

REPORT OF THE NEW YORK STATE AVIAN RECORDS COMMITTEE FOR 2010

The New York State Avian Records Committee (hereafter “NYSARC” or the “Committee”) reviewed 181 reports from 2010, involving 96 separate sightings, and an additional 18 reports from previous years. Reports were received from all over the state, with 31 of the 62 counties represented. The number of reports accompanied by photographs remains high and naturally benefits the value of the archive. The Committee wishes to remind readers that reports submitted to eBird, listserves, local bird clubs, rare bird alerts (RBAs) and even *Kingbird* Regional Editors are not necessarily passed along to NYSARC. Doing so therefore remains the responsibility of the observer(s). The growing use of the Internet and mobile phones has had a very positive impact on the timely dissemination of rare bird sightings and has made it easier for birders to locate rarities found by others. The Committee has always held that receipt of multiple independent reports provides a much fuller documentation of the sighting and can in some cases increase the likelihood of acceptance. We therefore urge ALL observers, not just the finder, to submit written reports and/or photographs. The names of the 98 contributors who submitted materials (written reports, photographs and sketches) are listed alongside accepted reports and again at the end of this document. Where possible, the name(s) of the original finder(s) is (are) included in the narratives. Production of this Annual Report is a team effort. In addition to the contributors mentioned above, several *Kingbird* Regional Editors have helped observers to prepare and submit documentation, and a special thanks goes to Mike Morgante (Region 1 Editor) for forwarding important documentation.

HOW TO SUBMIT REPORTS

Advice on how to prepare and submit a report is provided on the NYSARC pages within the NYSOA web site: <http://nybirds.org/NYSARC/index.htm>

Here, a list of species requested for review by NYSARC (The Review List) is provided along with illustrated copies of previous annual reports. The Committee is very grateful to Carena Pooth (Former NYSOA President and website administrator) for updating and continuously improving the NYSARC web site. An on-line reporting form allows observers to compose a written report and attach up to five digital image files. Documentation (written reports and photographs) and any other correspondence for the Committee can also be sent via email or regular mail to:

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Churchville, NY 14428
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HIGHLIGHTS

2010 provided yet another outstanding year for rarities across NYS, adding three new species to the New York State Avian Checklist, bringing the total at year's end to 479 species. These additions were **Black-bellied Whistling-Duck** (*Dendrocygna autumnalis*), **Common Ground-Dove** (*Columbina passerina*) and **Hermit Warbler** (*Setophaga occidentalis*). Other highlights included a convincing single observer sighting of a **Kirtland's Warbler** (*Setophaga kirtlandii*), which unfortunately disappeared before it could be photographed, thus precluding admission to the NYS Avian Checklist. Recognizing occasional examples of 'near-misses' like this, the Committee will now maintain a special category termed *Supplemental*. This resembles the *Hypothetical* category employed by John Bull (1976) and others but will be reserved for submissions to the archive that are fully convincing but which fall short of the rigorous requirements for full acceptance onto the Checklist. It is expected that most entries will involve similar circumstances: single observer sightings of species with a high likelihood for natural occurrence in NYS but which lack the mandated physical documentation (photographs, recordings, specimens, etc.) or independent corroboration. However, other circumstances can be imagined, for example, a bird tracked remotely using a geolocator or satellite transmitter, where the margin of error in the positioning data leaves some uncertainty as to the precise location. Readers are reminded that, when possible, reports of potential new species are now reviewed ahead of the main body of reports so that a decision can be rendered and made public as soon as possible. This new 'accelerated review' policy (NYSARC 2009, *The Kingbird* 59(3): 235) benefits everyone but relies on timely receipt of the documentation. To ensure the continued success of this endeavor, the Committee encourages observers to provide materials, especially those concerning major rarities, as quickly and as thoroughly as possible. In addition to the new species described above, the first nesting record for **Mississippi Kite** (*Ictinia mississippiensis*) was carefully documented in Montgomery County.

2010 Reports Accepted

Black-bellied Whistling-Duck (*Dendrocygna autumnalis*)

2010-20-A/D Five, Oneida Lake, Brewerton, **Oswego/Onondaga**, 31 May (Richard Guthrie, Kevin McGann, Bill Purcell, Thomas B. Johnson; ph R. Guthrie, B. Purcell, T. B. Johnson)

2010-46-A/H One, west side of Route 77, Tonawanda WMA, **Genesee**, 11-22 Aug (Gerald S. Lazarczyk, William W. Watson, Will Stuart, Willie D'Anna, Paul Hess, James Pawlicki, Jim Landau, Jim Wojewodzki; ph W. W. Watson, W. Stuart, W. D'Anna, P. Hess, J. Wojewodzki)

2010-78-A One, Jamaica Bay Wildlife Refuge, **Queens**, 31 Jul & 2 Aug (Andrew Baksh; ph A. Baksh)

After several sightings of this species in NYS involving lone individuals, some with evidence of past captivity, the Committee (and birding community as a whole) was thrilled to receive a series of well-documented Black-bellied

Whistling-Duck reports involving seven individuals. The documentation was supported in every case by color photographs, and the Oneida Lake birds, first found by Jim Vrooman, may well have been the same group of five photographed a day earlier in Dauphin Co., Pennsylvania on 30 May 2010. The Jamaica Bay bird was first identified by Anne Lazarus, while the Tonawanda duck (see p. 147) was spotted independently on 11 Aug by Will Stuart and Jill Palmer and then by Paul Hess. Whistling-Ducks, including this species, are very popular with waterfowl collectors and traditionally pose problems for Committee acceptance, especially when a lone and relatively tame individual is involved. The nagging specter of escapes has left a question mark over several plausible candidates in the past. That the three 2010 sightings involved relatively skittish birds showing no evidence of prior captivity (leg bands, clipped nails, etc.), coincided with a major incursion into neighboring states, and involved a group of five birds made it easier for the Committee to accept this series of reports as involving genuine vagrants. As such, and starting with the five birds on Oneida Lake, these constitute the first records for NYS. A brief announcement to this effect was published in *The Kingbird* Vol. 61 (2): 132.

Barnacle Goose (*Branta leucopsis*)

2010-9-A/E One, Forestal Flats & Ring-necked Marsh, Iroquois National Wildlife Refuge, **Orleans**, and Johnson Creek Road, Hartland, **Niagara**, 17-27 Mar (William W. Watson, Willie D'Anna, David R. Wheeler; ph W. D'Anna)

2010-82-A/C One, Pelham Bay Beach, **Bronx**, 26-27 Nov (Keith Michael, Jack Rothman, Shari Zirlin; ph K. Michael, J. Rothman, S. Zirlin)

These two records of Barnacle Goose reflect the steady change in the frequency of occurrence of this European species and the perception of its status in terms of natural versus unnatural origins. As discussed in previous Annual Reports, the Greenland-breeding population continues to grow with what seems to be a corresponding increase in the number of sightings in northeastern North America. This correlation has reinforced the belief of many that most recent sightings of this species refer to genuine wild vagrants, although escapes most certainly also occur. Although the broader trend seems clear, discerning natural versus unnatural origins with regard to individual geese remains a challenge. Records Committees are generally conservative when making these types of decisions, but one has only to look at recent Annual Reports from this Committee to see a growing number of unqualified acceptances. As if to validate this exciting trend, 2010 produced the first NYS record of a Barnacle Goose that had been banded as a wild bird in its main range. This highly significant individual was discovered by Keith Michael at Pelham Bay Park in the outskirts of New York City on 26 Nov. It had an injured left foot that caused it to limp badly and carried three bands, a metal band which could be read from photographs (British Museum London SW7 1291347), a white unmarked plastic band and a white Darvic band with the letters VUB in black (see p. 147 for photos showing the band combination and numbers). Jack Rothman shared these details with the European Union for Bird Ringing (www.euring.org), which quickly confirmed that this individual was marked by Steve Percival on Islay, Scotland on 13 Nov 2002. Islay, on the west coast of Scotland, is a major

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wintering site for Greenland Barnacle Geese. The goose had returned to Islay each year until 2005, when it vanished. To the chagrin of goose enthusiasts, the Bronx bird did not linger but was later sighted in Connecticut. This is only the third North American record of a Barnacle Goose banded in Europe, following band recoveries by hunters in Newfoundland and Ontario (Sherony 2008), and provides the strongest evidence for natural vagrancy to NYS.

The other 2010 Barnacle Goose record was of a bird that was discovered by Peter Yoerg in Orleans County at Iroquois NWR. Later a bird that is likely to be the same individual was found by Willie D'Anna as he led a field trip in Niagara Co. Inland sightings such as this latter bird always receive closer scrutiny than reports from the coast, where there is a clearer relationship to the Atlantic flyway. The Iroquois NWR Barnacle Goose was seen to have all of its flight feathers and was not banded or marked in any way as to suggest the possibility of an escape. These critical details, combined with the cumulating evidence for natural vagrancy into the northeast, including the eastern portion of the Great Lakes, proved sufficient for acceptance by the Committee.

Tufted Duck (*Aythya fuligula*)

2010-3-A/D One male, Ausable Point, Valcour, **Clinton**, 25-27 Feb (Thomas B. Johnson, William E. Krueger, Shawn Billerman, Bill Purcell; ph T. B. Johnson, S. Billerman)

On February 19, Pat Jones discovered a male Tufted Duck at Ausable Point on the western shore of Lake Champlain. This bird was seen associating with a mixed flock of diving ducks and occasionally fed near the shore, affording good views for the numerous observers who found it subsequently. According to Bill Krueger, the duck remained until at least 21 Mar. Two reports, one from Tom Johnson and the other from Shawn Billerman, provided digiscoped photographs to accompany the written descriptions. Tufted Duck is a fascinating example of a Eurasian species that was added to the NYS Checklist relatively recently (1955) but quickly became an annual visitor. Indeed it was sufficiently frequent in coastal New York that it no longer required NYSARC review. However, this trend has reversed in recent years, with far fewer coastal records and, if anything, an increase in Upstate NY, especially the eastern half of the state.

Pacific Loon (*Gavia pacifica*)

2010-22-A One alternate plumage, Cupsogue CP, **Suffolk**, 24 May (Jay McGowan)

The sharp eyes of Jay McGowan and Andrew Van Norstrand spotted a Pacific Loon at Cupsogue CP on eastern Long Island flying east along the beach with a group of five Common Loons (*G. immer*). They were able to get two photographs showing the white braces on the upper surface of the wings. The photos also show the contrast in the size of this bird compared to the larger Common Loons and the different head shape. Although Pacific Loons are being reported with increasing frequency in New England, most notably around Block Island, Rhode Island, this increase has not manifested itself on eastern Long Island, where the species remains a major rarity. A black-and-white photograph by Jay McGowan was published in *North American Birds* 64(3):397.

Western Grebe (*Aechmophorus occidentalis*)

2010-5-A/B One, Jacob Riis Park, **Queens**, 28 Feb, (Seth Ausubel, Doug Gochfeld; ph D. Gochfeld)

2010-6-A/B One, Chimney Bluffs, east side of Sodus Bay, Lake Ontario, **Wayne**, 14 & 21 Mar (Thomas B. Johnson, William W. Watson)

Western Grebe sightings have become annual in the past decade, and in 2010 two were reported. The first was found by Seth Ausubel and seen from the fishermen's parking lot of Riis Park on 28 Feb. The description included details of the bill color and head pattern that identified it as a Western Grebe, rather than Clark's Grebe (*A. clarkii*), which has not yet been recorded in NYS. On 11 Mar, Chuck Gibson found the second individual off Chimney Bluffs SP, Lake Ontario. An eBird report alerted other birders, and it was re-found in the same general location and last reported on 21 Mar. This bird was seen by several groups and was well described, thus eliminating Clark's Grebe.

White-faced Storm-Petrel (*Pelagodroma marina*)

2010-29-A One, 101 nm SSE of Shinnecock Inlet [39°27'41.22"N, -71°12'56.88"W],

Pelagic, 12 Jun (John Shemilt; ph J. Shemilt)

2010-56-A One, 72 nm SSE of Shinnecock Inlet [39°55'10.88"N, -71°22'13.91"W],

Pelagic, 11 Sep (Angus Wilson)

It is likely that White-faced Storm-Petrel occurs with regularity in summer and early fall over the outer reaches of NYS pelagic waters, especially the areas of upwelling along the continental shelf break and the outer portions of the major submarine canyons. During the summer of 2010, John Shemilt and companions found two individuals during offshore fishing trips around the mouth of Block Canyon and beyond the shelf edge. Both birds proved less than cooperative, staying in view for less than a minute before disappearing along the wave troughs. Fortunately, this is a very distinctive storm-petrel and brief views are usually enough to rule out other species that can be confusing, such as phalaropes and more often than not, flying fish. In the case of the individual found on 12 Jun, the 45 seconds or so that it was in view proved enough time for Shemilt to obtain several definitive photos, but the 11 Sep bird vanished so quickly that it was documented by written description only.

Leach's Storm-Petrel (*Oceanodroma leucorhoa*)

2010-31-A Total of 53 birds, at or beyond 500-fathom contour, 78-105nm SSE of Shinnecock Inlet, **Pelagic**, 12 Jun (John Shemilt; ph J. Shemilt)

Our understanding of the status of Leach's Storm-Petrel in NYS pelagic waters is a work-in-progress. Until a few years ago the species was not recorded every year, and the majority of records referred to storm-blown individuals rather than at-sea sightings. This has always seemed strange given that the bulk of the Atlantic population nests in eastern Canada—there are four million pairs nesting in Newfoundland alone (Robertson et al. 2006)—and that this species is encountered off Massachusetts on a regular basis in the warmer months. Hints of a change have come from the regular observations of John Shemilt during fishing trips to the shelf-edge and deep canyons, especially in the productive areas towards the eastern boundary of the NYS pelagic waters. This report

describes an offshore trip in early Jun during which Shemilt, Craig Corcoran and Keegan Corcoran encountered small groups of Leach's Storm-Petrels over a relatively wide area, either in flight or as rafts of up to 12 birds roosting on the water. The running count, which Shemilt considered a conservative one, came to 53 birds. A few birds were seen around the 500-fathom contour, with the rest over much deeper water (>1000 fathoms). Some 15 or more individuals were photographed and 13 representative images (out of more than 100) were submitted. These clearly support the identification, firmly ruling out both Wilson's Storm-Petrel (*Oceanites oceanicus*) and Band-rumped Storm-Petrel (*Oceanodroma castro*). Based on small details such as worn primary feathers, these document multiple individuals. It will take a few more seasons of observation to determine whether this is a sustained or temporary phenomenon.

American White Pelican (*Pelecanus erythrorhynchos*)

2010-35-A/B One, Jamaica Bay Wildlife Refuge, **Queens**, 20-25 Jul (Arie Gilbert, Doug Gochfeld; ph D. Gochfeld)

2010-95-A One, Jamaica Bay Wildlife Refuge, **Queens**, 13 Aug (Walter Beattie, ph W. Beattie)

American White Pelican is a scarce migrant to Upstate NY, where most records are from the spring, but is significantly more unusual in coastal NY. The two reports received in 2010 occurred just north of and on the East Pond, respectively, at Jamaica Bay Wildlife Refuge on the outskirts of New York City. The first bird was seen and photographed by Doug Gochfeld in late Jul and was followed by a second individual on 13 Aug that was found among the resident Mute Swans (*Cygnus olor*) on the East Pond by Jean Loscalzo, this latter bird remaining on the East Pond at least to late Sep.

Yellow-crowned Night-Heron (*Nyctanassa violacea*)

2010-48-A/C One immature, Dunkirk Harbor, **Chautauqua**, 9 & 15 Aug (William W. Watson, Gerald S. Lazarczyk, James Pawlicki; ph W. W. Watson, J. Pawlicki)

This immature night-heron was found and identified by the late David Neveu, one of Chautauqua Co.'s most active birders. Neveu discovered many interesting birds over the years and readily shared them with others. The descriptions and photographs conclusively rule out immature Black-crowned Night-Heron (*N. nycticorax*). Due to a sustained increase in the numbers of Upstate sightings and perhaps reflecting a general expansion of more southerly species into the Northeast, Yellow-crowned Night-Heron has been removed from the NYSARC Review List statewide.

White-faced Ibis (*Plegadis chihi*)

2010-12-A One, Jamaica Bay Wildlife Refuge, **Kings**, South Marsh, **Queens**, 26 Apr (Doug Gochfeld; ph D. Gochfeld)

2010-23-A/B One, Jamaica Bay Wildlife Refuge, **Queens**, 13-23 May (Jay McGowan, Doug Gochfeld; ph J. McGowan, D. Gochfeld)

White-faced Ibis has become nearly annual in the state, and Jamaica Bay remains the epicenter of reports. In 2010, an adult bird was found in the South Marsh on 26 Apr by Shane Blodgett, and after a hiatus of two-plus weeks an

adult was subsequently seen by many observers around the West Pond in mid-to late-May. Doug Gochfeld, who saw and submitted reports on both birds, felt that they were identifiable as separate individuals based on differences in the white facial feathering, and the Committee agreed with this assessment based on the submitted photographs. These are the 13th and 14th records accepted by NYSARC since 1979.

Mississippi Kite (*Ictinia mississippiensis*)

2010-26-A/C Three, two adults and one juvenile, Mapletown Rd, Root, **Montgomery**, 13 Jun-28 Aug (Jesse W. Jaycox, Arie Gilbert, Richard Guthrie; ph J. W. Jaycox, A. Gilbert, R. Guthrie)

2010-41-A One adult, Henshaw Rd, Ithaca, **Tompkins**, 2 May (Christopher L. Wood)

2010-47-A One, Staten Island, New York, **Richmond**, 4 Jul (Anthony Ciancimino)

2010-55-A One immature, Derby Hill, **Oswego**, 3 Sep (Bill Purcell; ph B. Purcell)

A pair of Mississippi Kites returned to the area of mixed woods and farmland near Root in Montgomery Co. where they had summered in 2009. Jesse Jaycox, Rich Guthrie and others provided detailed documentation on the arrival and behavior of the pair, culminating in the discovery of a nest and a single fledgling. On 13 Jun the adults were observed engaged in mating behavior and frequented the immediate area over the next two months, during which time the pair was seen by many additional birders. Visiting on 11 Aug, Rich and Andy Guthrie could hear begging calls coming from a woodlot located on private property some yards from the road, suggestive of an active nest. This suspicion was vindicated on 20 Aug, when Rich Guthrie and the landowner observed a fledgling perched in a tree and being fed by the adults. Photographs and video footage documenting the fledgling were obtained (see p. 146). Jaycox made a similar observation the next day. On 28 Aug, and again accompanied by the landowner, Jaycox discovered and photographed the nest in a sugar maple tree. They watched the adults bringing food to the youngster either at the nest itself or a short distance away in the neighboring trees (see p. 146). This constitutes the first nesting record of Mississippi Kite in NYS and one of only a handful in the Northeast. Interestingly, a sub-adult kite was also present on several occasions although documentation on this third bird was not submitted for review. Yearling Mississippi Kites are often tolerated by nesting pairs within their territories and often help with nest guarding and even incubation. Evidently this enhances nesting success and is most frequent at the northern edges of the range, a study in Illinois finding helpers at 14 of 16 nests (Parker 1999). The genetic relationship between yearling helpers and the adults is unknown, and thus it is unclear if subadults seen in Root (also in 2009) are necessarily offspring from a previous season. Hopefully the kites will continue to use this territory in future years, and visiting birders are urged to respect the strict privacy of the woodlot owner and other local residents.

Besides this nesting pair, three additional sightings were accepted. The first, an adult, was seen on 2 May in Tompkins Co. by Chris Wood and is consistent with a spring migrant. On 2 Jul, Antonio Ciancimino observed an adult perched and hawking insects in a wooded area of Staten Island. The lone fall report was an immature photographed at Derby Hill on 3 Sep by Bill Purcell. Fall

Mississippi Kites are relatively rare in NYS, with only one previous fall record (NYSARC 2001-45-A). The increased number of spring reports together with the breeding pair reflects the general increase in sightings of Mississippi Kite in the northeastern US. This follows a range expansion up the Mississippi Valley that began in the late 1990s.

Swainson's Hawk (*Buteo swainsoni*)

2010-14-A One sub adult intermediate or light morph, Hamlin, **Monroe**, 3 Apr (Andy Guthrie; sketch A. Guthrie)

Swainson's Hawks are seen almost annually in spring from the Braddock Bay and/or Derby Hill Hawk Watches, but unfortunately details are rarely submitted to NYSARC. Provision of this detailed report helps fill the deficit, substantiating the near-annual spring passage of one or two Swainson's Hawks along the south shore of Lake Ontario. In this case, the observer provided a valuable sketch that helped document the overall shape, flight style, and plumage.

King Rail (*Rallus elegans*)

2010-51-A One, Tonawanda WMA, **Genesee**, 22 May (Mike Morgante)

The grunt call of a King Rail was heard emanating from a cattail marsh by Mike Morgante. Although the bird was neither seen nor recorded, the description of the call and explanation of how Virginia Rail (*R. limicola*) was ruled out were convincing to the Committee. Morgante was following up on reports by others of a King Rail heard calling from this location. Although reports are infrequent, it is conceivable the species might breed on occasion in high quality wetlands, such as those found at Tonawanda WMA.

Yellow Rail (*Coturnicops noveboracensis*)

2010-53-A One, Borden Road, West Seneca, **Erie**, 26 Apr (Matt Zymanek)

Most documented records of Yellow Rail in NYS are of hunting specimens taken many decades ago. Although the species may still be a regular fall migrant through the state, its secretive habits make it unlikely to be encountered in the field by knowledgeable birders. This individual was found on a residential street in suburban West Seneca. The bird appeared to be in poor health and was taken to a bird rehabilitation facility, where it soon died. The facility manager, Matt Zymanek, photographed the bird at the request of *Kingbird* Regional Editor Mike Morgante and submitted the photos for the permanent record. This is the second consecutive year with a record for NYS; in the fall of 2009 a live bird was temporarily restrained by a dog in the Goetchius Preserve, Tompkins Co., (NYSARC 2009-65-A).

Wilson's Plover (*Charadrius wilsonia*)

2010-16-A One, Sag Pond, Sagaponack, Bridgehampton, **Suffolk**, 21 May (Angus Wilson; ph A. Wilson)

2010-42-A One, West End, Jones Beach SP, **Nassau**, 8 May (Andrew Baksh; ph A. Baksh)

Andrew Baksh discovered and photographed the first Wilson's Plover of 2010 at Jones Beach SP on 8 May and, despite the windy conditions, a number of

birders were able to see it over a five-hour period; and, after a week's apparent absence, this plover was seen again at the same location on the 15th. A week later, Angus Wilson discovered a Wilson's Plover at the end of Sag Pond on 21 May, about 60 miles east of the first sighting. Although both plovers were photographed and are similar in appearance, it was not possible to make a categorical statement as to whether one or two birds were involved. These sightings are typical of this species, appearing along the Atlantic seafont in late spring or early summer but not lingering.

Western Sandpiper (*Calidris mauri*)

2010-50-A One juvenile, Montezuma NWR, Towpath Road, **Seneca**, 22 Aug (Christopher L. Wood; ph C. L. Wood)

This juvenile Western Sandpiper was found among many Semipalmated Sandpipers (*C. pusilla*) at Montezuma NWR. It was considered most likely to be a female based on the very long bill. In addition to the bill, the bright rufous scapulars, paler head, and other more subtle details that fully support the identification were noted in the written report and are evident in the photographs. Western Sandpipers are quite rare in inland regions of NYS but are likely of annual occurrence and are an uncommon but expected migrant in fall and even winter in coastal areas. At the 2011 NYSARC Annual Meeting, the Committee voted to remove this species from the review list for Upstate NYS in fall only. Any spring sightings should still be submitted.

Ruff (*Philomachus pugnax*)

2010-54-A One juvenile, Knox-Marcellus Marsh, Towpath Road, Montezuma NWR, **Seneca** 6 Sept (Shawn Billerman; ph S. Billerman)

2010-60-A One juvenile, Batavia Waste Water Treatment Plant, Batavia, **Genesee**, 18 Oct (William W. Watson; ph W.W. Watson)

Once among the most frequent vagrant shorebirds in NYS, especially at coastal sites, Ruff has become much less frequent and is now barely annual. Interestingly, juveniles are significantly under-represented in eastern North America, prompting speculation that most sightings along the Atlantic Seaboard refer to birds that have wintered in South America and traveled northwards. By comparison, juveniles are better represented among Ruff sightings on the West Coast. These two inland reports involve juveniles and could pertain to the same individual, however, the wide separation in both space and time led the Committee to consider it more likely that there were two different birds. The Montezuma Ruff was found and identified by Tim Lenz. Shawn Billerman provided a detailed report with convincing photos. This bird was last reported on 18 Sep and presumably continued its south or southeast-bound migration. Exactly one month later, Bill Watson found and photographed a juvenile Ruff at the Batavia WWTP. Constrained by a 3 p.m. closing time at the plant, only three birders got to see this bird, which was gone the following day.

Ivory Gull (*Pagophila eburnea*)

2010-4-A/D One adult, Lake Champlain at Rouses Point, **Clinton**, 21-28 Feb (Bernard Carr, Thomas B. Johnson, Bill Purcell, Shawn Billerman; ph T. B. Johnson, S. Billerman)

On 19 Feb Pat Jones discovered an adult Ivory Gull feeding on a fish carcass on the Vermont side of a causeway across the northern end of Lake Champlain. Subsequently, the gull was relocated on the ice off Rouses Point in NYS, where it remained for almost two weeks to 2 Mar, to the delight of many observers. It was likely attracted to the area by the concentration of ice fisherman and the easy food that it could obtain there. Recent years have seen a noticeable uptick in the number of records of this high-arctic gull well to the south of its normal winter range, raising concerns about the health and future of the population. It will be interesting to see if this trend continues.

Franklin's Gull (*Leucophaeus pipixcan*)

2010-66-A/B One basic-plumaged adult, Captree SP, **Suffolk**, 27 Oct (Shaibal S. Mitra, Patricia J. Lindsay; ph S. S. Mitra)

2010-77-A One first basic, Hamlin Beach SP, **Monroe**, 25 Sept (Dominic Sherony; ph Andy Guthrie)

2010-97-A One, Iron Pier Beach, Riverhead, **Suffolk**, 12 Dec (Paul H. Gillen, Jr.)

The Committee received three reports of Franklin's Gull, including two from Long Island, where the species is very rare. The first report of the season involved an immature in first-basic plumage discovered and photographed by Andy Guthrie at Hamlin Beach SP on 25 Sep. This was followed by a basic-plumaged adult in the parking lot at Captree SP on 27 Oct that was found and photographed by Patricia Lindsay and Shai Mitra. They had been searching (unsuccessfully) for a first-basic Franklin's Gull found hours earlier by Ken Feustel at nearby Robert Moses SP. Unfortunately details of this additional bird were not submitted for review and archiving, but this suggests a small incursion onto the coast. Finally, Paul Gillen found a basic-plumaged bird among the Ring-billed Gulls (*Larus delawarensis*) and American Herring Gulls (*L. argentatus smithsonianus*) visiting a stream outlet at Iron Pier Beach on the North Fork of Long Island. During the 1970s and -80s, Franklin's Gull was annual in the fall along the Niagara River, but it has become increasingly rare statewide since then.

Mew Gull (*Larus canus*)

2010-1-A/D One adult, Niagara River, **Niagara**, 6-7 Jan (William W. Watson, James Pawlicki, Jean Iron, Kevin McLaughlin; ph J. Pawlicki, J. Iron, Brad Carlson)

2010-7-A One adult, Playland Park, Rye, **Westchester**, 14 Mar (Thomas W. Burke; ph Gail Benson, T. W. Burke)

2010-32-A/B One definitive basic, Niagara River, **Niagara**, 1 Jan (Willie D'Anna, Jean Iron; ph J. Iron)

For the second consecutive year, NYSARC has accepted three records of Mew Gull. Most records along the Atlantic coast pertain to the European subspecies (*L. c. canus*, "Common Gull"), while those inland are usually of the North American race (*L. c. brachyrhynchus*). In general, this division is also reflected in the distribution of NYS records. However, the Niagara River bird (2010-1-A/D) represents the first fully accepted record of "Common Gull" away from coastal regions in the state. This bird, first spotted by Dean DiTommaso along with Jean Iron and Kevin McLaughlin, was exceptionally well documented by

excellent descriptions and photographs (see p. 146), including shots of the spread wing, a very important detail for subspecies identification. About a week earlier, Betsy Potter, alongside other Niagara River gull-watchers, discovered a *brachyrhynchus* Mew Gull (2010-32-A/B). Two Mew Gulls on the Niagara River within a week is unprecedented. A third Mew Gull was found along the Long Island Sound coast at Playland Park in Rye, Westchester Co., by Tom Burke and Gail Benson. The description and photographs support subspecific identification as nominate “Common Gull”.

California Gull (*Larus californicus*)

2010-69-A/C One definitive basic, Niagara River off Goat Island, Niagara Falls, **Niagara**, 31 Oct, 5 Nov, 4 Dec (William W. Watson, Willie D’Anna, James Pawlicki; ph W. D’Anna)

Although California Gull has been reported nearly annually on the Niagara River since 1991, most sightings are from the power plants, situated downriver from Niagara Falls. There are very few prior records from Goat Island, at the brink of Niagara Falls on the NYS side, where this bird was discovered by James Pawlicki on 29 Oct. The gull was seen resting in the shallows off of Goat Island with American Herring Gulls (*L. argentatus smithsonianus*), affording excellent close views and photographs. A third basic California Gull was seen in the same area in 2009 (2009-62-A/B), and the observers speculated that this might be the same individual, now advanced into adult plumage.

Thayer's Gull (*Larus thayeri*)

2010-93-A One definitive basic, Niagara River off Goat Island, **Niagara**, 31 Oct (Willie D’Anna; ph W. D’Anna)

As with the California Gull above, this Thayer’s Gull was discovered by Andy Guthrie at Goat Island, above Niagara Falls, allowing for relatively close study and photographs. Multiple Thayer’s Gulls are reported on the Niagara River every year, but few are documented, in part because they are most often seen on the Canadian side of the river and also because documentation is difficult due to the viewing distance involved. In this example, the details of the wingtip pattern, bill size, overall structure, and description of the mantle as slightly darker than that of an American Herring Gull (*L. argentatus smithsonianus*) adequately ruled out the latter, and more importantly excluded the dark end of the Kumlein’s Iceland Gull (*L. glaucoides kumlieni*) spectrum.

Arctic Tern (*Sterna paradisaea*)

2010-21-A One adult, Cupsogue CP, **Suffolk**, 23 May (Shaibal S. Mitra; ph S. S. Mitra)

2010-33-A One near adult, Cupsogue CP, **Suffolk**, 10 Jul (Shaibal S. Mitra; ph S. S. Mitra)

2010-37-A One first summer, Cupsogue CP, **Suffolk**, 6 Jun (Shaibal S. Mitra; ph S. S. Mitra)

2010-38-A One second summer, Cupsogue CP, **Suffolk**, 6 Jun (Shaibal S. Mitra; ph S. S. Mitra)

Shai Mitra has done a multi-year study of Arctic Terns on Long Island and compared his own records with published information for the eastern US (Mitra

2009). The Committee received another series of excellent reports and accompanying photographs carefully documenting multiple Arctic Terns from the sand flats just east of the Moriches Inlet. He has found that the timing and age distribution of Arctic Terns on Long Island is inconsistent with previous viewpoints, namely that the majority of sightings occur in June and early July and generally involve immature birds.

Sandwich Tern (*Thalasseus sandvicensis*)

2010-24-A One first summer, Cupsogue CP, **Suffolk**, 6 Jun (Shaibal S. Mitra; ph S. S. Mitra)

2010-36-A One, Cupsogue CP, **Suffolk**, 18 Jul (Doug Gochfeld; ph D. Gochfeld)

These two sightings of Sandwich Tern represent the 8th and 9th records accepted by NYSARC since 2004, compared with only three prior to that. Shai Mitra's report of a first-summer individual from Cupsogue on 6 Jun included a thorough description and an excellent photo of the Sandwich Tern next to a Common Tern (*Sterna hirundo*). Doug Gochfeld's discovery and subsequent report of another first-summer bird from the same area six weeks later was accompanied by several photos and a description that left no doubt about the identification. The bird was an exciting highlight for the eager participants on a NYS Young Birders Club field trip co-lead by Gochfeld.

Long-tailed Jaeger (*Stercorarius longicaudus*)

2010-30-A One, 95 nmi SSE of Shinnecock Inlet, **Pelagic**, 12 Jun (John Shemilt; ph J. Shemilt)

2010-43-A One juvenile, Myers Point, Cayuga Lake, **Tompkins**, 26 Aug (Christopher L. Wood; ph C. L. Wood)

2010-96-A Three, one light morph and two intermediate, Derby Hill Observatory, **Oswego**, 19 Oct (Kevin McGann; ph Bill Purcell)

Documentation of five Long-tailed Jaegers in a year is unusual for NYS and is perhaps a reflection of better knowledge of what to look for among area birders and improved abilities to capture images that support the identification. John Shemilt's excellent series of photographs documented an immature at sea off eastern Long Island. Based on the plumage and mid-summer date, it is most likely this bird was hatched in the previous summer. The juvenile at Cayuga Lake was also well documented by Chris Wood with excellent photographs and convincing discussion of the identification. More remarkable perhaps was the report of three Long-tailed Jaegers on Lake Ontario seen from Derby Hill on the comparatively late date of 19 Oct. The report from Kevin McGann was accompanied by photographs taken by Bill Purcell. Although these birds were seen at a much greater distance than the summer examples, the solid written description and supporting photographs were sufficiently compelling to the Committee.

Thick-billed Murre (*Uria lomvia*)

2010-17-A One, Brighton Beach, Coney Island, Brooklyn, **Kings**, 19 Jan (Doug Gochfeld; ph D. Gochfeld)

The only Thick-billed Murre report received this year was one off the beach front in Coney Island, Brooklyn, on 19 Jan, initially found by Rob Jett and Heydi Lopes, and seen by several others during the day, including Doug Gochfeld, who submitted the report with supporting photographs. This is the eleventh record accepted by NYSARC since 2000, and the second in Kings Co., and New York City as a whole, during this same period.

Atlantic Puffin (*Fratercula arctica*)

2010-15-A Four, **Pelagic**, 21 April (Angus Wilson; ph A. Wilson)

2010-87-A Two first winter, **Pelagic**, 17 Jan (Paul A. Guris, ph P. A. Guris, Andrew R. Curtis)

2010-92-A Thirty-five, **Pelagic**, 11 Dec (Angus Wilson; ph A. Wilson)

Atlantic Puffins have been found on a regular basis in offshore waters by observers able to reach warm enough water in the winter and spring seasons. This year Atlantic Puffins were found on three separate trips. One set of observations, by Angus Wilson and John Shemilt, was notable given the comparatively late date of 21 Apr and provided an interesting mix of species, including a very early Sooty Shearwater (*Puffinus griseus*). Of the four puffins seen, one was only 31 miles offshore. The other two submissions reflected more traditional dates, with two first-winter birds seen on a pelagic trip organized by See Life Paulagics, and a good count of 35 by Wilson and Shemilt on 11 Dec.

White-winged Dove (*Zenaida asiatica*)

2010-34-A/B One, private residence, Rochester, **Monroe**, 19-24 Jul (Cindy Marino, Dominic Sherony; ph D. Sherony)

2010-75-A One, Westhampton Beach, **Suffolk**, 15-20 Nov (Irina Richardson; ph I. Richardson)

Cindy Marino originally found the Rochester dove while it was calling from the roof of her home in midsummer. The setting is a much-wooded residential street parallel to the Irondequoit Creek basin. This shy unbanded bird would not allow close approach but was photographed and seen by a number of observers during its almost six week stay to 28 Aug. The Long Island bird was found by Irina Richardson in her back yard and remained for at least six days. She was able to take diagnostic photos.

Common Ground-Dove (*Columbina passerina*)

2010-68-A/G One, Captree SP, **Suffolk**, 31 Oct-21 Nov (Shaibal S. Mitra, Jason Silverman, Kevin McGann, Angus Wilson, Shawn Billerman, Dominic Sherony, Patricia J. Lindsay; ph S. S. Mitra, J. Silverman, K. McGann, S. Billerman, D. Sherony)

While checking the grassy margins of the parking lot at Captree for migrants, Patricia Lindsay and Shai Mitra came upon this Common Ground-Dove. They recognized the bird immediately through a combination of its tiny size (approximating a Hermit Thrush *Catharus guttatus*), pinkish breast, scaly nape and breast and its unmarked back. In flight, the spread wings showed a large area of rusty-red, hints of which could be seen when the bird was at rest. The Ground-Dove was not banded and showed nothing to suggest an escaped cage bird. Lindsay and Mitra carefully backed their car away from the bird before

alerting other birders by cell phone. Some 30 or more people viewed the dove that day, and it is likely that several hundred people came during the three weeks that it remained. Sometimes the bird hid in deep cover, but with patience most visitors were rewarded with good views. Many photographs were taken and regular updates on the bird were posted to the local listserves. The Committee was pleased to receive a packet of seven reports, including 13 instructive color photos—for once a bundle worthy of a well-watched first state record!

Common Ground-Dove has long been considered a strong candidate for addition to the NYS avifauna. Prior to 2010, there were two accepted records from neighboring New Jersey (Camden, specimen Nov 1858, and Higbee Beach, Cape May, sight record 4 Sep 1984), as well as two additional reports that were not accepted (Oct 1935, late-1961). More recently, there are records from East Haven, CT (22 Oct-22 Nov 2007) and Nummy Island, Cape May Co., NJ (6 Oct 2009; NJBRC decision pending). The species has been recorded in Delaware, Pennsylvania, Massachusetts (Monomoy Island, 7 Oct 1973), Ontario and Nova Scotia (Shelburne Co., 10 Oct 1966). Several publications, including *Birds of North America* (Bowman 2002), state that the species is recorded from NYS, but this is unsubstantiated. Bull (1976) dismissed a specimen mentioned in Griscom (1923) from Manhattan (date unknown), saying that it was not examined by an ornithologist and is now lost.

The discovery of the Captree SP Ground-Dove coincided with the arrival of other southern vagrants into the Northeast. Several Cave Swallows (*Petrochelidon fulva*) were noted in coastal regions a few days before, as well as in nearby Connecticut on the day of its discovery. There had also been an unusual influx of Cattle Egrets (*Bubulcus ibis*) into the region, with some 7-10 on Long Island alone. On the same day a Brewer's Blackbird (*Euphagus cyanocephalus*) was found further east near Montauk (NYSARC 2010-74-A). More significantly perhaps, at least three extralimital Common Ground-Doves were found during the preceding 10-day period: Richfield, MN (18-19 Oct), Whitefish Point, MI (20-21 Oct) and Cape May Point SP, NJ. (29 Oct). This hints at a broad movement of birds towards the north and then northeast. In evaluating these reports the Committee found that the identification was clearly established and that there was a high expectation of vagrancy into NYS. Although many species of dove from Mexico and Central America are kept in captivity, the timing of the discovery, the scarcity of this particular species in captivity and the fact that it was found on the barrier beach, a classic site for vagrants, left no concerns about unnatural origins. This therefore constitutes the first record for NYS. A brief note announcing this addition to the NYS Avian Checklist was published in *The Kingbird* 61(2):132. Photographs by Andrew Baksh and Corey Finger appear in *The Kingbird* 61(1): 51.

Northern Hawk Owl (*Surnia ulula*)

2010-2-A/C One, Prospect Street, Champlain, **Clinton**, 20 Jan-28 Feb (Donna Gooley, Thomas B. Johnson, Gerald S. Lazarczyk; ph D. Gooley, T. B. Johnson, G. S. Lazarczyk) This Northern Hawk Owl provided a typical record of a long-staying individual that maintained a small territory. Throughout its stay, the owl perched on

treetops and utility wires along a rural road, affording excellent views of its fascinating hunting behavior. Interestingly, this location was close to the area used in the previous winter by another or perhaps the same Northern Hawk Owl (NYSARC 2008-79-A/I).

Rufous Hummingbird (*Selasphorus rufus*)

2010-64-A/C One female, private residence, Ballston Lake, **Saratoga**, 5-28 Oct (Will Raup, Karl Hillig, Richard Guthrie; ph Danika Raup, K. Hillig, R. Guthrie)

This female *Selasphorus* hummingbird was a regular visitor to Karl Hillig's hummingbird feeder for most of October up to 2 Nov. After hearing a request on a radio show for information about late-season hummingbirds, Karl contacted local birders and graciously allowed many visitors to watch the hummingbird from his porch. Among the visitors was Bob Yunick, who captured the hummingbird and identified it as an immature female Rufous Hummingbird based on tail measurements.

Lewis's Woodpecker (*Melanerpes lewis*)

2010-67-A/M One adult, private residence, Livonia, **Ontario**, 30 Oct-2 Mar 2011 (Fred A. Jordan, Jean Bub, Carolyn Jacobs, Bill Purcell, Will Raup, Gerald S. Lazarczyk, Willie D'Anna, Kevin McGann, Dominic Sherony, Angus Wilson, Shawn Billerman, William W. Watson, Charles C. Spagnoli; ph F. A. Jordan, B. Purcell, W. Raup, W. D'Anna, K. McGann, D. Sherony, S. Billerman, W. W. Watson)

This Lewis's Woodpecker appeared at Fred and Eleanor Jordan's feeders on 30 Oct and remained through the winter, with regular sightings until at least 7 May 2011. During this stay scores of birders were able to see and photograph this woodpecker, making this a particularly well-documented rarity. "King Lewis", as nicknamed by the Jordans, aggressively defended the feeders against larger visitors such as Blue Jays (*Cyanocitta cristata*) and other woodpeckers. With a dependable food source, the bird visibly gained weight and appeared much healthier than when it first arrived. This is the 5th documented report of Lewis's Woodpecker for NYS. Color photographs by Fred Jordan and Brad Carlson were published in *The Kingbird* 61(1):49 and 61(2):149.

Western Kingbird (*Tyrannus verticalis*)

2010-27-A One, Gosnell Big Woods Preserve, Webster, **Monroe**, 19 Jun (Tim Constas, Jr.; ph T. Constas)

It had been six years since the last Upstate sighting of Western Kingbird was accepted (downstate reports are not reviewed). This year's report included no description and just a single small photo. The bird was identified second-hand from the photo and the photographer graciously submitted the report. The Committee was at first uncomfortable with this sighting due to identification issues with similar yellow-bellied kingbirds as well as the possibility of a hybrid, a relatively frequent occurrence with this species. In the end they felt that the photo was more suggestive of Western than other yellow-bellied kingbird candidates (Cassin's (*T. vociferans*), Tropical (*T. melancholicus*), or Couch's (*T. couchii*)) and that Western was easily the most likely species, so the vote was to accept. Although this particular record eventually passed, the

Committee urges submitters to provide as much detail as possible in order to avoid the possibility that legitimate records fail to pass. NYSARC has accepted only four prior spring records of Western Kingbird. The dates of these were 13 Apr 1992, 25 May 2001, 19 Jun 1998, and 28 Jun 2003.

Gray Kingbird (*Tyrannus dominicensis*)

2010-58-A One, May's Point & East Road, Savannah, **Seneca**, 25 Sep (Jeff J. Doyle)

2010-61-A/C One, Seneca Street, Savannah, **Wayne**, 23 Oct (Dominic Sherony, Benjamin Van Doren, Jacob Drucker; ph D. Sherony, B. Van Doren)

The surprising find of an unusual tyrant flycatcher on a power line near Montezuma National Wildlife Refuge on 24 Sep led Jeff and Jane Doyle to investigate its identity and determine that this was in fact a Gray Kingbird. Although not a very detailed report, several features mentioned do point to this vagrant from Southern Florida, the Bahamas and the Caribbean. News of the find was posted, but unfortunately the bird could not be relocated. However, another sighting of a Gray Kingbird was reported about five miles away in the town of Savannah a month later and was seen by about a dozen people and photographed. As in the previous case, this bird was only viewed for about two hours, after which it disappeared and could not be relocated despite extensive searching. Although it is not certain, it is quite possible that these sightings refer to the same bird.

Loggerhead Shrike (*Lanius ludovicianus*)

2010-40-A/B One adult, Sycamore Street, Vestal, **Broome**, 13-16 Aug (Dan Watkins, Christopher L. Wood; ph D. Watkins, C. L. Wood)

2010-83-A One, Jones Beach SP, **Nassau**, 31 Oct & 27 Nov (Shaibal S. Mitra; ph S.S. Mitra)

The Broome County Loggerhead Shrike, discovered by Dan Watkins, was a molting adult present for just a few days in August and documented with excellent photos. The Jones Beach shrike was more problematic, and in fact was initially identified as a Northern Shrike (*L. excubitor*) by its finders and then repeatedly referred to as a Northern Shrike in listserves postings over several weeks. Prompted by queries from various birders uncomfortable with the prevailing opinion, Shai Mitra took a closer look and overturned the prevailing identification. His report includes an excellent description of the bird supplemented with photographs. Evidently an immature Loggerhead Shrike, the pale-based bill, moderately broad mask narrowing between eye and bill, and the fine barring on the breast (but absent on the mantle) had led some observers to the incorrect conclusion.

Boreal Chickadee (*Poecile hudsonicus*)

2010-73-A One, Cook Hill Road, Partridge Run WMA, **Albany**, 11 Nov (Will Raup; ph Danika Raup)

We often hear of sightings of Boreal Chickadee outside of the Adirondack Mountains but reports with documentation are rarely submitted. This Boreal Chickadee was seen and photographed by Will Raup and his wife in the Partridge Run Wildlife Management Area, situated east of Albany and south of

Interstate 88. This is a heavily wooded area and, at an elevation of about 1600 ft, might be considered appropriate habitat for this species.

Townsend's Solitaire (*Myadestes townsendi*)

2010-65-A/D One, Point Peninsula, **Jefferson**, 12-22 Dec (Michael Stewart, Jeff Bolsinger, Gerald S. Lazarczyk, Bill Purcell; ph M. Stewart, J. Bolsinger, G. Lazarczyk, B. Purcell)

Mike Stewart first spotted this Townsend's Solitaire perched on top of a tree in an eastern red cedar stand, where it maintained a territory throughout the winter and was frequently observed eating cedar berries and occasionally singing from the tree tops. Generally cooperative and confiding, the solitaire was observed by many birders and stayed well into March. A color photograph by Stewart was published in *The Kingbird* 61(2):151.

Bicknell's Thrush (*Catharus bicknelli*)

2010-19-A One, Alley Pond Park, **Queens**, 22 May (Joseph Viglietta)

While this species provides a difficult visual identification problem with regard to separation from Hermit (*C. guttatus*) and Gray-cheeked (*C. minimus*) Thrushes, the song is distinctive to the trained ear. The observer did a good job of carefully describing the pattern of the song, which ended with an up-slurred element. The date of this sighting falls within the apparent peak date range of spring migration through the northeast. While this rare species is intensively studied during the breeding season, its migration is still relatively poorly understood; well-documented records like this are very useful to help piece together information about this enigmatic thrush.

Varied Thrush (*Ixoreus naevius*)

2010-81-A/D One, Central Park, **New York**, 28 Nov-18 Jan 2011 (Jacob Drucker, Deborah Allen, Gerald S. Lazarczyk, Shawn Billerman; ph Lloyd Spitalnik, D. Allen)

2010-94-A One male, Pebble Beach Estates, East Marion, **Suffolk**, 28 Nov (Angus Wilson; ph A. Wilson)

Two Varied Thrushes were discovered downstate at around the same date in early winter. One found by Bill Singer was present for at least a week at a feeder in East Marion, Suffolk, to about 5 Dec, typical of many reports from the state of relatively short-staying feeder birds. More unusual was one spotted by Ray Slyper on 28 Nov in New York City's Central Park and seen regularly through the winter, with the last reported observation from 1 May 2011 (*fide* New York City Rare Bird Alert). Varied Thrush has occurred in New York approximately annually since it was added back to the NYSARC review list in 2005.

Prothonotary Warbler (*Protonotaria citrea*)

2010-8-A One male, Smith Point CP, **Suffolk**, 24 Mar (Bob Grover)

Although Prothonotary Warbler is not considered a review species for NYSARC—it breeds in small numbers and is also seen as a scarce migrant—this report details an unusually early date. The Committee found no issue with the description or identification, and the date is close to another record—early sighting from 30 Mar 2005 (Mitra and Lindsay 2005).

Hermit Warbler (*Setophaga occidentalis*)

2010-84-A/C One first-year female, Sunken Meadow SP, **Suffolk**, 4-7 Dec (Shaibal S. Mitra, Jason Silverman, Angus Wilson; ph S. S. Mitra, J. Silverman, A. Wilson)

This attractive warbler was found and identified by Vinnie Pellegrino, who contacted fellow Sunken Meadow regular Norm Klein, who then called warbler authority Shai Mitra. It just so happened that Mitra and party were en route to the park and were able to quickly confirm the identification and help spread word to other birders, many of whom converged on the site that day. The warbler favored the edge of a close-cropped lawn adjacent to a line of scrubby trees that backed onto the sandy beach and Long Island Sound (see p. 148). There it fed on small insects and worm-like invertebrates, occasionally eating bittersweet fruit in the hedge line. This same spot had proven particularly attractive to migrants in the past, including a Yellow-throated Warbler (*S. dominica*) that was also found by Pellegrino. Despite the cold and windy conditions of this relatively exposed spot, the Hermit Warbler lingered in this same area to 8 Dec before disappearing. Regular updates on the listserves helped many other birders find and enjoy this important rarity.

Evaluating reports of extralimital Hermit Warblers is complicated by hybridization with Townsend's Warbler (*S. townsendi*) where the breeding ranges overlap in Oregon and Washington States. Indeed a warbler reported from the south shore of Long Island in late Nov 2002 showed a resemblance to a hatch-year male Hermit Warbler but was determined to be most likely a hybrid of these two species, a so-called HeTo Warbler (NYSARC 2002-42-A/G). Recent studies have shown that the hybridization zone is expanding, with the behaviorally dominant Townsend's Warbler pushing southwards into the range of Hermit Warbler (Krosby and Rohwer 2010). The three reports of the Dec 2010 Hermit Warbler at Sunken Meadow SP on Long Island included excellent photos and accompanying written descriptions that gave no indication of a hybrid origin. The bird was tentatively aged and sexed as a 1st-fall female, and the grayish back, virtually unmarked whitish underparts, bright yellow face with only subtly darker auriculars, prominent yellow eye-ring, and absence of yellow around the vent helped to rule out Black-throated Green (*S. virens*) and Townsend's Warblers, and furthermore gave no indication of mixed ancestry.

Hermit Warbler is considered a very good candidate for vagrancy to NYS. They are migratory, albeit shorter distance migrants than many other wood warbler species, and have occurred several times in neighboring states and provinces (Connecticut [2 records], Massachusetts [4 records], Ontario [7 records], and Nova Scotia [2 records]), although the majority of these other extralimital records are from the spring (May) rather than the fall or winter. The reports were accepted unanimously as the first record of Hermit Warbler for NYS. A brief note announcing this addition to the NYS Avian Checklist was published previously in *The Kingbird* 61(2):132. A color photograph by Vinnie Pellegrino was published in *The Kingbird* 61(2):149.

Lark Sparrow (*Chondestes grammacus*)

2010-85-A One, private residence, Burt, Town of Wilson, **Niagara**, 17-24 Nov (Willie D'Anna; ph W. D'Anna)

2010-89-A One, Lake Osiris Road, Walden, **Orange**, 19 Dec (William Fiero, ph W. Fiero)

Like Summer Tanager (*Piranga rubra*), Lark Sparrow is sufficiently rare in Upstate NY that documentation is requested. Unlike that species, there is no increasing pattern of occurrence in the state, so having two records in late 2010 seems especially fortuitous. Betsy Potter flushed a Lark Sparrow from her feeding station in Niagara Co. when she was throwing down seed. She alerted Willie D'Anna and the general birding public, enabling over 30 birders to see this bird over the course of its eight-day stay. Due to its relatively bright head pattern, it was thought that this bird could be an adult, but ageing Lark Sparrows by this feature is only suggestive (Pyle 1997). The bird in Orange Co. was also at a feeding station and found by the homeowner/birder, William Fiero. The bird was only seen at the feeding station for two 15-minute periods during the late morning of that day. Its relatively drab plumage suggests that it was an immature. This was the first record for Orange Co.

“Sooty” Fox Sparrow (*Passerella iliaca*, *unalaschcensis* subspecies group)

2010-13-A/E One, Strawberry Fields, Central Park, **New York**, 13-14 May (Stephanie Seymour, Bella Fradlis, Stephen Chang, Angus Wilson, Deborah Allen; ph Susan Opatow, David Speiser, Lloyd Spitalnik, D. Allen)

Early on the morning of 13 May Steve Chang found this Fox Sparrow in a dimly lit corner of Strawberry Fields just feet from the John Lennon Memorial (see Chang 2010 for a full account). Chang was joined a couple of minutes later by Andrew Rubinfeld, and they were able to show the bird to others, including Stephanie Seymour. It was immediately apparent to Chang and companions that this was not a “Red” Fox Sparrow but one of the western forms. Cell phone calls were made to Karen Fung, who immediately posted a note to the NYSBIRDS-L listserves with news of a “*Fox Sparrow (Western Subspecies, a much grayer form)*,” and this was followed by additional postings during the day with useful discussion of the identification and unusual nature of the sighting. The bird was relocated at daybreak the next morning by Seth Ausubel and others and was seen off-and-on through the day before vanishing for good. Being peak warbler season, a number of well-equipped photographers were in the park, and some of their shots were submitted as documentation or at least included with the written submissions of others. For most of the time the bird favored the dense leaf litter of the understory, and this made for challenging photography that often necessitated the use of flash. The Committee was struck by the profound differences in the rendition of key colors (reds, browns and grays especially) between the various sets of photographs and thus relied heavily on the written descriptions of key colors and perceptions of members who had seen the bird in life. This anecdote is a powerful reminder of how important it is to keep written notes of one's observations and not rely entirely on photographs.

The occurrence of ten or twelve forms of Fox Sparrow across North America has long been known, and these divisions have been upheld by more
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recent molecular and ecological studies (Zink and Kessen 1999, Zink and Weckstein 2003). The different subspecies are usually organized into four major groups, and there is a reasonable possibility that some or all of these will be elevated to full-species status in the future. Identification of the different Fox Sparrow forms is discussed in depth by Rising (1995), Rising and Beadle (1996) and Zink and Kessen (1999). With regard to the Central Park bird, the absence of rusty red on the wing coverts, upper tail coverts and tail combined with dense flank and breast spotting and uniform face pattern argued against "Red" Fox Sparrow (*iliaca* group), which is a common migrant and winter resident in the park. The bill was not solid enough for "Thick-billed" Fox Sparrow (*megarhyncha* group), a bird of the Californian central valley. Although Thick-billed has a more uniform face pattern than Red Fox Sparrow, it shares rusty or chestnut tones in the flight feathers which were not evident on the Central Park bird. This leaves "Slate-colored" Fox Sparrow (*schistacea* group) and "Sooty" Fox Sparrow (*unalaschcensis* group) as the closest contenders. Although Slate-colored shares some of the gray tones especially on the neck, shoulder and mantle, most have a pale supra-loral spot that was not evident. Some observers and commentators commented on the lack of yellow tones to the base of the lower mandible, supposedly a contra-indicator of "Sooty" Fox Sparrow. However, research suggests this is a variable feature with little value as an identification tool. Overall, the Committee agreed that the balance of features were indicative of "Sooty" Fox Sparrow (*unalaschcensis* group). Further subdivision is extremely difficult, with only slender and poorly understood differences between *fuliginosa* (breeds in coastal British Columbia), *unalaschcensis* (breeds in SW Alaska and the Aleutian chain) and several additional populations sandwiched in between (*insularis*, *sinuosa*, *annectens* and *townsendi*).

The occurrence of any non-Red Fox Sparrow in eastern North America is of considerable significance. With regard to NYS, there is only one prior well-documented example, an *altivagans* "Slate-colored" Fox Sparrow that was mist-netted and collected on 12 May 1971 on Fire Island, Suffolk Co., by Paul A. Buckley (Buckley 1974). The specimen was deposited at the National Museum of Natural History, Washington D.C. (specimen #566277) and was separated from *schistacea* by measurements (wing cord 82.5 mm, tail 74 mm, exposed culmen 11.2 mm, bill from nostril 8.5 mm, tarsus 24.1 mm, hind toe and claw 7.8 mm) and the more brownish cast to the dorsal feathering. Intriguingly, in the *Kingbird* Region 7 report for the spring of 2005 (KB 55(3):301), editor Mike Peterson referred to a Fox Sparrow that visited Joan Kogut's Vermontville feeder in Franklin Co. on 7 May that was believed to be a "'Sooty' Fox Sparrow. The description is consistent with the *unalaschcensis* group: a large, dark gray blackish brown sparrow with breast very heavily streaked, almost blotchy, otherwise similar in size and behavior to our usual 'Red' Fox Sparrow." Unfortunately no report was submitted to NYSARC, and it is not known whether this interesting bird was photographed. NYSARC also reviewed a possible "Slate-colored" Fox Sparrow from Hamlin Beach SP, Monroe, seen on 7 Dec 2003 (NYSARC 2003-74-A). Again this bird was not photographed and

after careful review the Committee voted not to accept the record, citing details of the description that did not seem to match any individual subspecies of Fox Sparrow. This uncertainty leaves open the possibility of a hybrid combination or color aberration. If nothing else, these last two examples underscore the importance of photographing and carefully describing any unusual Fox Sparrow in NYS. This holds true for members of several other polytypic species for which the field identification criteria are still evolving, such as members of the solitary-vireo group or the juncos. It is interesting to note that the Central Park, Fire Island, and Vermontville reports occurred within the same seven-day period (7-14 May), at which time wintering “Red” Fox Sparrows are mostly absent.

In conclusion, the Committee voted unanimously to accept this as a “Sooty” Fox Sparrow (*unalaschensis* group), which hails from the Pacific Northwest (British Columbia to western Alaska). Most or all members of the *unalaschensis* group appear to be migratory, moving southwards into southern British Columbia and down the Pacific coast to the US/Mexico border during the winter months (Garrett et al. 2000). This is the first record for NYS and one of only a handful east of the Mississippi River. A color photograph of the Central Park bird by Lloyd Spitalnik was published in *The Kingbird* 61(3):242 and *North American Birds* 64(3):533.

Harris’s Sparrow (*Zonotrichia querula*)

2010-88-A One, Lake Road, Dryden, **Tompkins**, 7 Dec (Shawn Billerman, ph Andy Johnson)

Many of the Harris’s Sparrows seen in NYS are discovered during the winter at feeders. Shawn Billerman and four other birders saw and photographed this individual at a private feeder on 7 Dec, where it remained into Jan 2011.

Summer Tanager (*Piranga rubra*)

2010-28-A One male, Wilson-Tuscarora SP, Wilson, **Niagara**, 22 May (Willie D’Anna; ph Chris Newton)

2010-72-A/B One female, private residence, McGraw, **Cortland**, 8-21 Nov (Shawn Billerman, William Toner; ph S. Billerman, W. Toner)

Summer Tanager is a review species for Upstate NY only, and in the last 11 years NYSARC has accepted 12 records. Like many birds of more southern affinity, this species appears to be shifting its range northward, resulting in an accelerating number of sightings statewide. The first-year male at Wilson-Tuscarora SP was found by Willie D’Anna and Betsy Potter and then photographed by Chris Newton later that same day. The female (or immature male) in Cortland Co. was discovered by the homeowner and birder, William Toner, and stayed for two weeks, allowing several other birders to see it. The late date of this individual is intriguing and might suggest a migrant from the southwest rather than a bird from the population to our immediate south.

Blue Grosbeak (*Passerina caerulea*)

2010-90-A One male, Salt Point, **Dutchess**, 17 May (Robert Bowler)

This adult male Blue Grosbeak appeared in the homeowner’s yard, where some cracked corn and sunflower seeds had been thrown down to attract Wild
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Turkeys (*Meleagris gallopavo*). It was spotted by Robert Bowler's wife, Alys Bowler. Both of these long-time birders were able to study and easily identify this bird. Although Indigo Buntings (*Passerina cyanea*) are sometimes misidentified as this species, the rusty wingbars and nearly Rose-breasted Grosbeak (*Pheucticus ludovicianus*) size that were described clearly ruled out that species. Blue Grosbeak is on the review list for Upstate only—this record marks the 16th accepted since 1991 and the fifth from Dutchess Co.

Painted Bunting (*Passerina ciris*)

2010-11-A One female, Sea Cliff, Long Island, **Nassau**, 2 May (Roseann Blackburn)
Roseann Blackburn was sitting in her yard, hoping to spot warblers or to photograph the recently returned Baltimore Orioles (*Icterus galbula*), when she noticed an unfamiliar bird. After studying it and taking photos, Blackburn identified it as a Painted Bunting, which was confirmed from the photographs by staff at the Cornell Lab of Ornithology. The description and photos provided in the report clearly establish the identification.

Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*)

2010-44-A One female, Van Dyne Spoor Road, Montezuma Wetlands Complex, **Wayne**, 16 Jul (Christopher L. Wood)

2010-71-A/B One male, Howland's Island, Montezuma WMA, **Cayuga**, 11 Sept (Bill Purcell, Kevin McGann)

2010-86-A One female, Old French Road, Mendon, **Monroe**, 2, 5-6, 8 Dec (Jeanne Skelly, Brad Carlson, ph B. Carlson)

Three Yellow-headed Blackbird reports were accepted this year. Two came from the Montezuma area, a female in mid-Jul and a male in mid-Sep. Both of these were seen in association with the extensive blackbird roosts that occur in that area, the former as it went to roost in the evening and the latter as it departed the roost in the morning. As often occurs with blackbird roosts, both observations were brief, and no photographs were obtained, but the Committee received good written descriptions in each case that supported the identifications. Remarkably, Brad Carlson's feeders in Honeoye Falls, Monroe Co., hosted a Yellow-headed Blackbird for the second time in the past three winters—this one a female that was present for about a week and clearly different from the immature male that also stayed for a week in Jan 2009 (NYSARC 2009-2-A).

Brewer's Blackbird (*Euphagus cyanocephalus*)

2010-74-A One female, Deep Hollow, Montauk, **Suffolk**, 31 Oct (Angus Wilson; ph A. Wilson)

Angus Wilson found this female Brewer's Blackbird on 31 Oct at the small cattle ranch in Deep Hollow situated at the eastern tip of Long Island's South Fork. He was able to take photographs as it perched on the fencing of a cattle pen before flying some distance away. It was not relocated on subsequent days. The description and photographs rule out Rusty Blackbird (*E. carolinus*) and other potential confusion species. Although Brewer's Blackbird is reported on an annual basis, especially in western and central NYS, very few are

appropriately documented with photographs. This is strongly encouraged because of the difficulties in identification posed by transitional or immature plumages of Rusty Blackbird. Brewer's is especially rare in coastal NYS.

2010 Reports Accepted but Origins Considered Unknown or Unnatural

Trumpeter Swan (*Cygnus buccinator*)

2010-49-A One, Montezuma NWR, May's Point, **Seneca**, 11 Aug (William W. Watson)
The description of the bill and facial characteristics left little doubt that this was a Trumpeter Swan. This species is now found routinely in Upstate NY, and, although not submitted for review, there were credible reports of as many as twenty from Montezuma NWR in the fall of 2010. Each year, NYSARC considers the status of this species, focusing on whether the population, which is derived from introduction programs in Ontario and elsewhere, can be considered self-sustaining. Information on how the Midwestern and Eastern populations are growing and to what degree they still benefit from human help, primarily feeding, is being gathered and will be valuable to the ongoing deliberations. Given the apparent success of the introduction programs, the extent of human assistance has decreased in the past few years. Continued documentation of marked Trumpeter Swans or birds from coastal NYS is encouraged.

European Greenfinch (*Carduelis chloris*)

2010-59-A One male, private residence, Burt, Town of Wilson, **Niagara**, 7 Jul (Willie D'Anna; ph W. D'Anna)

After returning home from work on the afternoon of 7 Jul, Willie D'Anna was surprised to see a bird at the feeding station that he did not immediately recognize. He alerted Betsy Potter, who found a good approximation of the bird in Lars Jonsson's *Birds of Europe*—a European Greenfinch (Jonsson 1999). It was seen a few more times that day but never thereafter. Over the last several years there have been a number of sightings of European finches in the vicinity of the Great Lakes, and these are generally considered products of a major release of birds by a dealer in Chicago. Although this Greenfinch sighting was long after that release, it is not inconceivable that some have survived and are wandering around the Great Lakes. This stocky finch is not considered a long-distance migrant and has no history of vagrancy to North America. Although the identification was not in question, for the reasons discussed above, a wild origin for the New York bird was considered uncertain.

2010 Report Accepted as Supplemental

Kirtland's Warbler (*Setophaga kirtlandii*)

2010-45-A One female, private residence, Burt, Town of Wilson, **Niagara**, 18 May (Betsy Potter; sketch B. Potter)

Following five days of strong warbler migration along the Lake Ontario shore, Betsy Potter was out early and trailing the song of a Magnolia Warbler (*S.*

magnolia) through a brushy area near her home when she spotted a second bird in a loose tangle of grapevine. It was quite a bit larger than the Magnolia and was moving relatively slowly for a warbler, hopping from branch to branch, feeding as it went. Although the sky was heavily overcast, she noted its bright lemon yellow throat that continued as a lighter wash down to the belly and some faint streaking on the chest. In full view and only about nine feet off the ground, its identity was not immediately obvious despite her years of experience with the migrant warblers of the region. A side view showed that the head and back were blue-gray with some black streaking on the back and that the undertail coverts were white. The bird bobbed its tail repeatedly, and by this point Potter had become convinced this bird was in fact a Kirtland's Warbler!

Potter usually carries her camera on these walks but regrettably had not done so on this occasion. Realizing the profound significance of her discovery, she wisely spent several seconds taking a mental picture of the bird before rushing the short distance home. Returning minutes later with camera in hand, the bird had vanished and could not be relocated despite searching for several hours. Before reviewing field guides or other materials, Potter prepared a colored sketch that was included in the report and is consistent with the written description (see p. 148). Although this was a relatively brief sighting, the Committee found the details especially convincing. Positive points for the identification are the detailed description of the plumage, the large size compared to Magnolia Warbler and the constant tail-bobbing behavior. Other "tail-bobbers" like Prairie Warbler (*S. discolor*) and Palm Warbler (*S. palmarum*) are adequately ruled out by these details.

Kirtland's Warbler seems overdue for addition to the New York State Avian Checklist. This relatively rare species breeds primarily in extensive stands of jack pine re-growth forest in the Au Sable River drainage of Lower Michigan and winters throughout the Bahama archipelago (Mayfield 1992). Due to habitat management efforts in Michigan, the population has increased slowly since the first surveys in 1951. A 2008 census found 1,697 singing males, and today the total population is estimated at over 3,500 birds. Assuming that northbound migrants follow a reasonably straight route from the Bahamas to Michigan, a small deflection might be sufficient to bring a few birds into western NY, where they would come up against the Lake Erie and Lake Ontario shores. In support of this idea, the species is now annual in May (exclusively) at Point Pelee, Ontario, some 210 miles southwest of the Town of Wilson, NY. Of particular relevance is the fact that spring of 2010 was one of the best for sightings of Kirtland's Warbler at Point Pelee, with birds recorded on 7 May, 14 May and 22-23 May along with another at Long Point, Ontario (only 80 miles SW of Wilson, NY) on 29 May. Between 2005 and 2009 there were at least eight other records from the Point Pelee area, all between 9-25 May. Thus the NYS sighting fits neatly within this surprisingly narrow migration window.

Interestingly, a summary of bird records from the Rochester area includes five sightings of Kirtland's Warbler, with three from the spring: 18 May 1918, 9 May 1942, and 26-30 May 1943 (Taylor 1985). For reasons unknown, none of these sightings were mentioned in the major regional summaries prepared by

Beardslee and Mitchell (1965) and Bull (1976). Although we generally think of Kirtland's Warbler as a species confined to Michigan during the breeding season, its nesting range could have been more extensive in relatively recent times. For example in 1945, nesting was confirmed in Petawawa, Ontario, located about 250 miles north of Rochester, NY (Chamberlain and McKeating 1978; Dunn and Garrett 1997). More recently, Kirtland's Warbler has begun to expand away from its core range: from 1995 onwards nesting has occurred in Michigan's Upper Peninsula, and since 2007 the species has nested in Wisconsin and again on the Canadian Forces Base in Petawawa, Ontario (Eskelsen, 2007, Probst et al. 2003).

Combining the convincing description provided in this report with the steady increase in the population and concomitant increase in credible sightings of migrants in and around the Great Lakes, plus the historical precedence for nesting north of Lake Ontario, the Committee felt this single observer sighting made for a particularly compelling case. Unfortunately, the NYSARC by-laws require physical documentation (photographs, recordings, etc.) for single observer sightings of a species that would be new to the NYS Avian Checklist, and the Committee agreed that this high standard of evidence should be maintained. Instead, this record is placed in a new 'Supplemental' category that is intended to reflect the strength and importance of this report. With luck, Potter and/or some other diligent warbler watchers will be fortunate enough to see and hopefully photograph another Kirtland's Warbler within NYS in the near future.

2009 Reports Accepted

Mew Gull (*Larus canus*)

2009-88-C One adult winter plumage, Bensonhurst Park Brooklyn, **Kings**, 16 Jan 2010 (Alan Wells; ph A. Wells)

The Committee received an additional report, with photographs, of the Mew (Common) Gull, *L. c. canus*, present in Brooklyn during the winter of 2009-2010 (NYSARC 2009-88-A/B).

Thayer's Gull (*Larus thayeri*)

2009-94-A One third basic, Niagara River at Goat Island, **Niagara**, 20, 21 Dec (James Pawlicki; ph J. Pawlicki)

This third-basic Thayer's Gull was nicely described and photographed by the discoverer, Jim Pawlicki. The identification of this species is challenging, however, the photographs were sufficient to easily rule out American Herring Gull (*L. argentatus smithsonianus*) based on the size, structure, wingtip pattern, and brighter pink legs in direct comparison. Although the report does not explicitly discuss Kumlein's Iceland Gull (*L. glaucoides kumlieni*), the larger structure and the wingtip pattern (well shown in one photo) are fully consistent with Thayer's Gull.

Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*)

2009-93-A One immature male, W. Muck Road, Elba, **Genesee** 9-10 Aug (James Pawlicki; sketch J. Pawlicki)

While studying shorebirds on a flooded turf farm, Jim Pawlicki noticed this bird among a large flock of blackbirds and European Starlings (*Sturnus vulgaris*). It showed a bronzy orange head, which made it stand out, but it did not cooperate for lengthy viewing. Jim's confidence in the identification was shaken slightly when he found out that a pale-headed male Brown-headed Cowbird (*Molothrus ater*) had been reported at this spot on the previous day. He returned the following day, re-found the bird, and was able to see a small amount of white on the upperwing coverts and presence of dark lores. Moreover, the bird was roughly equal in size to the accompanying Red-winged Blackbirds (*Agelaius phoeniceus*). These features ruled out an aberrant cowbird and served to confirm his initial identification as a first-summer Yellow-headed Blackbird.

2008 Reports Accepted

Western Sandpiper (*Caldris mauri*)

2008-104-A, One, Ontario Beach, Rochester, **Monroe**, 20 Sept (Christopher L. Wood; ph C. L. Wood)

This Western Sandpiper was found by Dominic Sherony on 18 Sep and stayed at least two additional days, when Chris Wood was able to photograph it. Although not a review species in coastal NYS, this species was until recently on the review list for Upstate based on the paucity of documented sightings. Although rare, the Committee now considers the species to be annual in Upstate NY and no longer requests documentation of fall sightings. Spring sightings, however, should still be fully documented and submitted. The Rochester bird is notable because it was an adult in full basic plumage. Most sightings away from the coast have involved juveniles or adults transitioning into basic plumage.

Atlantic Puffin (*Fratercula arctica*)

2008-93-B Two, **Pelagic** (from 10-25 miles SW of Jones Inlet, **Nassau**), 3 Feb (Paul A. Guris)

This report supplements a previously accepted record (NYSARC 2008-93-A), providing specific coordinates of the sighting, confirming that these sightings occurred within NYS waters.

Common Murre (*Uria aalge*)

2008-97-B One, Bacardi wreck [39° 52.680' N, -72° 39.046' W.], **Pelagic**, 3 Feb (Paul A. Guris)

As above, this supplementary report establishes the location of an accepted record (NYSARC 2008-97-A) seen during an organized Sea Life Paulagics offshore excursion that sailed from Freeport, Nassau Co. on the Capt. Lou VII.

2007 Reports Accepted

Thick-billed Murre (*Uria lomvia*)

2007-83-A One, Shinnecock Inlet, **Suffolk**, 25 Feb (Shaibal S. Mitra; ph S. S. Mitra)
Steve Biasetti, Sue Benson and Jim Benson found this adult murre at the mouth of the Shinnecock Inlet, where it remained until 27 Feb. Shai Mitra's report includes a digiscoped photograph showing the distinctive bill with its white tomium streak and wholly dark head except for a triangular area of white on the throat.

2004 Reports Accepted

Clapper Rail (*Rallus longirostris*)

2004-91-A One, found dead, James Baird SP, LaGrange, **Dutchess**, 30 Aug (Stan DeOrsey, ph Kevin McGowan)

The Committee received this report of a large rail found dead by Jude Holdsworth at James Baird SP in Dutchess Co. on 30 Aug 2004. The description and accompanying photographs depict a large, grayish-brown rail. The grayish-brown and overall muted colors indicate Clapper Rail rather than King Rail (*R. elegans*) or the smaller Virginia Rail (*R. limicola*). The measurements provided also fit Clapper Rail. The specimen was deposited in the collection at Cornell University, where it was photographed by Kevin McGowan. Clapper Rails are extremely rare away from salt water, and this is the first inland record reviewed by NYSARC. *Bull's Birds of New York State* (Bull 1976) lists only an old record from along the Hudson River in Ossining, Westchester Co., which is still tidal, and remarks that a reported record from central NY is "apparently in error."

MacGillivray's Warbler (*Geothlypis tolmiei*)

2004-92-A/B One male, Forest Park, **Queens**, 7 May (Eric Miller, Andy Guthrie; ph A. Guthrie)

Eric Miller found this male MacGillivray's Warbler in Forest Park on the afternoon of 7 May 2004 as it foraged in the woodland understory. A handful of other birders viewed the warbler through the course of the afternoon, but it was not seen subsequently. Two factors complicate the field identification of vagrant MacGillivray's Warblers: the fact that some male Mourning Warblers (*G. philadelphia*) can show extensive white eye-arcs and the existence of a narrow zone of overlap in western Canada where these two species regularly hybridize. Based on a broad suite of pro-MacGillivray's features evident in the descriptions and photographs, the Committee felt that this bird was fully consistent with a MacGillivray's and showed no evidence of mixed ancestry. This is the third accepted record of MacGillivray's Warbler in NYS, following a subadult male observed and photographed in Dec 1999 at the Mohlenoff Nursery, Richmond Co. (NYSARC 1999-52-A/B), and a male banded in Jun 2003 at the Braddock Bay Bird Observatory, Monroe Co. (NYSARC 2003-24-A).

1987 Report Accepted

Boreal Owl (*Aegolius funereus*)

1987-50-A One, banded, Richard A. Noyes Sanctuary, New Haven, **Oswego**, 11 April (Steven F. Kahl)

This Boreal Owl was captured at an owl banding station on the south shore of Lake Ontario and the identification established with an in-hand description with detailed measurements (Slack 1987). Boreal Owls have been found to be rare spring migrants along Lake Ontario. This is the 15th record accepted by NYSARC since 1978; of these, about half are from early spring from Erie to Oswego Cos.

1962 Report Accepted

Black-backed Woodpecker (*Picoides arcticus*)

1962-3-A One male, Catherine and Jacob Streets, Yorktown, **Westchester**, 22 Dec (Robert Gochfeld)

This record was reviewed because of the rarity of this species away from appropriate boreal forest habitat. Many participants on the Peekskill Christmas Bird Count were able to see this unusual find. This sighting was accepted by Bull (1976).

1960 Reports Accepted

Yellow-nosed Albatross (*Thalassarche chlororhynchos*)

1960-1-A One adult, 2 miles off Jones Beach, **Nassau**, 29 May (Robert Gochfeld)

The surprise discovery of an adult Yellow-nosed Albatross within sight of Jones Beach during a pelagic excursion out of Freeport, Nassau Co., organized by the Linnaean Society of New York, is the stuff of local birding legend. This constituted the first record for NYS and, at the time, only the fourth documented record for North America. Some 40-60 participants saw, photographed and even took movies of the bird from two vessels (*Dutchess II* and *Jolly*), and the identification was confirmed from the subsequent images by renowned seabird authority Dr. Robert Cushman Murphy. Several accounts have been published previously (Bull, 1961, Post 1968, Fisher 1993). A black-and-white photograph by Joseph R. Jehl of the albatross taking wing was published in Bull 1976. Another photograph of it resting on the water taken by J. Daniel Buckley was published in Bull 1961.

Long-tailed Jaeger (*Stercorarius longicaudus*)

1960-2-A One adult, 6-8 miles south of Jones inlet, **Pelagic**, 29 May (Robert Gochfeld)

This light-phase adult Long-tailed Jaeger, complete with long tail streamers, flew past the *Dutchess II* during the historic 'albatross trip' described above.

2010 Reports Not Accepted

Yellow-billed Loon (*Gavia adamsii*)

2010-52-A One, Dunkirk Harbor, Dunkirk, **Erie**, 9 Mar

This bird was observed in the water near the Dunkirk Harbor pier, a hotspot for birds and birders in western NY. The observer then watched it lift up and fly out past the outer breakwall, circle back briefly, and then depart. The report mentions that the large yellow bill was flat on top with a lower mandible that curved upward. While this is a fair description of the bill of a Yellow-billed Loon, the report offered few additional details, and some Committee members felt that even some non-loon species were not ruled out by it. Yellow-billed Loon is extremely rare in all of Eastern North America, and there are only three accepted reports of this species in NYS. Given the heavy significance of any additional sighting, the Committee felt that a complete description, preferably with photographs, is required.

American White Pelican (*Pelecanus erythrorhynchos*)

2010-79-A One, coastal Lindenhurst, **Suffolk**, 25 Nov

This bird was seen circling with gulls and, although suggestive of a pelican, was only described in the very briefest of terms, thus not permitting a conclusive positive decision.

Mississippi Kite (*Ictinia mississippiensis*)

2010-80-A One, Ward Pound Ridge Reservation, **Westchester**, 6 Jun

Several birders saw this hawk fly overhead at the Ward Pound Ridge Reservation in Westchester Co., but unfortunately only one report was received. Given the very short observation time and difficult conditions, the description was understandably brief. Although the Committee felt that the description was generally consistent with Mississippi Kite, other possibilities could not be completely ruled out by the description provided, and hence the report could not be accepted.

Swainson's Hawk (*Buteo swainsoni*)

2010-62-A One, Saratoga Springs, **Saratoga**, 23 Oct

2010-70-A One, Franklin Mountain Hawk Watch, **Delaware**, 27 Oct

Especially in the northeast, where this species is quite unusual, positive identification requires careful and detailed scrutiny, something not always possible with a hawk flying off into the distance. The description of the Saratoga bird left the Committee thinking that perhaps a female Northern Harrier (*Circus cyaneus*) was involved, whereas the field marks noted on the Franklin Mt. bird were not really sufficient to rule out other migrating raptors.

Zone-tailed Hawk (*Buteo albonotatus*)

2010-18-A One, John Boyd Thacher Park, near Albany, **Albany**, 21 May

The observer obtained detailed photographs of an unfamiliar hawk soaring with some Turkey Vultures (*Cathartes aura*) and, after comparing these to images on

the Internet, concluded that the bird was most likely a Zone-tailed Hawk, a species unrecorded in NYS. Three photographs were provided together with a very brief description. On reviewing the images, the Committee concluded that this was in fact an adult Broad-winged Hawk (*Buteo platypterus*). The photos show a relatively small *buteo*, with pointed rather than straight wings that are held flat rather than in the characteristic dihedral. The lighting makes the bird look extremely dark and suggested a dark-morph Broad-winged to some members. Further cementing the revised identification, the photos show that the broad barring on the upper surface of the tail was white, rather than gray.

Brown Noddy (*Anous stolidus*)

2010-39-A One, 67.3 nm SSE of Shinnecock Inlet [39°51'45.71"N, -71°45'32.00"W], Pelagic, 7 Aug

The observer was fishing in 79.2°F water with a depth of 900 feet alongside two non-birding family members. Conditions were less than optimal for a small vessel, with a 15-20 knot easterly breeze and swells of 4-7 feet. Suddenly a dark bird approached the stern, coming within 40 yards as determined by the fixed spread of the fishing gear. It was flying some 10-15 feet above the water, circled once and then disappeared among the disorganized waves, possibly landing. There was not enough time for the observer to retrieve his camera before the bird vanished and, sadly, it could not be re-found. It was described as being uniformly dark chocolate brown and even-toned throughout, with a dark, not unduly thin, bill. Significantly, the forehead was described as having a small whitish patch that gave way to finer speckles. The plumage appeared uniform in color, lacking any feather fringing, and the tail appeared to have a shallow rather than deep fork. The flight was described as light and buoyant. The small size and absence of white flashes in the primaries seemed inconsistent with a dark jaeger (*Stercorarius sp.*) or a juvenile Sooty Tern (*Onychoprion fuscatus*), which would show obvious white tips to the scapulars and mantle feathers, as well as white on the underwing coverts and vent. The observer concluded that this was most likely an immature Brown Noddy, a species familiar to him from recent trips to islands in the Caribbean Sea. The NYSARC Guidelines stipulate that a species cannot be added to the NYS Avian Checklist based on a single observer sighting without documentary evidence such as a photograph, and the Committee fully supports this procedure. However, as discussed in the introduction to this Annual Report, the Committee wishes to recognize compelling sightings that stumble at this last hurdle. Both this Noddy report and an earlier report that was actively solicited by the Committee (NYSARC 1977-1-A, see below) seemed good candidates for this new Supplemental category. Unfortunately after extensive discussion and three rounds of voting, the Committee concluded that although this may have been a Brown Noddy, there were sufficient uncertainties to prevent acceptance.

Bell's Vireo (*Vireo bellii*)

2010-57-A/B One, Weesuck Creek, East Quogue, Suffolk, 19 Sep

Two observers provided detailed and independent descriptions of this small vireo seen over the course of several hours in East Quogue but unfortunately not photographed. With only a handful of records in the Northeast, this inconspicuous vireo can present a significant identification challenge due to similarities with other vireos. Aspects of the descriptions were consistent with Bell's Vireo, but the two reports differed on some key features, leaving the Committee uncertain about the identification. In particular, the Committee felt that immature White-eyed Vireo (*V. griseus*) could not be completely ruled out based on the totality of the information available for review.

Black-billed Magpie (*Pica hudsonia*)

2010-25-A One, Tivoli Bays, Tivoli, **Dutchess**, 11 Jun

This report describes a three-minute encounter with an unfamiliar bird by a relatively inexperienced birder who was actively consulting his field guide when the bird vanished. Magpies are relatively distinctive birds, and some aspects of the brief description were consistent with Black-billed Magpie or the very similar Eurasian Magpie (*Pica pica*). However, several important details, including the presence of white scapulars and extensive white tongues in the primaries, were not noted. The size was not described in relation to any other species, and the bird's behavior seemed atypical for a magpie.

Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*)

2010-91-A/B One, West End, Jones Beach SP, **Nassau**, 5 Dec

This sighting involved a blackbird sitting atop a tree in one of the West End groves, viewed briefly before it flew away to the north. Described as having a "yellow head," indicating an apparent adult male, but also with "white and very black stripes on the breast" that should not be present in such a plumage, this record left the Committee wondering whether perhaps another icterid might actually have been involved here. Unfortunately, a companion birder who may have been able to add some insight to the sighting was on the inside of the grove and only emerged to see a disappearing blackbird.

Brewer's Blackbird (*Euphagus cyanocephalus*)

2010-10-A Three females, private residence, Glasco, **Ulster**, 23-26 Mar

2010-76-A One male, Mountindale, **Sullivan**, 10 Nov

Unfortunately none of these four birds were documented with photographs, and the Sullivan Co. bird was taken by a Sharp-shinned Hawk (*Accipiter striatus*). In both cases the brief descriptions were more suggestive of other species, such as Brown-headed Cowbird (*Molothrus ater*) in the first instance and Common Grackle (*Quiscalus quiscula*) in the second.

1977 Report Not Accepted

Brown Noddy (*Anous stolidus*)

1977-1-A One, seen at sea from parking lot 2, Robert Moses SP, Fire Island, **Suffolk**, 8 Nov

The Committee wrestled long and hard with this report from an experienced birder, which took the form of a note published in *The Kingbird*. The report was solicited by the Committee in the context of the 2010 Noddy report discussed above (NYSARC 2010-39-A). The observer of the 1977 sighting was seawatching after the passage of a northeaster that brought gale force winds and heavy rains to the region. His companion had just left for work when he spotted a dark bird passing some 200 yards offshore. It flew low over the extremely rough water, beating laboriously into the wind and appeared to be entirely dark brown except for a prominent white cap. The tail appeared long and pointed, comparable to that of a Northern Gannet (*Morus bassanus*). After giving an unobstructed view for five to ten seconds, the bird disappeared into a wave trough and could not be relocated. The observer was already familiar with Brown Noddy from Tobago, where the species nests. After the sighting he carefully studied specimens of both Brown Noddy and Black Noddy (*A. minutus*) at the American Museum of Natural History and provided a clear rationale for eliminating the latter. After much discussion and three rounds of voting, the Committee reached a consensus that this was likely a Noddy but that the documentation was insufficient for a first state record. It was agreed that the weather conditions leading up to the observation were favorable for a southern pelagic rarity, and that the observer had taken careful, detailed notes. Lingering concerns as to whether Black Noddy could be firmly ruled out under these difficult and very brief viewing conditions precluded addition of Brown Noddy to Supplemental list.

No Decision Rendered

Merlin (*Falcon columbarius suckleyi*)

2009-92-A, One, Aurora, **Cayuga**, 2 Nov (Thomas B. Johnson; ph T. B. Johnson)

This report involved three excellent color photographs of a flying bird that is clearly a dark Merlin. The brief discussion was supplemented by evaluative comments from several noted raptor experts. “Taiga” Merlin (*F. c. columbarius*) is the typical subspecies encountered in NYS, and it is somewhat variable in overall coloration. “Black” Merlin (*F. c. suckleyi*) is the darkest subspecies of Merlin and is not recognized as having ever occurred in the northeast before. After much discussion, the Committee chose to postpone voting on this record due to insufficient clear criteria for separating “Black” Merlin from darker variants of “Taiga” Merlin and, to a lesser extent, the apparent absence of prior vagrancy to the east. The essentially unmarked flight feathers were a particularly compelling feature of this most attractive bird. Pale markings on the remiges are a consistent feature of “Taiga” Merlin and largely absent on “Black” Merlin, but it is unclear if this feature alone is reliable. Before acting decisively on this potentially very exciting record, the Committee intends to do more research and examine specimens of different Merlin taxa.

CONTRIBUTORS

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Submitted on behalf of the New York State Avian Records Committee:

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Mississippi Kites, Root, *Montgomery*, 20 and 28 Aug 2010. Photographs © Richard Guthrie (left) and Jesse Jaycox (right). Confirmation of the first successful nesting in NYS was obtained with this fledgling being fed by the adults in trees near the nest.



Mew Gull, Devil's Hole SP, *Niagara* 7 Jan 2010. Photograph © James Pawlicki. Careful photo documentation established this adult bird (top right) as the first example of the nominate subspecies *canus* ('Common Gull') on the Niagara River.



Barnacle Goose, Orchard Beach, *Bronx*, 27 Nov 210. Photographs © Andrew Baksh and © Jack Rothman (insets). Banded in Scotland in 2002, this is only the third record of a marked bird for North America and provides solid evidence for natural vagrancy to NYS.



Black-bellied Whistling Duck, Tonawanda WMA, *Genesee*, 11 Aug 2010. Photograph © Will Stuart. Often secretive, this was one of seven individuals recorded in NYS during the summer of 2010, evidently part of a major incursion into the Northeast.



Hermit Warbler, Sunken Meadow SP, Suffolk, 5 Dec 2010. Photograph © Jason Silverman. Furnishing a 1st NYS record, this hatching-year female favored an area of coastal bushes, often flying out onto a short grass lawn where it gleaned insects.



Kirtland's Warbler, Burt, Niagara, 18 May 2010. Sketch © Betsy Potter. This striking and distinctive male was observed briefly during a period of strong warbler migration along the shore of Lake Ontario but disappeared before it could be photographed.