

# Proceedings of the Minnesota Ornithological Records Committee

Kim R. Eckert, M.O.R.C. Chairman

There was a meeting of the Committee on 8 December 1996, and the agenda included decisions on the following: four records documented only by photographs (which are difficult to circulate by mail); four recirculated records with inconclusive first-round votes (each of which requires a second-round vote at a meeting); one record of a potential first state record (which requires a vote at a meeting); one record involving a question of origin (which also requires a vote at a meeting); and the procedure for dealing with records of a recently split species (Spotted Towhee).

At this meeting, the following records were voted on and found to be Acceptable:

- Pacific Loon, 2–16 July 1996, Minneapolis, Hennepin County (photo record; *The Loon* 68:133).
- Western Tanager, 18 May 1996, International Falls, Koochiching County (photo record).
- Spotted Towhee, no date, Woodbury, Washington County (photo record).
- Eurasian Wigeon, 14 April 1996, near Etter, Goodhue County (recirculated record).
- Clark's Grebe, 8 September 1996,

Minnesota Lake, Faribault County (recirculated record).

- Pygmy Nuthatch, 26–28 October 1996, Moorhead, Clay County (identification accepted unanimously, with all ten members voting on potential first state records; see below for additional comments).

At this same meeting, the following records were voted on and found to be Unacceptable:

- Black-headed Grosbeak, late May 1996, Roseau County (photo record). There is no written description of this bird, with the only documentation consisting of photographs which are not clearly identifiable; however, they appear to be of a male Baltimore Oriole.

- Prothonotary Warbler, 15 May 1996, Robertson Park, Jackson County (recirculated record). Although the brief description is consistent with this species, it seems to refer to the species in general as found in a field guide, not to the individuals (three were reported) seen in the field. It also appears to only have been written weeks later from memory. The record is also questionable since more than one Prothonotary was reported, and since the observers did not know the species is unusual in southwestern Minnesota, having reported to have seen it there for three consecutive years.

- Tundra Swan, 30 May 1996, near Karlstad, Kittson County (recirculated record). The description of this immature swan suggests it was probably a Trumpeter Swan, since the overall plumage is described as a “light gray brown”. In late spring, one-year-old Tundra Swans are essentially white overall, while Trumpeters retain more grayish brown coloration in their plumage, as described here.

There was a discussion and vote on the probable origin of the Rock Ptarmigan seen 20 May 1996 in Grand Marais, Cook County (*The Loon* 68:79–81). On questions of origin all ten members vote, and a majority accepted it as an unqualified Accidental species: i.e., the bird was most likely a genuine wild vagrant, not an escape or release from captivity.

Another discussion was held on the status of the Spotted Towhee, which (along with the Eastern Towhee) was elevated to full species status in 1996, and the following was decided:

- 1) there are currently enough records to classify Spotted Towhee as a Regular species, but MORC will wait until the next official Minnesota checklist is drafted (December 1998) before declaring its status as Regular or Casual.

- 2) in the meantime, documentation will be requested for all current Spotted Towhee reports, and, if none is forthcoming or if the documentation is inadequate, the record will be disregarded.

- 3) all Spotted Towhee reports prior to 1996 are considered Acceptable, although documentation for any of these is also encouraged.

- 4) it is up to the discretion of the Chairman to decide whether or not a Spotted Towhee record is submitted to MORC for a vote (i.e., if the documentation is considered clearly satisfactory by the Chairman, it can be considered Acceptable without a vote).

After the identification of the Pygmy Nuthatch was accepted (see above), there was a discussion of whether or not to include it on the Minnesota list. The issue has been that the bird was only seen to enter Minnesota on a few occasions as a direct result of the use of tape recordings and/or whistled owl imitations, which attracted it across the Red River from a yard in Fargo, North Dakota. Eventually, the nuthatch was accepted to the state list as an Accidental<sub>o</sub> species — that is, a species involving a “reasonable doubt” qualification. In effect, this was a compromise vote.

Two points of view were expressed at the meeting. One opinion is the nuthatch should be included on the state list since the circumstances involved with the bird coming into Minnesota were not contrary to one set of commonly accepted listing guidelines — i.e., those of the American Birding Association (ABA). On the other hand, some are of the opinion it should be excluded because it was an unnatural

occurrence — i.e., an individual bird was specifically singled out to be attracted into the state.

The compromise involved amending the definition of the Accidental<sub>o</sub> species category, which includes “species for which there is a reasonable doubt as to the origin or wildness of the birds”. (In other words, a bird for which it is felt the chances of wild vs. captive origin are about equal — both species of whistling-ducks as well as Crested Caracara are currently on this list.) The agreement was to expand this category to include species for which there is “reasonable doubt as to their natural occurrence or arrival in the state” — i.e., a bird like the Pygmy Nuthatch. A majority of the committee then voted to accept the nuthatch as an Accidental<sub>o</sub> species; although this vote was not unanimous, it did not need to be since such votes on a bird’s origin are decided by majority vote. In effect, this means the nuthatch is now included on the state list on a qualified basis, with the (o) subscript attached.

After the December meeting, two MORC members who oppose including the Pygmy Nuthatch on the state list sent a letter to five professional ornithologists and to members of another state’s records committee requesting their opinions on how they would treat the record. Of the four members of the records committee who responded, two were in favor of including the record and two were opposed, and, at the time of this writing (20 March 1997), I am unaware of what responses have been received from the five ornithologists.

In a similar vein, the MORC Chairman sent an e-mail message in January to nine other state records committees, describing the circumstances of this record and requesting their opinions on it (the committees contacted were those for which an e-mail address could be found). E-mail responses were received from seven of them — either from individual members or from a committee as a whole. At the same time a letter about this record was also received from another state’s records

committee, and in November opinions from the chairmen of the ABA’s listing rules and birding ethics committees were also received.

In all, therefore, comments were received from members of ten committees, and the opinions have been heavily in favor of including the nuthatch on the Minnesota list — and with no need for our compromise involving the qualifying (o) subscript. Those in favor of the record are: three state records committees as a whole; the majority (5–2) of another state committee; the chairmen/secretaries of three other state committees and of the two ABA committees; and three individual members of another state committee. Other than the two dissenting votes cited above, the Chairman received no contrary opinions as a result of this inquiry.

It is MORC’s policy that a decision on any record can be reconsidered after it is voted on, and two of our members have expressed the opinion that MORC should reconsider our acceptance of the Pygmy Nuthatch as an Accidental<sub>o</sub> species. However, in light of the comments received so far from those other committees, there may be no reason to do so.

The following records were voted on by mail July–December 1996 and found to be Acceptable:

- Groove-billed Ani, 15 October 1995, Lutsen, Cook County (*The Loon* 68:172–173).
- Yellow-throated Warbler, late April–June 1996, Sibley S. P., Kandiyohi County.
- White-faced Ibis, 11–13 May 1996, Lake Augusta, Cottonwood County (*The Loon* 68:179).
- Prairie Falcon, 18 June 1996, Norman County.
- Black-legged Kittiwake, 28 September 1996, Bena, Cass County (*The Loon* 69:44).
- Louisiana Waterthrush, 6 October 1996, near Lancaster, Kittson County (*The Loon* 68:247).
- Mississippi Kite, 15 September 1992, Duluth, St. Louis County (*The Loon* 68:215–216).
- Mississippi Kite, 5 September 1993,

Duluth, St. Louis County (*The Loon* 68:215–216).

- Mississippi Kite, 9 September 1996, Duluth, St. Louis County (*The Loon* 68:215–216).

- Sabine's Gull, 20 October 1996, Ortonville, Big Stone County (*The Loon* 69:47–48).

- Pacific Loon, 21 October 1996, Duluth, St. Louis County (*The Loon* 68:244–245).

- Yellow-throated Warbler, 7–10 December 1994, Rockford, Wright County (*The Loon* 67:65–66).

- Clark's Grebe, 18 August 1996, Clear Lake, Stevens County.

- Burrowing Owl, 16–28 May 1996, Leota & Moulton Townships, Nobles & Murray counties.

- Pacific Loon, 25 October 1996, Garrison, Crow Wing County.

- Pacific Loon, 7 November 1996, White Bear Lake, Ramsey County.

- King Eider, 2 November 1996, Ray Berglund Wayside, Cook County.

- Great Black-backed Gull, 9 November 1996, Duluth, St. Louis County.

- Mew Gull, 10 November 1996, Bena, Cass County (*The Loon* 69:7–11).

- Black-legged Kittiwake, 10 November 1996, Bena, Cass County (*The Loon* 68:247).

The following records were voted on by mail July–December 1996 and found to be Unacceptable:

- Northern Waterthrush, 17 December 1995, near Austin, Mower County. The description includes mention of rusty coloration on the forehead and tail, a gray crown and eye line, pale yellow on the throat, and ground scratching behavior with the feet. None of these features is consistent with a waterthrush, and most of the Committee thought the bird was most likely a sparrow of some kind.

- Prairie Falcon, 3 January 1996, near Mountain Lake, Cottonwood County. No optics were used, the observation only lasted a few seconds, and the majority considered the documentation to be too brief and vague to be acceptable. The plumage description only includes men-

tion of sandy brown upperparts and whitish underparts.

- Western Grebe, 23 March 1996, Lake Chandler, Jackson County. The incomplete description of the plumage only mentions the birds (six individuals) being black and white with a black cap, the documentation includes no information on optics, distance or light conditions, and it appears the observer was unaware of how unusually early the date was.

- Prairie Warbler, 13 June 1996, Agram Township, Morrison County. Although the observer is familiar with the song of this species and describes well the song which was heard, the bird was only heard and never seen. Because warblers often sing aberrant songs, the majority was reluctant to accept such a record of a heard-only accidental species. For example, the Golden-winged Warbler, which would be found in the habitat described, also has a buzzy song which can vary considerably in pattern and might conceivably resemble a Prairie Warbler's.

- White Ibis, 21–23 September 1996, near Minneiska, Wabasha County. The main problem with this record is that a flock of 80–100 individuals was reported, and this fact alone strongly suggests the identification was in error. Also, both the bills and legs are described as “reddish-yellow”, which would be inconsistent with White Ibis.

- Whooping Crane, 17 September 1996, Lake Carlos State Park, Douglas County. Although the description of the two white “crane-shaped” birds with black wing tips is consistent with this species, no optics were used, and the majority felt a more definitive look and description should accompany any report of such an unusual species. In addition, the observers refer to themselves as relatively inexperienced birders, and the possibility of these being Wood Storks, White Ibis or even Sandhill Cranes (which under certain light conditions often can appear whitish overall with darker primaries) is not precluded.

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