



WARIOTO WARBLER



CLARKSVILLE NATIONAL AUDUBON CHAPTER

VOLUME 41, NUMBER 3

NOVEMBER 2009

WARIOTO AT A GLANCE

ANNUAL POTLUCK BANQUET: Thursday, November 5, **6:00 p.m.**, Hildale United Methodist Church, 1751 Madison Street, Clarksville.

PROGRAM: Scott Somershoe, TN State Ornithologist, will give a presentation on the new "Tennessee's Watchable Wildlife" web site and other news from the Tennessee Wildlife Resources Agency

FIELD TRIP: Paris Landing State Park, Sat., Nov. 14; leave at 7:00 from the APSU 8th St. student lot. More information below.

Visit our webpage at http://www.apsu.edu/schillers/Audubon/Warioto_Chapter.htm

CALL FOR CONTRIBUTIONS TO WARIOTO AUDUBON

During its 41-year history, the Warioto Chapter of the National Audubon Society has never applied for 501(c) (3) not-for-profit status. We need to have not-for-profit status in order to apply for grants such as those being offered to chapters by the National Audubon Society.

While a local lawyer has agreed to handle the application process *pro bono*, application fees will exceed \$600.

The board authorized me, as editor of the chapter newsletter, to place an **appeal for contributions**. Please **make a donation to this cause**. If we will all pitch in with modest contributions, we can raise the needed amount. Send your contributions to:

Mrs. Gloria Milliken, Treasurer
861 Vaughn Rd.
Clarksville, TN 37043-5317

Thanks for helping out.

Steve Hamilton, Editor

JOIN US FOR THE ANNUAL POTLUCK DINNER

We will hold the annual potluck dinner in the fellowship hall at the **Hildale United Methodist Church** at 1751 Madison Street (**entrance to the fellowship hall and additional parking around back**). Please bring plenty of food to share with others. We need main dishes, salads and desserts. **We begin at 6:00 p.m. and the program follows the meal.**



Fine dining and good fellowship with nature-lovers, what more could you ask? This is always a great event, but to make it special we need YOU to attend – and try to **bring a friend!**

PRESIDENT'S MESSAGE, Kathy DeWein

It looks like we're going to have a beautiful Fall. The birds are fattening up. It's a good thing Barbara Wilbur will be getting seed for CHS, Rossvie and MCHS for their feeders. Hopefully they can do a feeder count when we do our Winter bird count in December or January. My hummingbirds are hitting the feeder so much I'm afraid they'll be too heavy to fly.

Speaking of fattening up, the November potluck banquet is coming up. Let's get all those healthy dishes ready and bring a few friends to hear Scott Somershoe, our state ornithologist. My mouth is watering just thinking of all the good eats. What a great meeting to bring somebody that might be interested in Audubon. See you there.

CHAPTER PROGRAMS, Michelle Rogers

September Program:

Scott Somershoe, Tn State Ornithologist, will give a presentation on the new "Tennessee's Watchable Wildlife" web site and other news from the Tennessee Wildlife Resources Agency.

Previous Program:

Dr. Dwayne Estes, APSU Assistant Professor of Biology and Principal Investigator in the Center for Field Biology presented "Cedar Glades and Xeric Barrens." His presentation included photos of beautiful, rare, endemic wildflowers that populate these exceptional habitats in Tennessee. Elvira and Gene Baker provided refreshments following the program.

Upcoming programs:

December – Charles Cook of C-Bees, "Beekeeping and Colony Collapse Disorder." Visit the Montgomery County Beekeeping Association online at <http://mcbaonline.ning.com>.

January – No meeting

February 5 – Randy Hedgepath, "Wildflowers and Folklore (with an ornithological twist)."

March 4 – Joan Stevens, U.S. Fish and Wildlife Service, "Birds of Tennessee National Wildlife Refuge and Cross Creeks"

April 1 – Diann Nance, "Herbs that Attract Birds and Bees."

May 6 – Wally Brines, U.S. Fish and Wildlife Service, "Hummingbirds"

June 3 – TBA

FIELD TRIPS, Daniel Moss and Chris O'Bryan

The field trip on **Saturday, November 14** will be to **Paris Landing State Park**. The park is comprised of 841 acres located on the western shore of the Tennessee River, which forms Kentucky Lake. The park is located along the widest part of the lake (over 3 miles) and is a perfect location for watching waterfowl and many other species of birds! Make sure to meet us at 7:00 a.m. at the 8th Street Student Parking Lot across from the Trahern Building at APSU. You don't want to miss out on this great birding opportunity! Plan for a half-day trip.

CONSERVATION LETTER, Joe Schiller

The Corps of Engineers is accepting comments on the possible revocation of NWP 21 to permit mountaintop removal mines. This would require each mine to undergo a separate permit process that would allow a lot more factors specific to that particular mine location to be considered in the permitting process. Factors such as would this mine destroy essential nesting habitat of Neotropical migrants such as the Cerulean Warbler, or the effects on rare amphibian species in streams proposed to be filled, etc. A friend sent me the following YouTube video of one of the public meetings at which coal corporations bussed in employees to disrupt the meetings. You can view the video here:

<http://www.youtube.com/watch?v=EtwcseZz4w>

I haven't seen anything this ugly since I first saw documentary news coverage of the mobs trying to prevent the black school children from integrating Central High School in Little Rock, Arkansas. If this video doesn't make you angry, you clearly don't recognize the threat to democracy such activities represent. Remember, this is a public hearing, conducted by a federal agency, and this agency is legally required to guarantee all citizens equal opportunity to express their opinions.

However, shouting, threatening and bullying do not get in the administrative record--comments do. We can overwhelm the Army Corp of Engineers with comments and neutralize any advantage the tactics of the pro mountain top removal crowd. The Corp is accepting written comments until the 26th! Here are some points to make when you comment:

1. Northern Alabama needs to be added to the list.
2. No grandfathering of permits should be allowed. Past permits should be reviewed to make sure they meet the spirit and intent of the Clean Water Act.
3. The Corps has long recognized that "the purpose of the NWP program is to reduce regulatory delays and burdens on the public, to place greater reliance on state and local controls, and to free our limited resources for more effective regulation of other activities with greater potential to adversely impact the aquatic environment." 56 Fed. Reg. 14, 598—14, 605 (Apr. 10, 1991).

Unless they've mistyped this, it could be very useful. Possible points to make about this:

1. Constantly fighting coal companies and failed agencies to protect our homes, lives, water, and communities is a much greater burden on the public.

2. We have no state or local controls. WVDEP is a failed agency that fails to control illegal coal company activity.
3. Nothing adversely impacts the aquatic environment more than burying it.

You can email your comments directly to the Army Corp of Engineers at: lrp.webinquiries@usace.army.mil

Written comments:

U.S. Army Corp of Engineers
Attn: CECW-CO, Ms. Desiree Hann
441 G Street, NW., Washington DC 20314-1000

Call:

Pittsburgh Regulatory Branch: (412) 395-7155 or Ms. Hann at (202)761-4560

To read the Corps Public Notice:

<http://www.lrp.usace.army.mil/or/or-f/09-46.pdf>

Here are the comments I submitted if you want to use them as a model:

I am submitting these comments regarding the review of the use of NWP 21 for permitting mountaintop removal mines. Where shall I begin? I believe the NWP 21 permit process for mountaintop removal mining should be revoked for the following three reasons:

First, I have always viewed the use of NWP 21 to permit mountaintop removal mines as an obvious and egregious violation of the Clean Water Act. NWP 21 is only supposed to be used for activities that produce "no significant environmental impact" and to apply that term to mountaintop removal mining defies rational thinking. The destruction of entire mountains and the filling of miles of streams cannot by any stretch of logic be considered an insignificant environmental impact. The impacts extend many miles downstream from the buried streams. I am not expressing a mere opinion here. I have worked as a professional stream ecologist for the past 30 years and the biological science clearly demonstrates that the effects on streams are significant and most likely permanent. For this reason I do not believe any existing permits should be grandfathered if NWP 21 is revoked.

Second, using NWP 21 to permit mountaintop removal mines streamlines (i.e., rubberstamps) the approval process for mine companies, but deprives coal field residents of their rights to influence the mine permit process in ways that would reduce the impacts on their health, their environment, and the economic viability of their communities. The convenience afforded to the multi-billion dollar international mining corporations through NWP 21 is achieved at the expense of the residents of Appalachia who often suffer economic ruin as a result of the mining activities with no practical avenue of recompense.

Third, delegating the regulation of mine permits to states such as West Virginia is the same thing as forfeiting any regulation of the industry given that virtually all branches of the that state's government are practically run by the coal industry.

Another point I would like to make is that revocation of NWP 21 for permitting mountaintop removal mining should apply to the entire Appalachian region, including northern Alabama. Failure to do so might lead the coal industry to simply relocate operations to those areas with the most lenient permitting process.

Lastly, I want to comment on the shameful and illegal manner in which public hearings on this issue were conducted. I have seen videos of these events and communicated directly with people who attended them and the Corps failed to protect the first amendment rights of citizens who attended these meetings to comment on this issue. Some of the public hearings amounted to sanctioned riots which coal supporters attended, not to testify, but to disrupt, and to prevent any other concerned citizens from testifying who may have opposed the use of NWP 21 to permit mountaintop removal mining. By failing to control the meeting process so that all in attendance had equal opportunity to testify, the Corps became a party to the denial of these first amendment rights. I believe the Corps at the very least should reschedule these meetings and conduct them in an orderly fashion that protects the first amendment rights of all citizens. Failure to do so would represent clear bias on the part of the Corps for one position over all others.

On the international stage, the lead up to the Copenhagen Conference on Global Warming is causing people everywhere to more closely evaluate their personal and collective roles in contributing to global warming. As I have pointed out in previous newsletters, many legislators are attempting to use developing countries such as China and India as an excuse to delay or defeat meaningful legislation to reduce global warming emissions. Yes, China has resisted making a legally binding commitment to greenhouse gas reduction targets, but a close look at what China is actually doing reveals a much different story. A study by Greenpeace found the following:

China has already set a national goal of 15% renewable energy production by 2020. The US has not set national renewable energy targets.

Chinese fuel economy standards are already significantly stricter than the fuel efficiency standards the US has mandated for the year 2016.

China has invested a larger share of its economic stimulus money into green jobs and green tech than the US.

China depends more on coal than the US for its energy supplies and as a result its economy is more carbon intensive than that of the US, but China has pledged a major effort to reduce the fuel carbon intensity of its economy. Since 1991, China has reduced the carbon intensity of its economy faster than has the US.

In 2007 US carbon emissions per person were four times greater than carbon emissions per person in China.

Since 1990, the US has emitted 7 times more CO2 emissions per person than China.

US citizens own 26 times more private cars than Chinese citizens. All of these statistics point to the conclusion that while the US has been much more responsible for creating the problem of global warming, and our citizens have benefited the most from these actions, the Chinese are doing at least as much as the US to correct the problem.

KY GLADES FIELD TRIP REPORT, SATURDAY, OCT. 17

Dawn York, Paul Schwab, and Daniel Moss showed up for the Kentucky Glades field trip on Saturday morning Oct 17. Unfortunately Dr. Estes had a sick child and could not lead us, but the overcast day and cold temperatures would not stop this trio! Our first stop was the Logan County Glade State Nature Preserve in Russellville, KY. Dawn, who is an APSU graduate student taking field botany from Dr Estes, pointed out numerous plants in this sloping glade. Some of the highlights included St. Johnswort (*Hypericum* spp.), Aster (*Symphyotrichum* sp.), Jack-in-the-pulpit (*Arisaema triphyllum*), milkweed (*Asclepias* spp.), thoroughwort (*Eupatorium* spp.) and Fameflower (*Talinum calcareum*). Paul, who is a retired forester, identified post, black, white oak (*Quercus*) and many other tree species as we hiked around the glade/oak forest complex. We also saw some nice birds including White-throated sparrows, Golden-crowned kinglets, Ruby-crowned Kinglets, Yellow-rumped Warblers, Black-throated Green Warblers, and an American Redstart.

Our next stop was the Flat Rock Glade State Nature Preserve near Auburn, KY. After taking a few wrong turns our adventurous crew finally located the small glade in the beautiful countryside. The Flat Rock Glade name provides a good description of this more typical flatter limestone glade community. Broken glass and other trash on the glades unfortunately represent a typical un-appreciated view of these beautiful ecosystems. Dawn identified some amazing glade plants like Woolly Croton (*Croton capitatus*), Stonecrop species (*Sedum* spp.) and Spurge (*Euphorbia* spp.). Crevices in the rocky outcrops afforded places for shrubs and trees to take hold and flourish. Several of the openings still held water due to the recent rains. We noticed many fascinating slime molds, shelf-like mushrooms such as the turkey-tail and coral fungi throughout the area. The beautiful Mistflower (*Conoclinium coelestinum*) was still flowering along the woodland edge. We managed to observe many other natural phenomenon that words cannot express, but suffice it to say we were thoroughly enriched by the Kentucky glades trip!

Birds in glades:

Black Vulture	Northern Mockingbird
Red-bellied Woodpecker	Yellow-rumped Warbler
Downy Woodpecker	Black-throated Green Warbler
Blue Jay	American Redstart
Carolina Chickadee	Summer Tanager
Tufted Titmouse	Eastern Towhee
White-breasted Nuthatch	Field Sparrow
Carolina Wren	White-throated Sparrow
Golden-crowned Kinglet	Northern Cardinal
Ruby-crowned Kinglet	American Goldfinch
American Robin	

Other birds:

Great Blue Heron	Eurasian Collared-dove
Turkey Vulture	Mourning Dove
American Kestrel	American Crow
Killdeer	



Audubon

Warioto Audubon Society is a Chapter of National Audubon Society, Inc.

WARIOTO WARBLER NEWSLETTER is published nine times a year by the Warioto Chapter of the National Audubon Society, Clarksville, TN 37040. All National Audubon members in our area receive it, and nonmembers may subscribe to it at a subscription price of \$5.00 per year. Checks should be made payable to Warioto Audubon Chapter. Please notify us of any CHANGE OF ADDRESS,.

ARTICLES AND INFORMATION FOR THE DECEMBER NEWSLETTER ARE DUE 16 NOVEMBER.

MAIL TO: Steve Hamilton, 3040 Snardon Mill Rd., Allensville, KY 42204 or *hamiltonsw@apsu.edu*

NEW MEMBER FORM

Yes, I would like to become a member of the National Audubon Society and the local chapter: Clarksville Warioto Audubon Society for the introductory rate of \$20.00.

I will receive six issues of National Audubon magazine, the Warioto Audubon society newsletter (9) issues, and help to protect America's Birds, rescue endangered wildlife and preserve vital habitat.

Please Print:

Name _____

Address _____

City _____, State _____ Zip _____

Make checks payable to "National Audubon Society"

Send this coupon and your check to: National Audubon Society, P.O. Box 422250 Palm Coast, FL 32142-2250

C9ZV510Z

**WARIOTO AUDUBON SOCIETY
C/O STEVE HAMILTON, EDITOR
3040 SNARDON MILL RD.
ALLENSVILLE, KY 42204**