Flycatchers: singles banded at Tobay Beach, Nassau County, on 2 Nov 1980, and at Gilgo Beach, Suffolk County, on 4 Nov 2001 and 12 Nov 1988. The 12 Nov 1988 record represented, until the current observation, the latest date for Yellow-bellied Flycatcher in New York State. Late fall and early winter records of *Empidonax* flycatchers from Long Island and New York City are summarized in Table 1.

**Table 1.** Selected Late Fall/Early Winter Records of *Empidonax* flycatchers from Long Island and New York City (*Kingbird* Region 10).

Species	Date	Location	Source
Yellow-bellied	2 Nov 1980	Tobay Sanctuary, Nassau	Paxton 2002
Yellow-bellied	12 Nov 1988	Gilgo Beach, Suffolk	Paxton 2002
Yellow-bellied	4 Nov 2001	Gilgo Beach, Suffolk	Paxton 2002
Least	28 Nov-14 Dec 1991	East Hampton, Suffolk	Schiff & Wollin 1992
Least	16 Dec 2001	Central Park, Manhattan	Schiff & Wollin 2002
Least	15 Dec 2007	Amagansett, Suffolk	Lindsay & Mitra 2008
Least	16-18 Nov 2008	Mt Loretto, Richmond	Mitra 2009
Hammond's	27-28 Oct 2001	Jones Beach, Nassau	Fritz & Futuyma 2002
Hammond's	19-28 Nov 2006	Rye, Westchester	Bochnik 2007
"Western"	14-16 Sep 1995	Fire Island Light, Suffolk	Buckley & Mitra 2003

Fall *Empidonax* flycatchers in southeastern New York may be under-reported. The difficulty in identification of the genus and the reality that many observations of these birds are brief, preventing observation of applicable field marks, discourages birders from reporting their sightings, even as unidentified *Empidonax*. Additionally, the number of published fall records of Yellow-bellied Flycatcher is not consistent with my field experience. I can recall this species being reported during late fall (October-November) approximately every other year in Region 10, with some reports made by experienced observers.

However, the observations may not have been accompanied by photographs or written descriptions or forwarded to birding journals. Regional Editors may have been hesitant to publish undocumented late season reports of Yellow-bellied Flycatcher in view of recent documented occurrences of “Western” Flycatcher in the East. Yellow-bellied Flycatcher is very similar in appearance to Cordilleran and Pacific Slope Flycatchers, so much so that the New York State Avian Records Committee, referencing an article by Heindel & Pyle (1999) on this subject, stated that separating the species “presents a significant identification challenge” (KB 56: 26).

## Identification

Since those early years of birding I have observed all the regularly occurring North American Empids. My experience with western *Empidonax*, however, is mostly restricted to brief looks at calling birds on their breeding grounds—not particularly good experience for identifying potential out of range, late season migrants.

My first impressions of the *Empidonax* flycatcher at Zach’s Bay were of a small, brightly colored, compact bird, somewhat large-headed and short-tailed. Both the upperparts and underparts were a yellowish-green, and there was no contrast in the color of the throat with the rest of the underparts. By shape and size I eliminated most eastern Empids except for Least and Yellow-bellied Flycatcher. The lack of contrast in the throat, the completely orange lower mandible, and the greenish-yellow underparts eliminated Least Flycatcher. Extralimital species such as Dusky, Hammond’s, and Gray Flycatchers were also eliminated by bill shape and other characters, leaving the “Western” Flycatcher complex as a remaining possibility, along with Yellow-bellied.

I had neither a bird book nor writing material with me to take notes, but I did have a camera. Fortunately, the bird was so busy feeding it largely ignored my presence. If it is true that a picture is worth a thousand words, then an observer cannot take enough pictures of an unidentified Empid. The lighting and posture of the bird can affect an observer’s perceptions and a crucial field mark picked up in one photograph may not be shown in another. This bird was no exception to this phenomenon, as shown to some extent in the three photos reproduced on page 139. The upper left photo shows an eye ring that appears fairly even in width—consistent with Yellow-bellied Flycatcher—but the upper right photo shows the eye ring as having a teardrop shape—suggestive of “Western” Flycatcher. Most photographs of the bird showed a complete, narrow eye ring, and, as this was our consensus impression in the field, I concluded that the teardrop shape apparent in a few photos was the result of a relaxed posture. The weather also played a role in the bird’s appearance. Although the bird’s head appeared large and rounded in life (as in Yellow-bellied), the upper right photo shows an apparent crest (suggestive of “Western”). The impression in the photo arises because the bird had turned the back of its head toward the wind, causing the feathers on the nape and crown to elevate.

Additional features of the bird were its short tail, dark wings, moderate primary projection, and triangular shaped bill that was wide at the base with a

completely orange lower mandible. Primary projection in *Empidonax* Flycatchers is the distance that the longest primaries extend beyond the secondaries and tertials on a folded wing (Kaufman, 1990) and can be difficult to judge. I wrestled with this problem for some time, alternately assigning the primary projection to all three size categories (short, moderate, and long), and finally coming to the conclusion that a short primary projection was the least likely and intermediate the most likely.

Having taken a number of photos, and mentally recording the applicable identification features, it was time to call for some help. I had been birding briefly with Seth Ausubel at nearby West End and knew he was still in the area. As so often happens, the bird disappeared shortly before Seth arrived. I had placed a call to Shaibal Mitra and Patricia Lindsay, hoping to use Shai's extensive banding experience to help with the identification. As Seth and I searched for the bird Pat Lindsay called back to ask if the bird was still there. As we spoke the bird magically reappeared, and there was a brief conversation about field marks that we had observed. In my telephone conversations I had already (in retrospect, I was overconfident) stated that I thought that the bird was a "probable" Yellow-bellied Flycatcher, so the fat was in the fire. Shai and Pat arrived shortly, and fortunately the Empid did not disappear a second time.

Shai Mitra was familiar with some undocumented reports of late fall Yellow-bellied Flycatchers and was intrigued by the possibility that some of these birds may actually have referred to Least Flycatcher or "Western" Flycatcher. However, after observing the bird's spade-shaped bill, relatively large and rounded head, moderate to long primary projection, blackish wings, deeply colored throat, and very brightly green and yellow overall appearance, Shai agreed that this was bird was indeed a Yellow-bellied Flycatcher.

## Thoughts

Identification of migrating and late season *Empidonax* flycatchers is a daunting task for any field observer, further complicated by variation within each species. On worn Yellow-bellied Flycatchers in late summer and fall, yellow on the underparts may be barely discernible or missing completely, appearing grayish or white (Kaufman 1990). Unlike the individual under discussion, the three Yellow-bellied Flycatchers banded by Paxton in November showed little or no yellow below. The individual I observed seemed to be fairly typical (if this word can be applied to any *Empidonax* species) of the birds observed on their Adirondack breeding grounds.

Articles refining our understanding of *Empidonax* identification continue to appear in birding journals (See Rowland 2009), and the number of birders able to document their sightings with photographs is growing, ensuring that many late season Empid observations will be better documented than in the past. Vagrant western Empids in the East will inevitably generate more excitement among the birding community than will out of season examples of their eastern congeners. However, in late fall and early winter birders should be aware that both eastern and western *Empidonax* are possible.

## LITERATURE CITED

- Bochnik, M. 2007. Region 9—Hudson-Delaware [fall season report]. *Kingbird* 57: 82-86.
- Buckley, P.A. and S.S. Mitra. 2003. Williamson's Sapsucker, Cordilleran Flycatcher, and other long-distance vagrants at a Long Island, New York stopover site. *North American Birds* 57: 292-304.
- Fritz, J., and D. Futuyma. 2002. Hammond's Flycatcher (*Empidonax hammondi*) on Long Island, 27-28 Oct 2001 New York State's First Record. *Kingbird* 52: 2-7.
- Heindel, M. and P. Pyle. 1999. Identification of Yellow-bellied and Western Flycatchers. *Birders Journal* 8: 78-87.
- Kaufman, K. Advanced Birding. 1990. Houghton Mifflin Company, Boston, MA.
- Kaufman, K. and D. Sibley. 2002. The Most Misidentified Birds in North America. *Birding* 34: 136-145.
- Lindsay, P. and S. Mitra. 2006. Region 10 Marine Report for Fall 2005. *Kingbird* 56: 116.
- Lindsay, P. and S. Mitra. 2008. Region 10 Marine Report for Winter 2007-08. *Kingbird* 58: 208.
- Mitra, S. 2009. Region 10 Marine Report for Fall 2008. *Kingbird* 59: 105.
- NYSARC. 2003. Annual Report of The New York State Avian Records Committee for 2003. *Kingbird* 56:26.
- Paxton, R. O. 2002. Late Fall Records of Yellow-bellied Flycatcher on Long Island. *Kingbird* 52: 220-221.
- Rowland, F. 2009. Identifying *Empidonax* Flycatchers: The Ratio Approach. *Birding* 41: 30-38.
- Schiff, S. and A. Wollin. 2002. Region 10 Marine Report for Winter 2001-2002. *Kingbird* 52: 193.
- Schiff, S. and A. Wollin. 1992. Region 10 Marine Report for Fall 1991. *Kingbird* 42:66.
- Schiff, S. and A. Wollin. 2002. Region 10 Marine Report for Fall, 2001. *Kingbird* 52:101.
- Sibley, D. A. 2000. National Audubon Society The Sibley Guide To Birds. Alfred A. Knopf, New York.
- Whitney B., and K. Kaufman. 1985a. The *Empidonax* Challenge. Part I: Introduction. *Birding* 17:151-158.
- Whitney B., and K. Kaufman. 1985b. The *Empidonax* Challenge. Part II: Least, Hammond's, and Dusky Flycatchers. *Birding* 17:277-287.
- Whitney B., and K. Kaufman. 1986a. The *Empidonax* Challenge. Part III: The Alder/Willow Problem. *Birding* 18:153-159.
- Whitney B., and K. Kaufman. 1986b. The *Empidonax* Challenge. Part IV: Acadian, Yellow-bellied, and Western Flycatchers. *Birding* 18: 315-327.
- Whitney B., and K. Kaufman. 1987. The *Empidonax* Challenge. Part V: Gray and Buff-breasted Flycatchers. *Birding* 19:7-15.