

# El Tecolote

NEWSLETTER OF THE SANTA BARBARA AUDUBON SOCIETY



April 1995

Vol. 33, No. 6

## A Call to Arms

► Elizabeth Raisbeck

**M**OST of America is aware that a political revolution of great import happened in November, but few are aware of the implications for the environment.

I do not exaggerate when I say that some provisions in the "Contract with America," produced by the new Congressional leadership, would dismantle the environmental protection framework of national legislation and federal programs built over the last 25 years. Some of the proposals in the Contract are truly revolutionary, and the new Congressional leadership is coupling it with proposals for massive budget cuts that are very likely to cripple vitally important federal programs such as enforcement of pollution laws, listing of species under the Endangered Species Act, and habitat acquisition. Perhaps the most revolutionary aspect of the proposals is a radical change in the individual's relationship to private property and the government's rights and obligations to provide community safeguards to each of us.

With the convening of the 104th Congress, we can expect a flood of Republican-led initiatives to fulfill their goals in the Contract with America. Time is very short. The new Republican leadership is very disciplined, and we can expect much faster action on legislation than we have seen in recent Congresses. Among those first out of the

gate will be legislation to prohibit unfunded mandates by the federal government, some kind of rescission (withdrawal of dollars already allocated) legislation that could prohibit funding for programs that are due for reauthorization such as the National Biological Survey, the Endangered Species Act, and the Clean Water Act. There may be a bill to put a moratorium on all environmental regulations — anywhere from 100 days to two years. The Contract will be enacted into law through 10 different bills. When one of those, the Job Creation and Wage Enhancement Act, is dropped in, its provisions will change our historical interpretation of property rights under the Fifth Amendment of the Constitution.

Never has a greater challenge to environmental protection surfaced in this country, not even in the days of Interior Secretary James Watt and EPA Administrator Ann Gorsuch. Our early Hill visits tell us that few House Members are aware what is actually in the massive fine print in the Contract. As knowledgeable and committed environmentalists, our chapters provide a critically important citizen's voice to tell our elected representatives that the Contract is unacceptable and harmful to us and to our children and grandchildren.

The National Audubon Society is calling on all of our chapters and our

(See **Contract** on page 3)

### April Program

Friday, April 28, 1995

S.B. Museum of Natural History  
7:45 p.m. Refreshments  
8:00 p.m. program

#### "Tales from the Deep"

Yes, Santa Barbara is justly proud of the wondrous variety of birds here. And we Auduboners are working hard to keep it that way. But Santa Barbara also has a right to be proud of the numerous and brilliant varieties of marine life in our coastal waters, although most of us will never see them — except those who attend the Audubon program on April 28.

No, we don't have to go scuba diving, we can just sit in our chairs and watch the down-under brought up to us by Laura Gorodezky, the Education Coordinator for the Channel Islands National Marine Sanctuary. In addition to many slides of marine life, Laura, who earned her Masters degree in deep sea biology from UCSB, will also explain the National Marine Sanctuary Program and show us how to participate in the Great American Fish Count. This is an especially good chance to see not only the beauty of our fascinating marine life, but also to understand the problems that confront the ecology of this unique environment.

## ACTIVITIES CALENDAR

### Saturday, April 22:

#### Figueroa Mountain and Environs.

Meet leader Rob Lindsay at Carl's Jr. on upper State Street at 7:00 a.m. for a half day of montane birding. A lot of choice stuff is moving through the alpine community, so go have a look, and thrill to the display of wildflowers as well. Call Jeff Chemnick (965-0895) for rain update and info. Bring a sack lunch and a drink. No charge, should be back by mid-afternoon.

### Saturday April 29–Sunday April 30:

#### Mojave Desert Overnighter.

Join leader Ron Hirst as we scavenge the high desert and lower Sierras in search of migrants and wildflowers. Plan now to participate. We'll leave S.B. early Saturday and bird our way to our accommodations in Mojave. Return late Sunday. Make your reservations now. Limited to 20 participants. Call Jeff Chemnick (965-0895). Cost is \$29 per person for shared occupancy and \$49 for single.

**Don't forget Earth Day  
Sunday, April 23, 1995  
Santa Barbara City College**

## Tricolored Blackbird Counts are Set for April and May

The Western Regional office of the National Audubon Society is helping the California Department of Fish and Game and the Tricolored Blackbird Working Group to coordinate the second year of statewide counts of tricolored blackbird nesting and foraging locations. The counts will be held on Saturday and Sunday, April 22 and 23, 1995, and May 20 and 21, 1995.

The counts include May dates this year in order to help identify the northward movement of tricolored blackbird colonies that seem to occur between early nesting in April and late nesting in May.

Your participation will make an important scientific contribution by helping to determine overall numbers of tricolored blackbirds, size and location of nesting colonies, and foraging areas. Furthermore, the data you gather will be used to help shape this year's research.

Thanks for your help on this significant project!

For further information contact Bob Barnes, Birds in the Balance Program Coordinator, at Audubon's Western Regional Office in Sacramento. Phone: 916-481-5332. Fax: 916-481-6228.

## CONSERVATION REPORT

♦ By the time you read this, the southwestern willow flycatcher will have Endangered Species status. The willow flycatcher is found in Santa Barbara in migration along lowland creeks, and nests along the Santa Ynez River. As defined by the Endangered Species Act of 1973, an endangered species is "any species which is in danger of extinction throughout all or a significant portion of its range." Other endangered bird species seen in Santa Barbara County include the California least tern, the least Bell's vireo and the California condor.

♦ The western snowy plover has been on the federal "threatened" list since 1993. About 1,500 birds remain on the Washington, Oregon and California coasts. In Santa Barbara County we have a wintering population of about 400, and a breeding population of about 200. Most of these birds are on beaches near Vandenberg AFB. Recent breeding sites in the south county were Goleta Beach and the Devereux Slough beach. Snowy plovers no longer visit Goleta Beach, but the Devereux site is used extensively in the winter and birds have made nesting attempts in recent years. This site is a priority for our chapter's conservation efforts.

♦ The chapter is a member of the Goleta Slough Management Committee. This group of city, county, airport, landowner, NGO and agency representatives has been meeting for more than two years to determine how best to utilize and restore the Goleta Slough. Audubon has provided input on such issues as airport runway expansions, wetlands restoration, dredging, and bird conservation.

— Ron Hirst

## Cats vs. Birds Some Stunning Statistics

♦ A 1987 study in a small English village estimated that pet cats were responsible for killing 70 million native wild animals each year, at least 20 million were birds.

— Churcher, P.B. and J.H. Lawton. 1989. *Beware of well-fed felines*. Natural History, July 1989.

♦ A study using radio-collared farm cats in Wisconsin, estimated that cats kill at least 19 million songbirds and 140,000 game birds every year in that state alone.

— Harrison, G.H. 1992. *Is there a killer in your house?* National Wildlife, October 1992.

♦ An estimated U.S. population of 55 million cats (44 million of which are allowed to roam freely outdoors) catch and kill an estimated 4.4 million songbirds a day!

— Stallcup, R. 1991. *Cats: A heavy toll on songbirds—a reversible catastrophe*. The Observer, Quarterly Journal of the Pt. Reyes Bird Observatory.

**Contract** (Continued from page 1)

larger membership to sound the alarm to the media and to elected officials about the threats posed to the environment in this Contract. If this Contract, as embodied in the Job Creation and Wage Enhancement Act, is enacted by Congress, we can expect the following:

■ Any person whose private property values are reduced by more than 10 percent due to government regulation has an entitlement to be paid the lost value by the federal government. That may sound like great news for citizens, but what if your neighbor wants to build a chemical plant or start a hog farm or fill in his wetland, which will cause flooding on your property? Under the new law, the federal government would have to pay your neighbor not to pollute or not to cause flooding on your property. This would turn on its head our traditional concept of the citizen's right to be protected from irresponsible interests that may have a lot more money than me. Now you, the taxpayer, will have to pay developers and polluters to be responsible citizens and not pollute.

■ State and local governments would no longer have to comply with federal laws or regulations under the Clean Water Act, the Clean Air Act or the Endangered Species Act, unless the federal government pays in full for the incurred costs (so-called unfunded mandates). While this may seem reasonable on its face, the fact is these costs are largely exaggerated, and exemptions for complying with many regulations have long been granted local governments. The proposals in the Contract for fixing this problem will not help municipalities and state governments meet their obligations to provide clean water, clean air and a safe community.

■ Polluters would be relieved of the obligation to pay for their pollution either under the new property rights provisions, or through a new set of regulatory requirements that would

allow polluters easy access to the courts to stop governments from enforcing the law. For instance, a property owner could demand compensation from the government (you) simply by filing a claim. Upon receipt of the demand, the agency involved (EPA for instance) would be *required* to suspend its regulatory action. In other words, for the price of a 32¢ stamp any company or individual that objected to a regulation could block its enforcement simply by filing a claim under the Job Creation Act.

**WHAT YOU CAN DO:** Write letters! There is no one left to speak for the environment but you. Write to the newspaper. Write your Congressman. Write your Senator. The empty tin cans of "Wise Use" and "Greed" are making all the noise. If you don't want the next two years to return us to the good old days of the dust bowl and DDT, write a letter. Here are some points to make:

1. Americans have the right to clean air, clean water, abundant wildlife and enjoyment of open spaces. Some proposals in the Contract would nullify Americans' access to these basic rights.
2. Our air, land and water, and the quality of our food supply must meet existing national health standards. Releasing local and state governments from their responsibilities to provide these things is unacceptable.

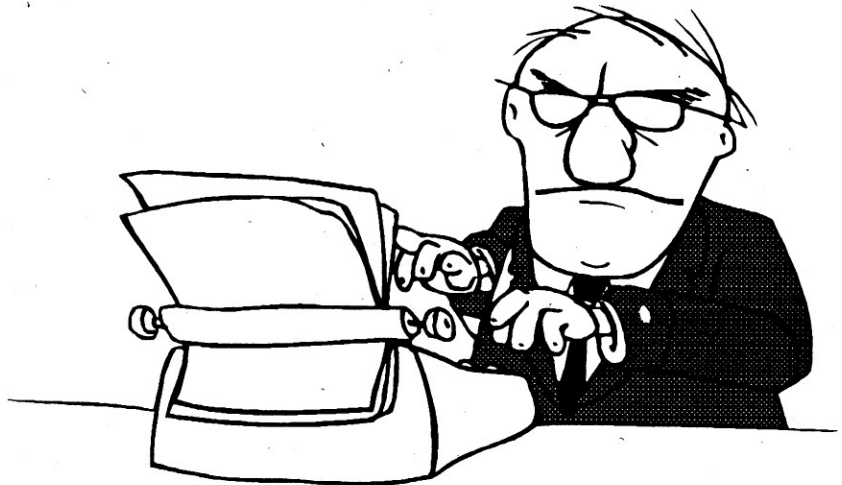
3. Polluters, not the taxpayers, should pay the cost of cleaning up pollution. To help the free market discourage more pollution, make polluters pay for cleanup.

4. The 65 million homeowners in America should be protected from irresponsible actions by others on neighboring property. Governments must retain the right to protect homeowners from irresponsible landowners and developers.

5. The Contract is a war against the environment, cleverly hidden in a cloak of happy platitudes for the average citizen. In reality, it will not protect the American public but will create a huge financial and red-tape burden. It will roll back 25 years of environmental protection. It will mean dirty air, polluted water, poisons in our food, and massive habitat destruction for our wildlife.

Thank you for your help in revealing the Contract for what it truly is and saving 25 years of a sound environmental legacy.

— Elizabeth Raisbeck is the Senior Vice-President for Regional and Governmental Affairs for the National Audubon Society. This article was adapted from her letter of January 6th, 1995, to all chapters.





## PRESIDENT'S MESSAGE

There's a refrain I hear all over. You recognize it, like the call of a gull, a finch, a woodpecker. I hear it from Auduboners, and from neighbors on the south coast. It goes something like this:

"I *care* very much about birds and Nature, about the fate of our local and world environments. I *want* to do something, but . . .

"I'm too old, too young, too busy, too poor, too sick, too much traveling, too uninformed, too overwhelmed with the kids, too shy to be able to:

"Go on a field trip, go to a Members Night at the Natural History Museum, stand in the cold for the Holiday Bird Count, go testify at a public hearing, write a letter to an elected official, etc.

"But I *care* very much, and want to do *something*. What can I do?"

No shame in this refrain. Tolstoy asked the same question a hundred years ago, and had no clear answer. But for Auduboners in recessionary Santa Barbara in 1995, let me offer some hints:

- ♦ Volunteer at our lovely office for one or two hours per week; answer the phone, check the mail, take trip reservations, catalog periodicals. We have no paid staff.
- ♦ Bring one different guest to each of our next three free Member Nights at the Natural History Museum, the 4th Friday of each month; spread the word for us.
- ♦ Adopt one elementary classroom this year for our prize-winning Audubon Adventures magazine for just 35 tax-deductible dollars; make a child get excited.
- ♦ Volunteer for Don Rathbun's Education Committee as a Nature docent for prepared slide shows for school or civic groups; share your joy of wildlife.
- ♦ Volunteer for just one 90-minute shift at our Earth Day booth at City College on Sunday April 23rd. Meet folks.
- ♦ Offer to help Field Trip Leader Jeff Chemnick by, A) being a backup trip leader, or B) inviting one new neighbor to go on a scheduled trip; spread the wealth.
- ♦ Pick just one issue — whether it's the Endangered Species Act, wetlands, open space preservation, or the Mobil Clearview project — and track that one issue all year long, even if it means phoning a friend, writing a letter, making a phone call.
- ♦ Volunteer to serve on our board next year; or line up a friend you think may be even better, and slip the name to us at the office (964-1468).

In this 25th anniversary month of Earth Day, we can't expect any member to do everything, but we can hope each will do something.

— Lee Moldaver

### SANTA BARBARA AUDUBON SOCIETY

#### OFFICERS & COMMITTEE CHAIRS

President: Lee Moldaver .....	682-2120
Vice President: Sally Walker .....	569-5388
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Joyce Pettersen .....	967-2741
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Publicity: Betty Bazzi .....	967-5200
Bird Refuge Census: Helen Matelson .....	966-3217
Rare Bird Reporter: Karen Bridgers .....	964-1316
Rare Bird Alert .....	(805) 964-8240
SBAS Office .....	(805) 964-1468

#### OFFICE HOURS

Monday .....	11:00 a.m. - 4:00 p.m.
Tuesday .....	11:00 a.m. - 4:00 p.m.
Wednesday .....	11:00 a.m. - 1:00 p.m.
Thursday .....	11:00 a.m. - 4:00 p.m.
Friday .....	11:00 a.m. - 2:00 p.m.

#### MEMBERSHIP

Special new member rate .....	\$20
Individual .....	\$35

Please send *only* new member applications and *El Tecolote* subscriptions to: Santa Barbara Audubon Society, 5679 Hollister Ave., Suite 5B, Goleta, CA 93117.

#### EL TECOLOTE

Editor: Dorin Mayes ..... (805) 683-1079

*El Tecolote* is published 7 times a year by the Santa Barbara Audubon Society. Members are invited to submit articles, announcements, letters, photos and drawings for publication consideration. Copy deadline is the 10th of the month prior to publication. Non-member subscription is \$10 per year  
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#### RARE BIRD ALERT NUMBERS

Los Angeles .....	(213) 874-1318
Monterey Bay .....	(408) 375-9122
Morro Bay .....	(805) 528-7182
No. Calif. ....	(510) 524-5592
Orange County .....	(714) 563-6516
Sacramento .....	(916) 481-0118
San Bernadino .....	(909) 793-5599
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