

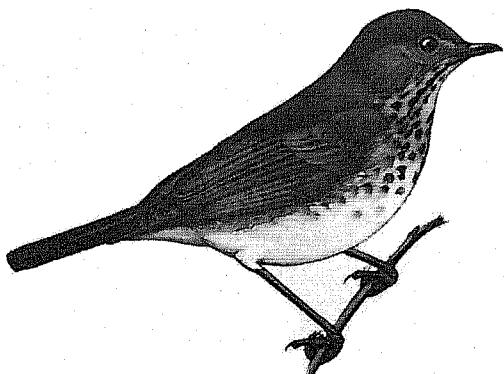
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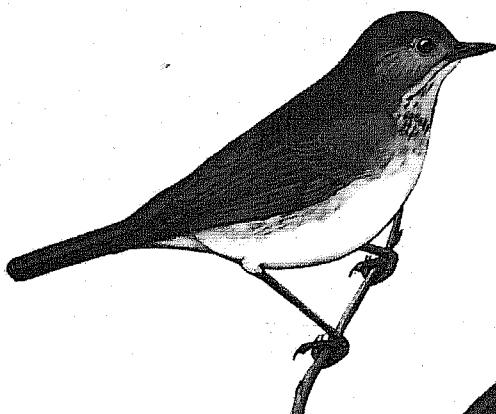
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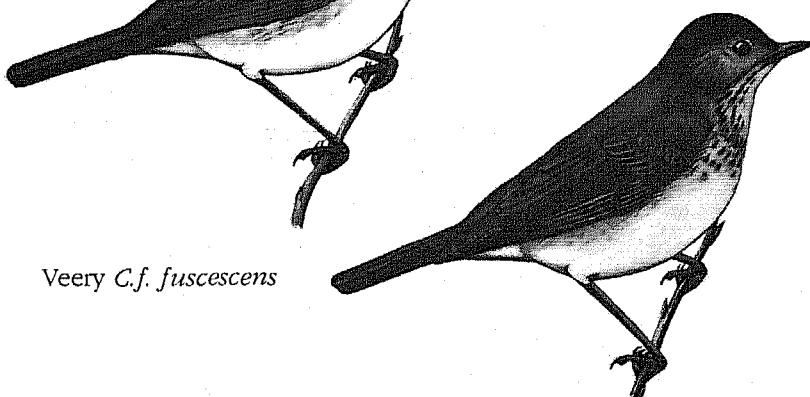


Swainson's Thrush
("Olive-backed" type)

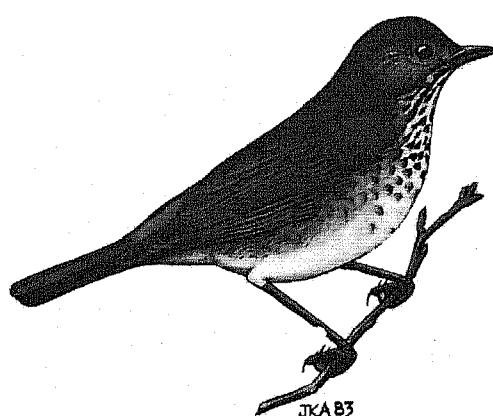
Illustration by Jonathan Alderfer



Veery *C. f. salicicola*



Veery *C. f. fuscescens*



Gray-cheeked Thrush
C. m. minimus

JKAB3

The identification of the Thrushes of the Genus *Catharus*. Part Four: Veery and Gray-cheeked Thrush

By Jon Dunn¹ and
Kimball Garrett²

Veery

It is rather amazing that a highly migratory species that breeds as close to California as eastern Oregon and eastern Arizona should be as rare as it is in California, yet to date there are only three records of Veery (*Catharus fuscescens*) accepted by the California Bird Records Committee. All of the accepted records are for fall, and two are supported by photographs. To be sure, there are many other reports of this species, but we feel that most if not all of these sightings apply to the bright coastal races of the Swainson's Thrush (*Catharus ustulatus ustulatus* and *C. u. oedicus*). Many of the reports are from easterners who are familiar only with "olive-backed" type Swainson's Thrushes. Indeed, the warmest Swainson's can actually be brighter above than the dullest Veeries (see below). For this reason, records are reviewed quite critically by the C.B.R.C. Observers who feel they might have a Veery are urged to study and recheck *all* characters before submitting a claim. Obviously, only good, prolonged views will suffice; glimpses will not!

As with the other *Catharus* Veeries show fairly distinct geographical variation, but the differences are not as pronounced as in the Swainson's or Hermit Thrushes. A key character which is consistent among all Veeries is the facial pattern. Unlike Hermit and Swainson's, there is not a complete eye ring. At most there is only a trace of a partial whitish eye ring, usually confined to the rear of the eye. The dark eye, then, stands out rather prominently on a blank face, this contrast being further enhanced by the extensive plain gray feathering around the eye, ex-

Continued next page

tending backward to the ear coverts and forward to the lores and the supra-loral area.

Of course, Veeries are primarily known by their bright rufous dorsal coloration, but, as we shall see, this varies geographically. While the underpart pattern also varies somewhat among the races, Veeries in general have faintly spotted breasts — less heavily spotted than the Pacific Coast races of Swainson's (*ustulatus* and *oedicus*) and much less so than the more eastern group (*almae* and *swainsoni*). The spots on the upper breast are rather small and are brown (rather than blackish as in *almae* and *swainsoni*), and there is an underlying buffy wash across the chest. Below this wash, the spots that are present are diffuse and are distinctly gray, rather than brown as in the Pacific Coast races of Swainson's. This carries over to the flanks as well which are distinctly gray in *all* Veeries. This is another key character, and although the flanks are often partly hidden by the folded wings, we feel that it is vital that their color be noted. They are a purer gray than in the more eastern group of Swainson's (in which they are brownish-gray), and are very different from the Pacific group of Swainson's (in which they flanks are a warm buffy-brown). This is important, because confusion is apt to occur between the drabber Veeries and these brighter coastal Swainson's. Finally, we feel that the Veery averages thinner-billed than the Swainson's, but this character needs confirmation.

The song of the Veery is a downward spiral of rich notes that have a wispy or ethereal quality to them. The call note, a descending "Veer" or "Wheew", is very different from the calls of either the Hermit or Swainson's, but is rather like the call of the Gray-cheeked.

Geographical Variation

Breeding Veeries from the deciduous woods of the eastern United States (nominate *fuscescens*) are a warm rufous-brown color above, and are brighter (and seemingly lighter) than even the brightest *ustulatus* Swainson's. They are also only very faintly spotted below. Breeding birds from Newfoundland (*C. f. fuliginosa*) are very similar to the nominate race, but are a little darker above and more heavily spotted below. Breeders in western North America (west to British Columbia and the Great Basin, *C. f. salicicola*) are much duller above than the nominate race, and are more heavily spotted below. Indeed, some *salicicola*, especially worn summer birds, are actually drabber (less rufous) above than the brighter coastal Swainson's. These very drab birds have an overall grayish cast above which one will never find in a Swainson's. If anything, the flanks of western *salicicola* Veeries are even grayer than those of their eastern counterparts. When comparing Veeries and Swainson's Thrushes, observers are urged to check the face pattern, the color of the spot on the

lower breast and the color of the flanks.

Referring to *salicicola* as the "western" race of the Veery is correct only when considering the breeding range; when they leave in the fall their migration at first takes them almost due east (as in the *almae* race of the Swainson's). They are hardly ever recorded in the southwest in migration, and indeed are almost unknown over the entire republic of Mexico (even along its east coast). "Western" type Veeries, then, are relatively common migrants over much of the eastern United States. Conversely, one should not assume that the few vagrant Veeries that are recorded in California are of the western race. As a concluding comment, while we feel it is important to be aware of the geographical variation within this species, we don't encourage assigning a subspecific identity to a bird viewed in the field, except perhaps when dealing with the extremes. If one keeps *all* of the aforementioned characters in mind, the identification of this species is not unduly difficult (but beware of those bright *ustulatus* Swainson's).

Gray-cheeked Thrush

The Gray-cheeked Thrush (*Catharus minimus*) is another exceedingly rare vagrant to California. To date there are about ten records for the state. All but one of the records are for fall, all are from northern California, and almost all are from those rocky islets off San Francisco known as the Farallones. Overall, the breeding distribution of this species is quite northerly, and it actually nests across Alaska and even into northwestern Siberia. It is strange, then, that it is so rare in California, but as with some of the other *Catharus* we have discussed (*almae* Swainson's and *salicicola* Veery) the migration path for the more westerly breeders must first take them on a largely easterly course before they head south. As with the Veery, this species should be identified with utmost caution, and records submitted from California should be backed with substantial and convincing details.

Overall the Gray-cheeked most closely resembles the *almae/swainsoni* group of the Swainson's Thrush. It can best be separated from them by the facial pattern which is identical to that of the Veery. At best there is only a trace of a partial eye ring (usually behind the eye), and the gray feathering occupies the same areas as in the Veery (auriculars, lores, and supra-loral area). Compare this with the bold buffy eye ring and supra-loral line (forming spectacles) of these Swainson's. There is no overlap in the face patterns, so an identification can always be made if the pattern is seen well. There are other differences, but all of them are subtle, and most are affected by the state of feather wear on a particular individual. Gray-cheekeds average grayer above than at least the *swainsoni* race of Swainson's (but note that *almae* is grayer than *swainsoni*), and are

less buffy across the breast and on the sides of the neck. Bear in mind that fresh fall Gray-cheekeds show some buff in these areas, and thus are more like Swainson's. Under most field lighting conditions, the flanks (and often the upperparts) of Gray-cheekeds will appear identical to those of *almae/swainsoni* Swainson's. Of course, the flank color is very different from the coastal races of Swainson's, which are buffy-brown in this region and, additionally, are much warmer (rufescent) above and more faintly marked with browner (less black) spots below. Like the Veery, the Gray-cheeked may average slightly thinner-billed than the Swainson's, but this needs additional checking.

It should certainly be mentioned that Hermit Thrushes could also be mistaken for Gray-cheekeds. The heavy black spotting across the breast (lighter in *leucophaeus* Hermits), the gray feathering in the cheeks, the lack of a supra-loral line, the gray-brown flanks, and (in some Hermit races) the grayish tones on the upperparts all combine to give the Hermit a more than superficial resemblance to a Gray-cheeked, particularly if the bird was seen in less than ideal light so that the rusty tail was not obvious. However, note the Hermit's complete and rather bold eye ring. Also watch for behaviors such as active wing and tail flicking which are so characteristic of Hermit. Also, at least in the *guttatus* group of Hermits (i.e. our normal wintering birds), they may appear distinctly smaller than Gray-cheekeds (though this difference, in the absence of direct comparisons, would require considerable experience to discern). Finally, we would suggest merely being patient until the bird comes out so that the contrasting reddish tail may be noted. If it disappears before this happens it wasn't worth reporting anyway!

The song of the Gray-cheeked is rather like that of the Veery, but tends to slur up rather than down at the end. It is of the same quality. The standard call note ("Vee-a") is very much like the note of the Veery but is higher pitched and a bit more nasal (Peterson).

Geographic Variation

Over most of its breeding range the Gray-cheeked shows very little variation. Breeding birds from the higher elevations of the mountains of New England are smaller than the nominate race and are distinctly warmer colored above and very slightly more yellowish across the breast. They have been assigned to the race *bicknelli* ("Bicknell's Thrush"). These birds bear a rather striking resemblance to some of the drabber *salicicola* Veeries. One would think that the normally rufous Veery and the much drabber Gray-cheeked would never be a problem, but at least in the above instance they are. Actually, the Gray-cheeked and the Veery are closely related, and quite similar in many respects. As previously noted, they have

identical face patterns, are similarly structured, and have very similar vocalizations. In view of its limited range and specialized habitat (mountain tops), *bicknelli* Gray-cheek is not a very numerous bird and, as such, is rarely reported as a migrant; its chances of occurring as a vagrant in California are slim indeed. Still, one might ultimately be faced with sorting between a western (*salicicola*) Veery and a *bicknelli* Gray-cheeked. In comparing these two types, note the larger, blacker, more triangular spots across the breast of *bicknelli* versus the smaller, browner, more blended spots of even the most heavily spotted Veeries. Also note that the flanks of *bicknelli* (and all Gray-cheekeds) are gray-brown, unlike the pure gray flanks of all Veeries. *Bicknelli* also shows a heavier and blacker malar line. While the color of the upperparts can be close, *bicknelli* has a more olive tone than *salicicola*; the latter is somewhat buffier across the upper chest. The latter two differences are of dubious field value, being best noticed (and then only slightly) when series of museum specimens are compared. Of all the characters given to differentiate Gray-cheekeds from the drabest Veeries, the pattern of spotting on the chest and the color of the flanks are the most useful. Keep in mind that the majority of Gray-cheekeds seen (all in many localities) will be of the nominate race *minimus* (which is more distinct from the Veery than is the *bicknelli* race).

Concluding Remarks

In tackling the identification problems of our *Catharus* thrushes, we have sought not only to give the reader specific field marks which will aid in differentiating the forms, but also to instill in the reader an appreciation of the importance of understanding geographical variation. These thrushes perhaps best exemplify a difficult group which can only be learned through a mastery of the geographical variation of the component species. Again, we stress that field identifications may be made, at best, to subspecies group (e.g. the *almae/swainsoni* group of Swainson's or the *guttatus/nanus* group of Hermits), and that such groups may merge into one another through intergradation or through intermediate, named subspecies. Any suspected rarity should be viewed carefully and critically, under the best possible lighting situations. While judicious collecting remains the best (but not always the most feasible) form of documentation, good photographs are very helpful, and extensive written details (written while the bird is being viewed) may serve as convincing documentation as well. We would encourage an examination of museum specimens to learn the characters of the species and subspecies discussed.

We have shown, in the *Catharus* thrushes, how characters such as dorsal color, flank color, breast spotting, and overall size may

vary substantially within a species; in the species discussed, face pattern remains the most geographically consistent feature. If you can look a *Catharus* in the eye, chances are you can identify the species.

Finally, we repeat that we need to learn more about the distribution of many of the races involved. For example, in the Hermit Thrush, there are two Arizona records of the distinctive boreal/eastern race *faxoni*, but it remains unrecorded in California to date. The "Monterey" Hermit Thrush, *steveni*, is now known to breed in the Santa Ynez Mountains of Santa Barbara Co. Could it also be the breeding race in the Santa Ana Mountains of Orange County? We also need to learn more about the status of our summering races of Hermit Thrush as migrants; similarly, we could use a better understanding of the status of *almae* type Swainson's here in migration.

Acknowledgments

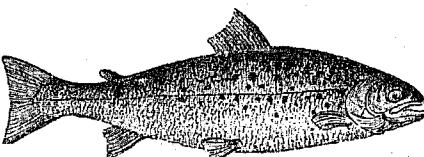
For help and access to specimens and other information we thank Eugene Cardiff (San Bernardino County Museum), Van Remsen (Museum of Zoology, Louisiana State University), and Philip Unit. Extensive use was made of the collections of the Los Angeles County Museum of Natural History and the United States National Museum. Jon Alderfer's excellent art work has greatly enhanced the value of this series. And finally, Allan Phillips' careful published analyses and cautions have been an inspiration.

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Golden Trout Workshop

Three one-week Golden Trout Workshops will be held in the Sierra July 24 through August 13, 1983. It is sponsored by members of the Pasadena, Santa Barbara, San Bernardino Valley, San Fernando Valley, and Tulare County chapters of the National Audubon Society. An informal field natural history



program, consisting of naturalist-led hikes by resident naturalists, will be offered, with visiting guest naturalists at some sessions. The Camp is located in the Golden Trout Wilderness, in the southern portion of the High Sierra, on the eastern watershed, at an altitude of 10,000 ft. For details, write or call: Mrs. Cindi McKernan, 40 Sherrill Lane, Redlands, CA 92373, 714/793-7897.

From the Editor

by Fred Heath

In my last editorial I made the mistake of mentioning that I've never yet received a negative letter since I started as the editor of the *TANAGER*. Needless to say, my mailbox at Audubon House contained not one, but three letters from people unhappy with the content of the April Fools issue.

The first letter called it "your horror-section to honor Idiot Day". This letter objected to the "torture" of birds and to make me understand compared it to torturing E.T. For the life of me, I can't figure out how an imaginary movie character relates to birds except that both can fly. The letter ended by saying birds "brutally murdered, stewed and cooked, isn't a laugh, it's a perversion." I might agree that brutal murder is a perversion, but stewing and cooking birds does not seem to fit that category, unless Colonel Sanders is a pervert.

The next letter also expressed concern about the recipes. The White-winged Dove was an actual recipe, but the writer objected because the dove is "the symbol of hope and peace". The Turkey almost became the National Bird and I know very few people who don't indulge at least one a year during Thanksgiving. The coot recipe was similar to one for wild ducks with of hope and peace". The Turkey almost became the National Bird and I know very few people who don't indulge at least one a year during Thanksgiving. The coot recipe was similar to one for wild ducks with a few modifications. However, I have seen real recipes for coot and they are consumed in the South in our country and throughout Europe. Again munching on a coot is no worse (except for the flavor) than eating a chicken or a duck. The blackbird recipe does not as this letter writer thought refer to our local Brewer's Blackbird, but to the common Blackbird (which is a thrush) found throughout Europe. In addition the recipe is a spoof on a well known nursery rhyme.

The last letter was addressed to April Fool Fred Heath. The author of the last letter was upset because of the article on the Starling. This writer described the Starling as "the iridescent mahogany colored starling with his starry night design of minitriangles on wings and back." Very poetic! I myself agree the Starling is a beautiful bird. However that introduced bird has spread throughout this country partly by displacing some of our native species. It probably played a large role in the demise of the Eastern Bluebird and the Purple Martin in the eastern half of the U.S. I have seen Starlings push both Hairy and Downy Woodpeckers out of nest cavities they had carefully excavated. Yes, Starlings are beautiful, but I'd sure like to see a few less of them and a lot more of some of

the less plentiful birds. In New York not too long ago an eradication program was successfully implemented to rid the area of the Monk Parakeet. There was much controversy at the beginning not unlike the purely fictional Starling article.

This same letter mentioned paying for a Mynah or African Gray Parrot and how a Starling taken from infancy is as good — at no cost. To me buying these birds creates a market in some of the poorer Third World countries which is hard to resist and has led to the destruction or endangerment of many species. This is certainly a worse crime than my "tasteless, heartless joke" (as the letter writer terms it) at the expense of the Starling. This letter had one more comment which suggested that the artist of the Starling pictures "could only have been under the influence of LSD." I take exception to this as the artist is my four year old daughter, Holly. I can assure you she has taken nothing stronger than Children's Tylenol.



On LSD?

One last final comment to those that didn't find the April Fools issue funny or found it objectionable. I'm sorry if I've offended you. One problem with humor is that we each find different things funny. I believed before I did the issue that most people would find it funny and I believe it now. Most of the letters I've received bear that out. To the three people that wrote negative letters, I appreciate the feedback and hope that you continue to enjoy the majority of the *TANGER* as I enjoy doing it.

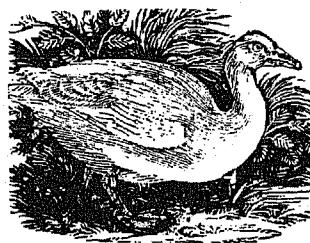
As I mentioned most of the letters I received loved the issue. One letter from a Dr. John Shrader of Dayton, Ohio noted how he now could tell the difference between a Thrush and an Egret. He also mentioned he was slightly confused by a drawing on the

Knot the Calendar page. He wondered if it might be the famous Ringed-Turtle Dove or was it the equally famous Ringed Dove Turtle. Unfortunately, I don't know and our bird expert Kimball Parrot is out studying the differences between the Common Gallinule and Common Moorhen. Dr. Schrader's letter had a short P.S. I'd like to share with you.

I thought you'd like to know (even though you said you wouldn't like to know) that I presented the gist of the Starling Removal Program to the mixed flock of American Starlings (*Sturnus vulgaris obsoletus*) and related comrades at my feeder a couple of days ago via loudspeaker (the only safe way!) The consensus was that surely in the sacred home of the Wright brothers (fathers of *all* flight) the City Council would adopt (backed by the local Audubon chapter, of course) the Wright-to-life concept. The by-then hysterical m.o.b. (including several Common Crackles) insisted that I right to you write away and lodge a formal complaint concerning this latest vulgar injustice that certain members of society are trying to inflict on these innocent "accidentals" who are really therefore American natives (they got that from the article, I'm sure). But (and you or someone will be proud of this I'm sure) I just put out some more popcorn and turned up Radio WRIN (a New Cave Music station).

Boy, is he gonna get some nasty letters.

One real positive thing did come out of this issue of the *TANGER*. The *LA Reader* a local free weekly newspaper had a little blurb about the issue. They said "Those who think of birdwatchers as a humorless lot will be surprised by this month's *Western Tanager*." The little article goes on to describe the issue and something about LAAS. Apparently a few people reading this wandered in off the street looking for that issue of the *TANGER* and to find out a bit more about the Society. It's not so bad after all.

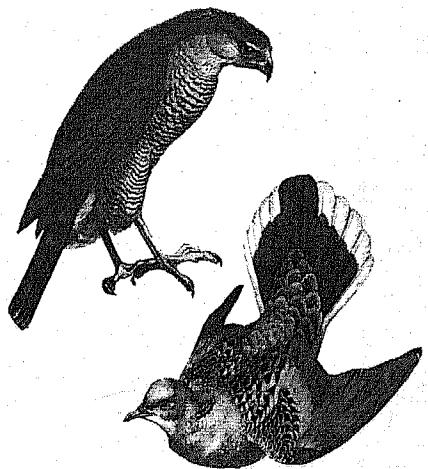


G Goose. g

Doves 'N Hawkes

by Dave Grindell

A ll European languages, save only a few marginal ones, have plenty of surnames derived from birds. Throughout the lands of Germanic, Romance or Slavic speech, as we shall see, it is all pretty much the same. The birds that have given their names may be domesticated or wild, native or exotic, plain or handsome, useful or merely ornamental; and they belong to a wide range of orders and families. The original nominee was presumably a man as proud as a peacock, as mellifluous as a



nightingale, as long-legged as a heron, as gawky as a crane, as garrulous as a jay, as spare-framed as a wren. And the feathered clan have generously granted the right to use their names to the highborn and the low, to Protestants, Catholics and Jews.

The most elementary observation is that the very word *Bird* is a common English language surname; so too, for example, is the German *Vogel*. Next, expect changes in spelling (I was about to say *plumage!*) that can cause difficulties in identification. *Byrd* is obvious enough, so is French *Loiseau*, from *l'oiseau*; but *Loisel* and *Loiselet* are at further removes. And this brings us to the matter of diminutive endings. Spanish has two words for bird: *pájaro* (mainly something like a passerine) and *ave* (the more general term). The former exists as a surname but has lost in popularity to *Pajarito*, while the latter has become *Aveilla*, which corresponds to the Italian *Uccello*, the name of a famous Florentine Renaissance painter. (Why is a 'birdlet' seen as feminine by the Spanish and masculine by the Italians?)

The fascinating subject of avian surnames is vast and various avenues of approach suggest themselves. Here we may confine ourselves to those fowl of the air that are innocent, pure, pacific and mild (in popular folklore at

least!), and those unabashedly fierce, rapacious and predatory. It is the familiar recent dichotomy of doves versus hawks.

Pigeon is shared with no difference of spelling or meaning by the English and the French. English *Dove* shows a cousinly resemblance to German *Taube*, of which *Tauber* is the male. And, as knowledgeable birders will recognize that we are now in Order *Columbiformes*, how to forget that sturdy Genovese navigator, Cristoforo *Colombo*? The beautiful Spanish word *paloma* has not, thankfully, been allowed to disappear, but is outnumbered by *Palomar*, plural *Palomares*, a place of doves, a dovecote. Now open your Los Angeles telephone directory and count the number of *Ortegas* you find! This term denotes a kind of sandgrouse, a family of ground-living dove-like birds (*Pteroclidae*), mainly Afro-Asian in distribution. Nor do the Slavic peoples yield to any others in their fondness for bird names: Russian *Kuropatka* is partridge, but Alexei Nikolaievich *Kuropatkin* (1848-1925), having been a famous general, played more the role of a hawk!

Now, if your grandmother was a *Turtle*, rest assured that there was nothing reptilian about it. Turtledove is the true identity, as in the biblical phrase "the voice of the turtle."

It says something about human nature that we have seen more to identify with in the raptors than in the columbids and their like.

To begin at the top of the hierarchy of the *Falconiformes*, English *Eagle* occurs, though sparingly. German *Adler* is used by Jews, possibly also by Gentiles. Spanish *Aguilar*, from *aguila*, occupies four columns in our L.A. telephone directory. *Hawks* and *Hawkes* clearly belong to our field of discussion, but *Hawkins* is disputable. Does the fine old English name of *Goshawk* still survive? The equally fine French name *Gerfaud* must go back to the days of falconry, since "la belle France" is too far south for the liking of the gyrfalcon. *Falconer/Falkner* (the latter spelling also German) is the professional surname of one who practiced "the sport of kings." In stark contrast, even the carrion-eating vulture has sometimes seen its name appropriated by humans: German *Geier*. *Vautour* is not acknowledged by some of the leading French authorities, but is found to exist in French Canada. The eponymous forebear was felt by his neighbors, says Monsieur Dionne, to have been "avaricious, usurious." English *Buzzard*, Dutch *Buizerd* and the like refer, however, to buteo hawks. The accipitrine hawks have manifested a powerful presence in Slavic awareness, where various terminations are added to the primal word *yastreb*: Russian *Yastrebtsu*, Polish *Jastrzemski* and many others.

The nocturnal birds of prey have hardly done well in the lands where our own language is spoken. I have seen *Owles/Oules*

recognized by only one authority on English family names, hence it must always have been fairly rare, and may not survive. Whether we can claim *Howlett* is a disputable point. But *Uil* in Holland and *Uggla* in Sweden unambiguously mean owl and occur with frequency, as friends from these countries have informed me.

Before leaving the raptors, a few more words about the falcons, those "lordly masters of heaven's blue." Indeed, a whole tome could be written on this subject. The Swedes have such poetically evocative names as *Bergenfalk* (mountain falcon) and *Nordenfalk* (falcon of the north). I once met a Portuguese Falcao. The basic Slavic term *sokol* contributes lavishly to surnames in Yugoslavia, Poland and doubtless all nations of this language family. Russian has *Sokolov* and *Sokolsky*, and Vasily Danilovich *Sokolovsky* (1897-1968) really qualifies as a hawk, having attained the rank of marshal in World War II.

In making up your own bird surname list—as I hope you will be inspired to do—you are in for many mind-tickling surprises. Why does *Diver* belong? Because this is the word the Briton uses for loon, and the family name is said to be especially common in the fen country of England. But how many Britons know nowadays that *Speight/Spate* is based on an archaic word for woodpecker? *Specht*, the present-day German term for the bird, is a surname there also.

Words are always tricky things and so here. *Thrasher* has to be thrown out because there are, in fact, no thrashers in Europe. An occupations surname, it denoted a man who threshed grain or "plied the flail," as one of our authorities put it. Nor has Dr. Chandler S. Robbins, one of the authors of the 1966 pocket *Golden Guide to the Birds of North America*, a clear claim to the avian connection since his surname might merely relate to the forename Robert.

And it can hardly be a matter of regret that some names, well attested in earlier times, seem now to be as extinct as *Archaeopteryx lithographica*. For who indeed, in our days, would care to admit an identity like Mr. or Ms. *Cuckoo*?

Dave Grindell is a retired foreign language teacher, who has travelled fairly extensively in foreign lands. He is a member of Southern California Genealogical Society and gives talks on the etymology of surnames. He would welcome letters from interested readers on avian surnames. Write: P.O. Box 8555, La Crescenta, California 91214.



Conservation Conversation

by Sandy Wohlgemuth

The Ice Queen has left the enchanted castle. Will Snow White move in and live happily ever after? No one knows, kiddies no one knows. Our hero(ine), we are told, is pure as the driven snow. The very first Administrator of the Environmental Protection Agency, William D. Ruckelshaus, created a scientific staff to fix standards to protect the nation's health and started his department off as a genuine monitor of environmental laws. Later, he established his reputation for integrity when he resigned as Deputy Attorney General after refusing to fire Archibald Cox, the special prosecutor in the Watergate scandal. He is now a senior vice-president of the Weyerhaeuser lumber company and, in testimony before the Senate, said he would disqualify himself if and when the EPA considers toxic waste dumps that his company has used. At this writing, he has not been confirmed, but all signs indicate that he's a shoo-in. So let's assume he is really Mr. Clean and will be enthusiastic about rebuilding the EPA from a crumbling ruin to the decent, effective agency it once was. The question of the year is, will he be allowed to do so?

After two years of hiding behind his cabinet members, Mr. Reagan is being revealed to the general public as the villain in the environmental melodrama. Mrs. Burford (Gorsuch) systematically attempted to destroy the



Environmental Protection Agency. She may have enjoyed her work for its own sake, but it must seem clear to all the world that she had the support of the President. What brought about her downfall was Mr. Reagan's invocation of executive privilege that prevented Congress from getting information on possible hanky-panky in the handling of toxic dump sites. His intemperate attacks on environmentalists are a clue to his deep-

down feelings about the environment. Environmental laws are a damned nuisance; they are hampering our economic recovery; they are preventing industry from making the profits that will trickle down to the rest of us. Those who are concerned about poisons in the food, carcinogens in the drinking water, lead in the air we breathe, mines in the wilderness are extremists and are probably unpatriotic. The government has no reason to own the public land and should sell it off to the private sector. The extreme free-enterprise ideology he absorbed as a highly-paid flack for General Electric has become the guiding philosophy of his Administration.

A recent case in point: three Canadian films — two on acid rain, one on nuclear fallout — were declared "foreign political propaganda" by the Internal Security Division of the Justice Department. The New York Attorney General said, "... (this is) one more attempt by the Reagan Administration to deny the reality that acid rain is causing devastating damage to the environment of the north-eastern United States and Canada ... this attempt to paint the Canadians, our friends and close allies, as propagandist on the acid rain issue is absolutely unfair and inappropriate ..." (One of the films, by the way, won the Academy Award for documentaries.)

Those of us who may think that the sordid EPA story may soften the President's approach to the environment may be in for disappointment. Mr. Watt is still with us with his flashing smile and flamboyant rhetoric, telling us what a great environmentalist he is. He boasts of his new rapport with the President, who he says has given him carte blanche in their mutual struggle with the conservation movement. And he is still the best fundraiser in the business. It is a sad commentary on public awareness that his arrogant, moralistic directive banning the aging "hard-rock" Beach Boys from the Fourth of July celebration in Washington aroused more protest than any of his environmental felonies. He seems to be in no danger of losing his job.

So what about the next EPA Administrator? Will he have any muscle to turn things around? Will he want to? We hope so. What many of us fear is that Ruckelhaus' good

reputation will be used to beguile the public into thinking that EPA is on the mend, that there is nothing to worry about any more. It is difficult to believe that the massive attack on the environmental gains of the last twenty years will be turned aside by the appointment of one man — no matter how pure in heart he is.

In his diatribe against environmentalists following the Burford resignation, Mr. Reagan said, "I sometimes think the lobbyists for the environmental interests feel that they have to keep their constituents stirred up or they might not have jobs anymore." An excellent suggestion has been made about this. If enough of us write to the President and tell him that we — as individuals — are opposed to his environmental policies, that our "paid lobbyists" are truly speaking for us, that no one is paying us for our efforts, it might scratch the monolithic surface of his consciousness. Give it a try. (Hon. Ronald Reagan, The White House, Washington, D.C.)

Attention All Birders!

The Los Angeles District of the U.S. Army Corps of Engineers is asking for your help. As most of us know, the Corps in our area has been very sensitive to environmental matters. It established excellent wildlife sanctuaries in Whittier Narrows and at Santa Fe Dam and is working hard to develop one in the Sepulveda Basin. The Corps has embarked on a new program to collect records of bird sightings in their Southern California projects and is calling on all Audubon societies to cooperate. The data will be transferred to a computerized file that will show the frequency of species and the time of year they are seen. It will be updated at intervals and will provide valuable information for environmental impact statements and recreational planning. Your reports, then, could be crucial to decisions to maintain or improve natural habitat for birds and birders.

The projects include the three projects mentioned, Hansen Dam, Lopez Dam, Mojave River Dam, Brea Dam, Fullerton Dam, Carbon Canyon Dam and Prado Dam.

If you are interested, get in touch with the Recreation Resource Management Section, U.S. Army Corps of Engineers, P.O. Box 2711, LA 90053. Or call 213-688-5635. You will be sent a postage-free Bird Sightings Data Sheet (or several if you specify) — then get out there and bird. When you return the form, if you request it, you will be sent a computer printout of the birds at any project you designate. Past sightings are equally important. We will try to have some of the Data Sheets available in Audubon House.

Birds of the Season

by Shum Suffel

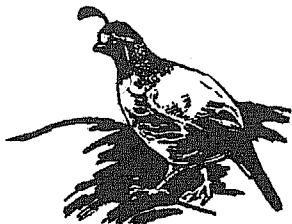
The five weeks between the writing and the reading of this report will bracket the buildup and the decline of spring migration. March and early April were disappointing for birders, as they usually are. To compound the disappointment we had a series of severe but usually brief storms with high waves, flooding, lightning, and even local tornadoes which probably slowed the birders more than the birds.

Because they are large and conspicuous, **American White Pelicans** were widely reported. They reached maximum numbers at the Salton Sea in late March, with 1500 at the north end on 1 April (Bruce Broadbooks and Bob Pann), but only 500 were there on 7 April (Harold Swanton). Also on 1 April there were about 300 on Tinnemaha Reservoir in the Owens Valley (Ben and Lois Hitz). The Owens Valley is their traditional route to their Great Basin nesting lakes. Another seventy were on Big Bear Lake (Brian Keelan, 23 March), and three or four were at Bolsa Chica (Doug Willick, 10 April). Our only report of a **Red-necked Grebe** this winter comes from Jerry Friedman at Marina del Rey on 15 March. The nest of the previously reported **Olivaceous Cormorant** at the south end of the Salton Sea (SESS) was taken over by a Double-crested Cormorant. An adult **Wood Stork** was near Whalen Lake inland from Oceanside, San Diego Co., on 26 March (Brian Keelan). Formerly Wood Storks were post-breeding visitors to the San Diego Co. coast, but they are now considered casual there.

A single **Fulvous Whistling-Duck** was at Finney Lake on 8 April (Harold Swanton). The fifty or so **Ring-necked Ducks** at the Arcadia Arboretum stayed well into April (Barbara Cohen), as did the two **Greater Scaup** at Bolsa Chica (Doug Willick). Contrary to previous statements on the lack of **Hooded Mergansers** locally, a pair wintered for the second year at a pond in San Timoteo Canyon, west of Beaumont. The latest report of Alan Craig's two **Tufted Ducks** at Lake Perris was on 23 March.

Ospreys, presumably migrants were seen at Mohave Narrows above Victorville (Rick Clements, 26 March), at Legg Lake (Jerry Johnson, 8 April), and over the Arcadia Arboretum (Jean Brandt, 29 March). An immature **Bald Eagle** found by Dan Guthrie on 3 April at SESS may have been a wanderer from the Arizona population, as was one near there in September 1977 (see Garrett and Dunn, 1981). The increase and urbanization of **Red-shouldered Hawks** is a recent phenomenon. Grinnell and Miller (1944) state "Originally common, but now greatly reduced nearly everywhere, even extirpated in some sections, due to progres-





sive human occupancy of the land." But, recently, they have adapted (even prospered) in urban areas. They are nesting in West Los Angeles (Jan Tarble) and in the Arcadia Arboretum (Barbara Cohen), and undoubtedly elsewhere; they are even invading the deserts: the Coachella Valley, near Desert Center, the Antelope Valley, etc. On the flip side of the coin is the **Swainson's Hawk** which continues to decline throughout California. The only report of migrant Swainson's was of three over Yucca Valley on 9 April (Bob McKernan). Late **Merlins** were seen in the Arcadia Arboretum on 20 March (Virginia Escher), in the Kern River Preserve the same day (Rick Hewitt), and, latest of all, in Huntington Beach on 8 April (Stu Warter). Finding **Sage Grouse** this April was not easy. Brian Keelan skied into a lek some five miles from Benton's Crossing, Inyo Co., camped in the snow, and was rewarded with 25 Sage Grouse, 28 **Sage Thrashers**, and an agonizing sunburn.

Ruffs are not the rarest shorebirds here, but somehow they always get "rave notices", as did one in the San Jacinto Valley on 11 April (Barbara Carlson). **Elegant Terns** are casual north of San Diego Co. before July, thus two at Pt. Fermin on 9 April (Jerry Johnson) and four at Bolsa Chica the next day (Doug Willick) were noteworthy. Two **Gull-billed Terns** at Salton City on 25 March (Brian Keelan) was our earliest report. A report of six **Least Terns** at San Diego Bay on 12 March would need confirmation, as the earliest previous arrival date was 8 April 1978 (Garrett and Dunn, 1981). Two **Black Skimmers** at NESS on 7 April (Harold Swanton) were very early, as they are not expected until later in the month. A **Red-throated Loon** on a large reservoir near Anaheim from 26 March to 5 April may have been the same one reported on 15 February from a reservoir about six miles further inland at Lake Perris, Riverside Co., (Alan Craig).

Although no **Western Screech-Owls** have been reported at Morongo Valley for several years, they were heard at two similar oases — Thousand Palms and Pushawalla (Bob McKernan, 9 April). In the San Gabriel Mountains **Spotted Owls** are nesting again near Switzers Picnic Area (Brian Keelan), and in San Antonio Canyon (Marti Cunningham, 12 April). One seldom-reported owl is the little **Saw-whet**. The one at Corn Springs, a palm oasis near Desert Center on 9-10 April (Arnold Small) was undoubtedly a transient.

Hummingbirds arrived en masse in late March, with five species being seen at the Arcadia Arboretum on the 24th. This included

a male **Black-chinned** (Don Sterba) which is the earliest spring record (by one day), except for one in San Diego on 17 March 1976. The earliest **Rufous Hummer** was in Altadena on 21 February (Lois Fulmer). Bill Wagner, who is studying **Costa's Hummingbirds**, had 14 nests under observation in the desert of San Diego Co.

A female **Yellow-bellied Sapsucker** of the nominate, eastern race stayed in West Los Angeles through March, a record late date for this race (Jan Tarble). A **Red-breasted Sapsucker** of the northern race (*ruber*) was found near Valyermo on 18 March (Phil Sayre and Ed Navojosky). Despite the scarcity of **Lewis' Woodpeckers** this past winter, three were found in the mountains of San Diego Co. on 26 March (Brian Keelan).

Early reports of **Empidonax flycatchers** were mostly of **Westerns** and of **Hammond's**. Flycatchers at Yaqui Wells, San Diego Co., on 10 April (Bill Wagner) included those two species plus two **Gray Flycatchers**, four **Ash-throateds**, and twelve **Western Kingbirds**. According to Doug Willick, the **Thick-billed Kingbird** was still being seen in early April, but the **Eastern Phoebe** in Serrano Park, Orange Co., since 12 December, was last seen on 8 March (Larry Norris).

Steller's Jays are quite rare in the lowlands, and increasingly so away from the foothills. Thus, Gail Warwick was surprised to find one at her feeder in the Silver Lake area, about ten miles from the nearest mountains. A card from Harold Ericsson tells of a **Verdin** at Indian Ranch at the north end of the Panamint Valley, forty miles west of Furnace Creek Ranch, on 2 April. The **Rufous-backed Robin** was still in the Newport High Ecology Park in mid-April, but it had moved downstream after its preferred toyon berries were consumed.

Migrant western vireos and warblers increased during early April, particularly on the southern deserts. As an example, on 10 April Bill Wagner had seven species of warblers near Yaqui Wells, including 25 **Nashvilles** and 5 **MacGillivray's**. Coastally, **Orange-crowned**, **Black-throated Grays**, and **Wilson's** were widely reported. Bob Van Meter found the trees alive with migrants at the Newport High Ecology Park on 9 April, but most left when a sudden squall darkened the sky. The **Virginia's Warbler** there was still present in early April. Of special interest were two pairs of **Lucy's Warblers** building nests at Morongo on 9 April (Bob McKernan), and the return of Lucy's to Tecopa on 20 March (Jan Tarble) and Furnace Creek Ranch by 3 April (Sally Pearce). A male **Summer Tanager** on Bonsall Dr., Zuma Beach, on 31 March (Art and Jan Cupples) was late for a winter bird, but too early for a migrant. This species is "Unrecorded (coastally) 13 April-17 May" (Garrett and Dunn).

The only place in California where

Northern Cardinals are considered to be wild birds is along the Colorado River; there, their preferred mesquite habitat is rapidly being bulldozed for recreational use. Recently, when an unspoiled spot with cardinals was found, local birders — the Cupples, Clarkes, *et al* — made the long trek and all were successful. **Black-headed Grosbeaks** arrived on schedule, with the first report on 28 March; by 6 April there were 14 grosbeaks and a male **Lazuli Bunting** in Santiago Oaks Park, east of the city of Orange (Doug Willick). This has not been a good winter locally for **White-throated** and **Harris' Sparrows**, but the White-throat was refound by Doug Willick in Serrano Park on 20 March and the Harris's Sparrow discovered on the Lancaster Christmas Count was refound by Fred Heath on 27 March. Further afield, a White-throated Sparrow and a Harris' Sparrow were in Hart Park, Bakersfield in late February (Mark Chichester).

Jean Brandt's pair of **Hooded Orioles** arrived in Encino a little late on 20 March but **Northern ("Bullock's") Orioles** were widely reported before then. Five **Scott's Orioles** in Covington Park, Morongo Valley, on 19 February (Florence Bennett) were so early they must have been wintering birds. Another Scott's was in Apple Valley on 23 March (Brian Keelan). **Lawrence's Goldfinches** returned to Lime Kiln Canyon, Northridge, on schedule (Carolyn Smith, 21 March); they were quite common in upper Big Sycamore Canyon on 9-10 April (Kimball Garrett). Charlie Collins caught and banded 42 **Rosy Finches** at Aspendell (8600', outside Bishop) on 31 March. Leonard Shelton writes that introduced, but long established **House Finches** in Washington DC "have already developed a somewhat different pattern (to their song) than the one we hear in southern California".

June is a month for winding down after the excitement of spring migration. True, there is a chance for a rare vagrant early in the month, but mostly it gives us a chance to get reacquainted with our local mountains. In the San Gabriels — Charlton, Chilao, and Buckhorn provide breeding mountain birds, and a late afternoon/early evening hike up Santa Anita Canyon should provide Dippers along the stream, Black Swifts at the falls, and a chance for owls on the return. In the San Bernardino — there are Black Swifts above Fallsville, Whip-poor-wills below Camp Angelus, Common Nighthawks near Baldwin Lake, Hepatic Tanagers and Calliope Hummingbirds at Arrastré Creek, and Gray Flycatchers and Gray Vireos at and beyond Rose Mine Pass. In the San Jacintos — try for Purple Martins, Spotted and Saw-whet Owls at Lake Fulmor, Black Swifts along the south fork of the San Jacinto River, and Pinyon Jays at Hurkey Creek Campground.

There's no need to be idle if you cover all these bird-rich mountains, mountains which we are so fortunate to have easily available.



CALENDAR

SATURDAY, JUNE 4 — David Koeppel will lead trip to Mt. Pinos. Meet at 7:30 a.m. in the large parking lot at the foot of the dirt road leading up to Mt. Pinos. You may call Dave at 478-8659 for further information, if needed.

SUNDAY, JUNE 5 — Mary Carmona will lead a field trip to **Hansen Dam Park and Tujunga Wash**. Meet at 8:00 a.m. on the north side of Foothill Blvd. by the bridge over Tujunga Wash, two miles west of Sunland. Call Mary at 222-5855 after 6 p.m. for further information.

MONDAY, JUNE 6 — Allan Keller will lead a trip to **Chatsworth Park South**. Meet at 8:00 a.m. Go West on Devonshire from Topanga Canyon Blvd. (off Ventura Fwy). Enter gate and park by recreation center.

TUESDAY, JUNE 14 — 8:00 p.m. — Evening meeting, **Paul Meister, President of L.A. Oceanic Society**, will present, "Monitoring undersea life along Palos Verdes Peninsula." Don't miss this special event!

SATURDAY & SUNDAY, JUNE 25 & 26 — Join the fun this week-end birding the **South Fork of the Kern River with Bob Barnes**. Yellow Billed Cuckoo census Sat. morn., trips to Lake Isabella, Green Horn Mtns. and local Sequoia Park hot spots for the rest of the week-end. Accommodations available at Kernville, or, camping spots available. Mini-bus will be arranged, if sufficient interest. Call Ian Austin for further information. (Day 879-9700/Evening 452-3318)

SUNDAY, JULY 10 — Kimball Garrett will lead a trip to **Big Bear** and vicinity. Meet at the **Big Bear Dam** at 7:00 a.m. along Hwy. 18 at the west end of the lake. Will be looking for mountain specialties.

SUNDAY, JULY 31 — **Annual Picnic**. Will be held at **Charleton Flats** this year. There will be a morning birdwalk at 8:00 a.m. led by Fred Heath. Look for further information in the July Tanager or call Audubon House at 867-0202.



Call tape the Thursday before all scheduled trips for changes or verification.

NOTE: All evening meetings are held in the large meeting room on the south side of Plummer Park.

Address Change — Many members who move, complain about missing an issue or two of the *TANAGER*. To avoid this, subscribers should notify Los Angeles Audubon Society directly. It takes several weeks for National Audubon to notify LAAS if you only pass your change of address to them.

Leaders Needed

We need people to lead field trips. Do you have a favorite birding locale? You don't have to be an "expert" to show other birders, especially beginners, a few nice looks at some of our common species. Your trip doesn't even have to be long . . . you can opt for a short morning excursion. Call our Field Trip Coordinator—**Ian Austin** to make arrangements (Day 879-9700, Evening 452-3318).

Audubon Bird Reports:

<i>Los Angeles</i>	(213) 874-1318
<i>Santa Barbara</i>	(805) 964-8240

Los Angeles Audubon Headquarters, Library, Bookstore and Nature Museum are located at Audubon House, Plummer Park, 7377 Santa Monica Blvd., Los Angeles, CA 90046. Telephone: (213) 876-0202. Hours: 10-3, Tuesday through Saturday.

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Subscriptions to THE WESTERN TANAGER separately are \$8 per year (Bulk Rate) or \$13 (First Class, mailed in an envelope). To subscribe, make checks payable to Los Angeles Audubon Society.

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Pelagic Trips

LAAS Sponsored

SUNDAY, AUGUST 7 — 6:00 a.m. - 6:00 p.m. Kimball Garrett and Louis Bevier will lead this trip aboard the "Vantuna" from San Pedro to **Santa Barbara Island** and out to sea. Cost is \$20 and there are 44 spaces available.

SUNDAY, SEPT. 18 — 5:30 a.m. - 6:00 p.m. **Arnold Small and Olga Clarke** will lead this trip from San Pedro to **San Clemente Island**. Cost is \$24 and 44 spaces are available. Birds to be looked for are Red-billed Tropic bird, Long-tailed Jaeger (rare), Pomarine Jaeger, Blk-vented Shearwater, Flesh-footed Shearwater (rare), Pink-footed Shearwater, Sooty Shearwater, Buller's Shearwater, Least, Leach's, Ashy and Black Storm-Petrels, Sabines Gull and many more.

If you are interested in these LAAS Pelagic Trips, please note: Car pool if possible, as parking is limited. Bring lunch and popcorn, etc. for chum. **Send your reservations** with the names and telephone numbers of all members of your party along with a **stamped, self-addressed envelope to:**

Reservations c/o Ruth Lohr
Los Angeles Audubon Society
7377 Santa Monica Blvd.
Los Angles, CA 90046

Cancellations must be made a minimum of two weeks before a scheduled trip to receive a full refund.

Shearwater Trips

Debra Love Shearwater runs a series of regular pelagic trips out of Monterey and Morro Bay. The following is a list of upcoming scheduled trips from Monterey Bay:

July 30	Monterey Seavalley/	\$35
	Leader to be announced	
August 13	Monterey Seavalley/	\$35
	Leader to be announced	
August 20	Cordell Banks and Beyond/	\$36
	Leader to be announced	
August 27	Monterey Bay/	\$25
	Leader to be announced	

Reservations are made by sending a check payable to Debra, with a self-addressed, stamped envelope to:

Debra Love Shearwater
362 Lee Street
Santa Cruz, CA 95060
(408) 425-8111

A detailed brochure is available which describes these 1983 pelagic trips. Write or call Debra for further information.

Los Angeles Audubon Society
7377 Santa Monica Blvd.
Los Angeles, CA 90046

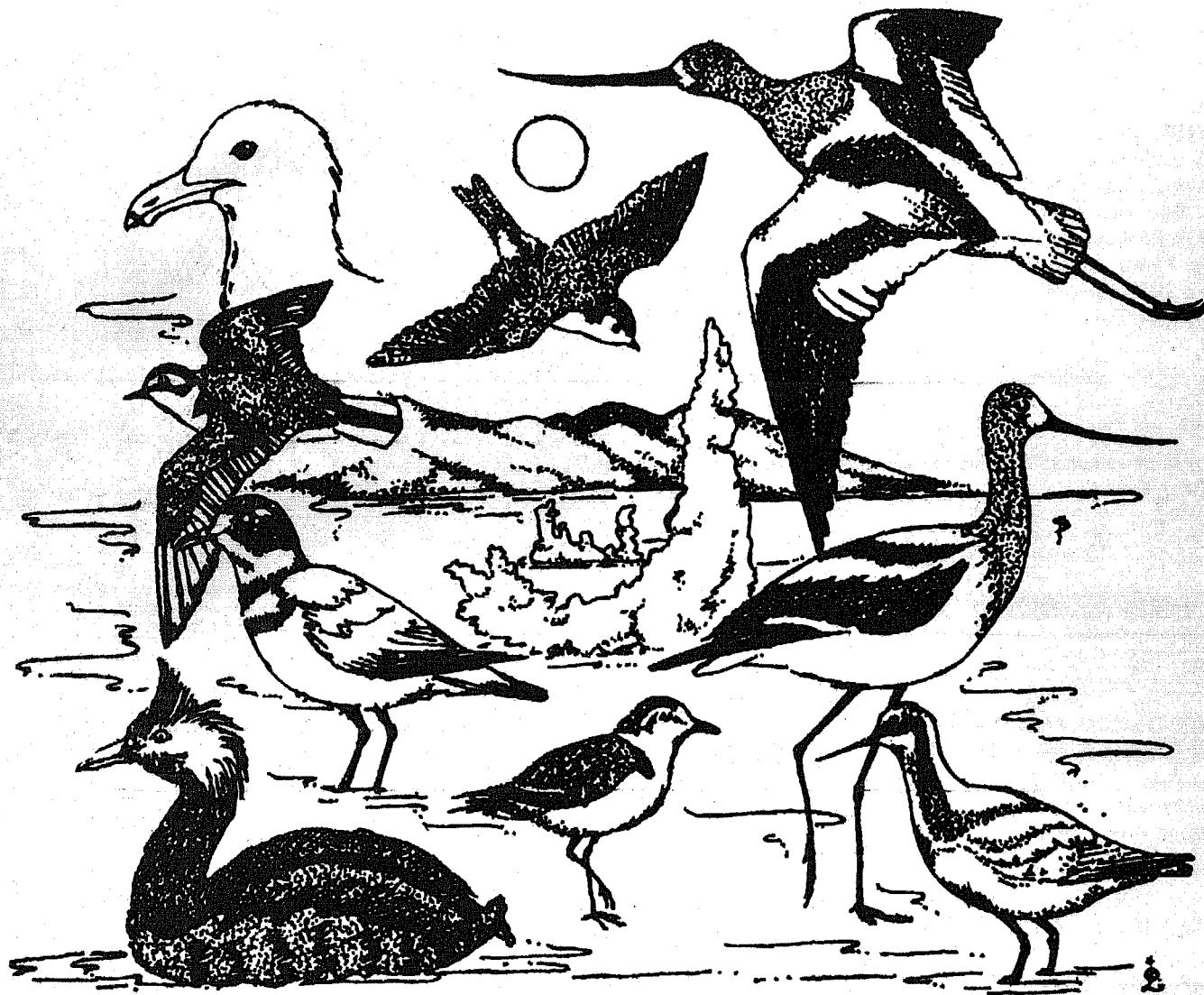
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THE MONO LAKE NEWSLETTER

Spring 1983 Vol. 5, No. 4



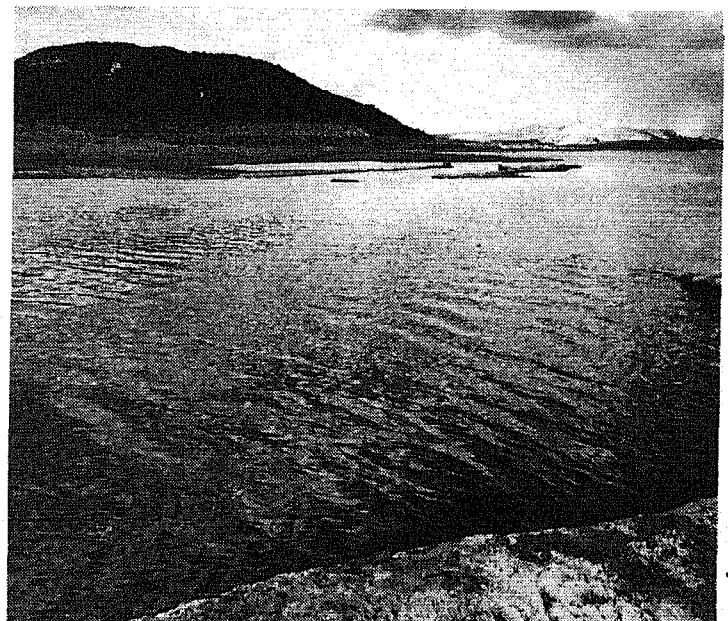
**Negit Reborn
Supreme Court Victory
National Monument Hearing**

THE MONO LAKE NEWSLETTER

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ON THE COVER: It's spring, and birds flock along Mono's shores while brine shrimp dance in its waters. Depicted on our cover are, clockwise from upper left, California Gull, Violet-green Swallow, American Avocets (in flight and on shore), Wilson's Phalarope, Snowy Plover, Eared Grebe, Killdeer and Snowy Plover in flight. This drawing, by Nevada City artist Lauren Davis, is available on an attractive notecard (see back cover).

Negit is an island again! The rising lake has flooded the landbridge to a depth of at least half a foot.



Larry Fink

The Mono Lake Committee

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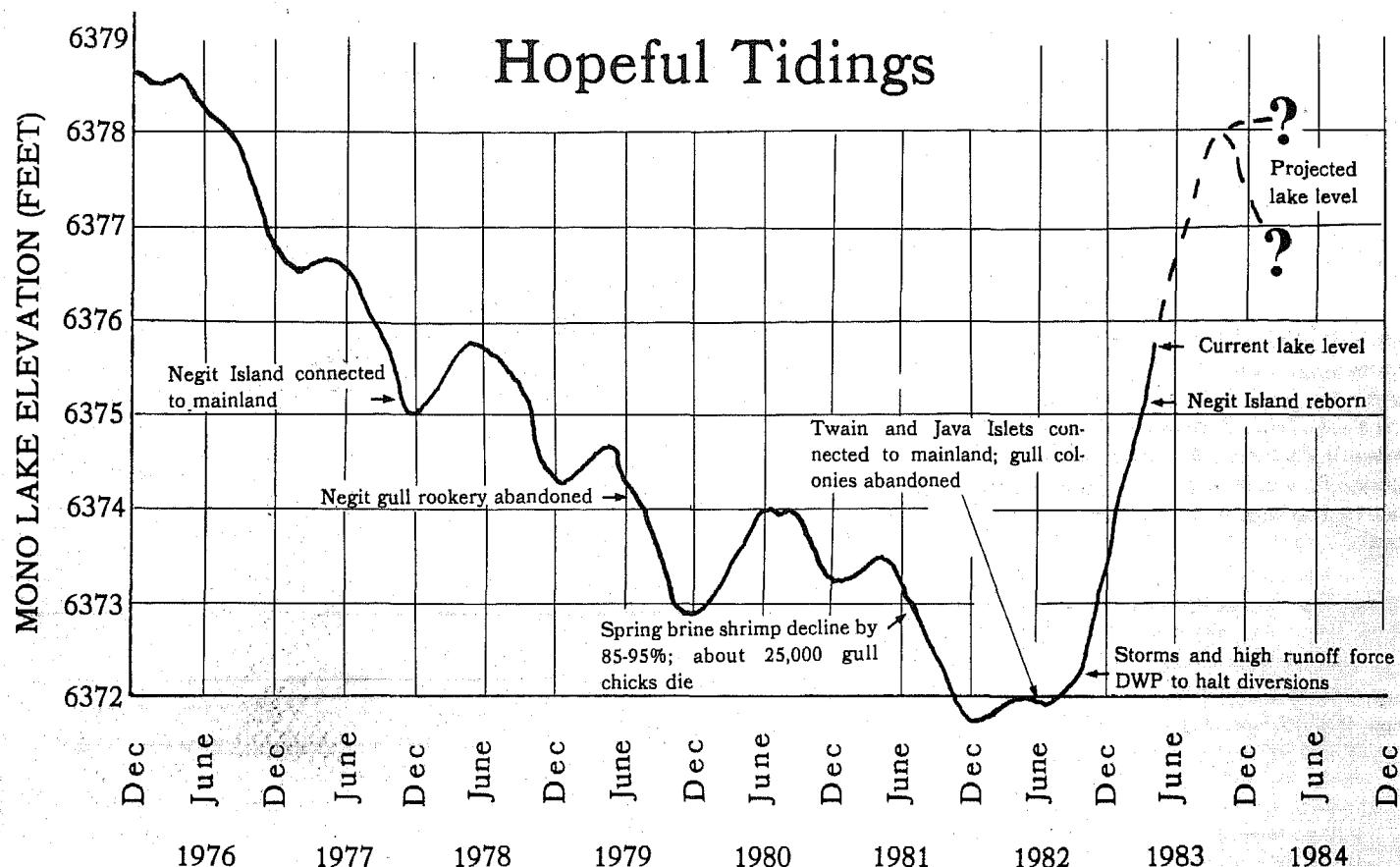
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THE MONO LAKE COALITION

*Friends of the Earth, Friends of the River,
Golden Gate Audubon Society, Mono Lake Committee, Sierra Club*

Mono Lakewatch

Hopeful Tidings



In early March, as we shovelled snow from the Information Center, gulls returned to Mono Lake. Circling over the wintry landscape, they saw the rising water flooding shoreline vegetation and creeping across the Negit Island landbridge.

By April, Mono Lake had risen to 6375.6 feet, its highest elevation in 4 1/2 years. A channel 40 yards wide and a foot in depth flooded the landbridge between Negit and the mainland. Hopefully gulls will return to raise their young among the lava and greasewood.

While gulls squabble over real estate, Mono Lake continues to rise. Every day 500 to 600 acre-feet of water rushes past the diversion dams. Since September of last year, the Los Angeles Department of Water and Power (DWP) has not been able to divert a drop. By mid-summer, the lake will reach about 6378 feet, its July, 1976 elevation.

Mother Nature has granted Mono Lake a stay of execution. For the second consecutive year, there is more runoff than DWP's aqueduct can handle.

Nature's generosity could not have been timelier. Since 1978, gulls have abandoned rookeries on Negit, Twain and Java Islands, estimated numbers of fledgling gull chicks have fallen from 27,000 to less than 4,000, and spring brine shrimp have declined by 85-95 percent. Mono Lake's ecosystem was tottering on the brink of disaster.

Now the tide is finally turning. In February, an ecstatic

phone call told of our landmark victory in the California Supreme Court (p. 4). In March, a Congressional subcommittee came to Lee Vining to hold a hearing on the national monument proposal (p. 7).

There is still a long road ahead. DWP will fight every inch of the way. It has yet to relinquish any water it could otherwise divert. Later this year, it will again tap into Mono's tributary streams, and the lake will resume its descent toward oblivion.

Thanks to Mother Nature, Mono Lake is still alive. It's up to us to muster the strength and support to assure her survival.

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Crucial Court Victory For Mono Lake

Public Trust Holds Water

The California Supreme Court has come to the aid of Mono Lake with a landmark decision that reaffirms the public interest in protecting natural resources.

In a 5-1 opinion handed down February 17th, the high court ruled that Mono Lake's defenders can "rely on the public trust doctrine in seeking reconsideration of the allocation of the waters of Mono Basin," and need not "exhaust the administrative remedies" by appealing to the California Water Resources Control Board. The lone dissenter, Justice Frank Richardson, concurred on the public trust, but argued that the case should be brought before the Water Board.

The long-awaited decision overturns a 1981 Superior Court ruling, clearing the way for a trial in federal court.

It has been four long years since the Mono Lake Committee joined the National Audubon Society, Friends of the Earth, the Los Angeles Audubon Society and four Mono Basin landowners in a lawsuit against the Los Angeles Department of Water and Power (DWP).

In a succinct, 64-page opinion, the Supreme Court finally agreed that the public trust mandated reconsideration of DWP's Mono Basin diversions and their impact on Mono Lake:

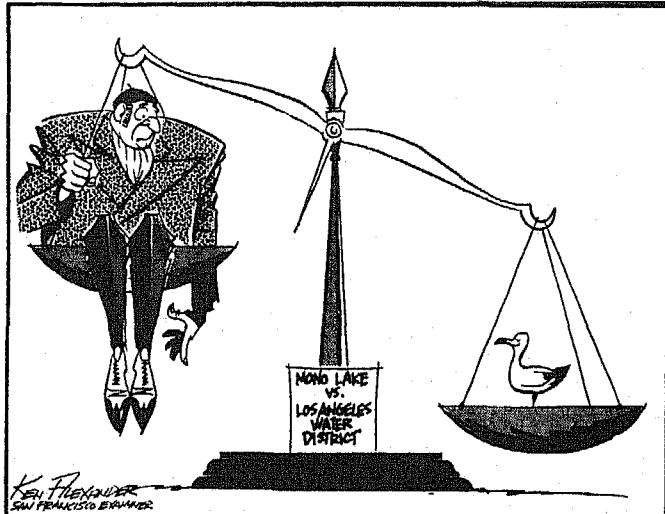
No responsible body has ever determined the impact of diverting the entire flow of the Mono Lake tributaries into the Los Angeles Aqueduct. This is not a case in which the Legislature, the Water Board, or any judicial body has determined that the needs of Los Angeles outweigh the needs of the Mono Basin, that the benefit gained is worth the price. Neither has any responsible body determined whether some lesser taking would better balance the diverse interests. Instead, the DWP acquired rights to the entire flow in 1940 from a water board which believed it lacked both the power and the duty to protect the Mono Lake environment, and continues to exercise those rights in apparent disregard for the resulting damage to the scenery, ecology, and human uses of Mono Lake... It is clear that some responsible body ought to reconsider the allocation of the waters of the Mono Basin.

As a result of this decision, courtwatchers believe the DWP will eventually have to relinquish at least some of the water it now diverts from Mono Lake's tributary streams. "The scales determining what is done with Mono's waters have never had environmental values placed on them," commented Palmer Madden, one of the attorneys for the plaintiffs. "When these values are placed on the scales, Los Angeles is going to lose."

Writing for the majority, Justice Allen E. Broussard called Mono Lake a "scenic and ecological treasure of national significance... The lake's recession obviously diminishes its value as an economic, recreational and scenic resource... Continued diversions threaten to turn it into a desert wasteland..."

On the other side, the Supreme Court recognized "the substantial concerns" of Los Angeles- "the city's need for water, its reliance upon the 1940 board decision, the cost both in terms of money and environmental impact of obtaining water elsewhere... Such concerns must enter into any allocation decision."

In sum, the court ruled that the public trust obligates the state to protect places like Mono Lake "as far as feasible," even if this means reconsidering past water allocations. However the court also reaffirmed the state's right to allocate water in ways that "unavoidably harm" public trust values, if no reasonable alter-



Cartoon by Ken Alexander, reprinted with permission of the San Francisco Examiner.

natives exist:

The prosperity and habitability of much of this state requires the diversion of great quantities of water... The state must have the power to grant... rights to appropriate water even if diversions harm public trust uses. Approval of such diversion without considering public trust values, however, may result in needless destruction of those values. Accordingly, we believe that before state courts and agencies approve water diversions they should consider the effect of such diversions upon interests protected by the public trust, and attempt, so far as feasible, to avoid or minimize any harm to those interests.

The Public Trust: Ancient Doctrine Comes Of Age

The California Supreme Court's landmark interpretation of the public trust goes beyond raising hopes for saving Mono Lake. It affirms, in the words of Justice Broussard, "the duty of the state to protect the people's common heritage of streams, lakes, marshlands and tidelands."

Why do our waterways need protecting? Because, until this ruling, the state did not give sufficient weight to environmental impacts when granting permits and licenses to water appropriators. In fact, the Water Resources Control Board maintained it was hampered from considering such impacts by a 1921 amendment to the Water Commission Act of 1913, which declared it "the established policy of this state that the use of water for domestic purposes is the highest use of water," and by Article X, Section 2 of the California Constitution, which states that water resources "be put to beneficial use to the fullest extent of which they are capable."

For example, in granting diversion permits to Los Angeles in 1940, the Water Board explained that "it is indeed unfortunate that the City's proposed development will result in decreasing

Editorial Comment On The Supreme Court Decision

There is, finally, one certainty in the long controversy over Los Angeles' right to capture a significant part of its water supply from streams flowing into Mono Lake... The City will no longer be able to take as much as it wants, but only as much as the courts will let it have...

The ruling... emphasizes that major population centers in the state rely heavily on water from distant sources, and that the state could approve allocations harmful to the public trust as a "practical necessity"... We hope that other courts... would respect the Supreme Court's directive that the needs of the city be taken into consideration...

...Los Angeles Times

Clearly something has to give in the 10-year dispute over the diversion of water from the Mono Lake Basin for use in Los Angeles...

Given the scenic and ecological treasures of the basin, we support a reduction in water imports... A balanced solution would call for somewhat more than a 50 percent reduction in water imported from the Mono Basin in all but emergency drought years in Southern California, at which time Los Angeles could take its full allotment. That would allow a very slow buildup of Mono Lake, perhaps taking 40 to 50 years.

The cost -- after accounting for conservation savings -- would total no more than several dollars a year per resident... L.A. can live with that...

...Los Angeles Herald Examiner

It was predictable that eventually the court would rule that environmental damage must be weighed in the judicial scales whenever one region of the state exploits another region's water sources...

Southern California has received a clear message from the court. It is: Develop water resources on the west side of the Sierra without damage to the environment, and do it with all deliberate speed, because your resources on the east side of the mountains are environmentally sensitive and may no longer be available to you.

...San Diego Evening Tribune

the aesthetic advantages of Mono Basin, but there is apparently nothing that this office can do to prevent it... The use to which the City proposes to put the water... is defined by the Water Commission Act as the highest to which water may be applied..."

Obviously such a policy needs reform. It cannot be in the public interest to simply kiss good-bye to Mono and other lakes and streams.

With the California Supreme Court ruling, an ancient and venerable legal doctrine rises to the defense. The "public trust" may be traced to the sixth century Codes of Justinian, which state that "by the law of nature these things are common to mankind--the air, running water, the sea and consequently the shores of the sea." From this Roman origin, English common law evolved the concept that the sovereign owns "all of its navigable waterways and the lands lying beneath them as trustee of a public trust for the benefit of the people."

The California judiciary, from its earliest days, recognized and invoked the public trust to protect commerce and fishing on navigable waters. In 1971, the state supreme court extended the

This new water doctrine has become necessary, we think, to defend water sources that are being exploited to the point of extinction. But we must hope that implementing decisions by lower courts will not lose sight of the Mono Lake decision's higher priority to human requirements over environmental considerations...

...San Diego Union

This is... a breakthrough in California water law that may go far beyond the Mono Lake controversy... It foretells increased environmentalist clout in water matters: the various canal proposals for the Delta region, for one; the wild and scenic rivers of the North for another...

The distribution of California's water resources, by its very nature, remains as disputatious as ever, but at least a much-clarified set of rules has been laid down.

...San Francisco Examiner

It is ironic that Los Angeles brought on the court's adverse ruling by a policy of brinksmanship. For years now, the city has refused to compromise with environmentalists who have tried to get the city to reduce water imports enough to allow the lake level to rise 10 to 15 feet. There was no attempt to stop all Mono Lake diversions. The city would not agree to this moderate request and the suit resulted...

What is apparent is that Los Angeles needs a prod to find a less environmentally damaging source of water. It has that prod now in the Supreme Court ruling.

...Modesto Bee

By establishing a special obligation to consider the environment... the court merely insured that this obligation would persist, no matter how the Legislature changed the laws and no matter how the board chose to interpret them...

The court's decision is neither the invitation to chaos nor the abdication of responsibility that its critics contend. Water rights decision-making will never be easy, and the court has not made it any easier. But it has improved the process immeasurably by insuring that when a decision turns out to be hopelessly wrong, it can be changed.

...Sacramento Bee

trust obligation to the preservation of tidelands as "ecological units for scientific study, as open space, as environments which provide food and habitat for birds and marine life, and which favorably affect the scenery and climate of the area" (*Marks vs. Whitney, 1971*).

With the Mono Lake ruling, the public trust assumes new and greater potency. First, the high court extended the trust to the non-navigable tributaries of navigable waterways. Second, and most importantly, it affirmed the state's power to invoke the trust to revoke previously granted rights, and to enforce the public trust against lands long thought free of its influence.

Time will tell if the public trust can fulfill its promise of "greening" California's water policy.

To obtain a copy of the California Supreme Court's decision, please contact the Mono Lake Committee (P.O. Box 29, Lee Vining, CA 93541). It is an eloquent, inspiring document, destined to become a classic of environmental law.

Behind The Lawsuit: A Special Friend

by Ken LaJoie

Mono Lake is fortunate to have many friends, people who care and unselfishly contributing time and effort to the ongoing effort to save the lake. But, for the past nine years, Mono Lake has had a very special friend, a person few people have ever heard of. This special friend is Tim Such, who has devoted all of his time and energy to developing the legal arguments supporting the public trust doctrine that persuaded the California Supreme Court to rule in Mono Lake's behalf.

Little did Tim expect in 1974 that his term project for an environmental studies class at U.C. Berkeley would expand and become the foundation of a legal decision that has implications far broader than saving Mono Lake. Also there was no way that Tim could anticipate that he would drop out of school and devote so much of his time and energy for the next nine years to the difficult struggle on Mono's behalf. Fortunately, both for Mono Lake and environmental law in general, Tim's affront at the effects of DWP's diversions was matched by his tenacious resolve to do something about it, and by a particularly keen legal instinct that led him to the basic principles at the root of the problem. For years, while living hand to mouth and working part time as a private investigator or as a shelver of books, Tim spent 12-hour days in the Stanford and Berkeley law school libraries researching the legal background of the public trust doctrine, which he traced back to Roman law and English common law.

In 1978, Tim helped convince the prestigious San Francisco

law firm of Morrison and Foerster to come to Mono Lake's defense. Morrison and Foerster contributed \$250,000 in pro bono legal time, and the National Audubon Society and Mono Lake Committee agreed to cover other expenses, including enough financial support to free Tim of the burden of scratching for nickles and dimes to buy a cup of coffee or fix a flat on his bike.

Tim acknowledges a great debt to Tony Rossman and especially Palmer Madden, two professional environmental lawyers who provided encouragement and guidance. Rossman broadened Tim's legal perspective, while Madden supported the "public trust" theory and developed the legal structure in which the case could be presented. Madden and attorney Bruce Dodge artfully presented the case before the California Supreme Court.

But it was Tim's hard work and dedication that laid the philosophical foundation for the legal arguments that carried the day. Fortunately for Mono Lake, his nine years of sacrifice paid off. The friends of Mono Lake extend a heartfelt thanks to Tim for his unselfish dedication.

Ken LaJoie, a geologist with the United States Geological Survey, is another of Mono's unknown friends. In 1974, he came to the lake's aid by organizing the Sierra Club's Mono Lake Task Force. During the succeeding years, he worked closely with Tim Such in developing a legal defense.

Mono Loses Legislative Friend

Mono Lake lost a powerful friend with the death of Congressman Phil Burton of San Francisco April 9th. A co-sponsor of the national monument legislation, Burton was an effective champion of environmental causes. He will be missed.

Audubon Societies Keep Lawsuit Afloat

Mono Lake's friends owe a deep debt of gratitude to the National Audubon Society for continuing to support and fund the public trust lawsuit. Over the past four years, Audubon has raised about \$200,000 for Mono's legal defense. Over half has come from local Audubon chapters, including Los Angeles, Central Sierra, El Dorado, Fresno, Golden Gate, Madrone, Monterey, Marin, Mt. Diablo, Ohlone, Pasadena, Redwood Region, Rogue Valley (Oregon), Santa Barbara, Santa Clara Valley, Santa Monica Bay, Sea and Sage, Sequoia and many others. Special thanks go to Audubon board member George Peyton, who has labored tirelessly on behalf of the lawsuit and Mono Lake's survival.

Mono in the Media

During the winter months, Mono Lake made big splashes in state, national and even international media.

The California Supreme Court decision made the front page of the Los Angeles Times, the San Francisco Examiner and most other California newspapers, and received extensive television and radio coverage as well. A round of features and editorials followed.

Lehman's national monument bill fared almost as well, with broad coverage of its introduction and the Lee Vining hearing.

Feature articles with stunning color photographs graced the pages of the January/February issue of *National Parks* magazine and the March/April issue of *Sierra*.

A prime time television documentary focused on Mono Lake in West Germany! The hour-long program on California water was very well received in Europe, raising international awareness of Mono's plight.

Even popular fiction and a restaurant review mentioned Mono. In Larry Niven and Jerry Pournelle's *Oath of Fealty*, the lake is saved when a giant iceberg is towed into Santa Monica Bay. "If all the watery chili in town were banned," opined the L.A. Times, "Mono Lake might be saved."

Lehman Revives Monument Hopes

Lee Vining Hearing

"My mission is to protect Mono Lake," Congressman Richard H. Lehman told over 200 people at a congressional hearing in Lee Vining on March 29th. "It is time to take a small step toward recognizing a rare geological and historic landscape by giving it national monument status."

Lehman (D-Sanger), whose district includes Mono Lake, introduced H.R. 1341 to create a Mono Lake National Monument on February 8, 1983. Among 19 co-sponsors was Congressman Norman Shumway (R-Stockton), who had pressed for similar legislation in the last congress. H.R. 1341, like the earlier Shumway bills, would establish a national monument on federal lands around Mono Lake, and authorize studies on wildlife and water use. Lehman's proposal differs in calling for forest service rather

employs 30-40 people and extracts about 10,000 tons of pumice from the Mono Craters each year, feared it would be "paper-worked to death" with environmental impact reports. Jeff Hansen, a north shore resident and staunch supporter of saving Mono Lake, expressed concern that Lehman's bill will not protect his land from "eventual confiscation" by the government.

A few locals condemned a Mono Lake National Monument outright, contending the federal government has "consistently lied and cheated," and would, down the line, prohibit hunting, snowmobiling, mining and other activities.

Despite their differences, Inyo-Mono residents overwhelmingly supported forest service rather than park service management.

On the other hand, speakers representing the National Parks

"I speak for Mono Lake, a sacred place, since it cannot speak for itself..."

Ruth Brown, Paiute Tribal Elder

than park service management, and includes all of the Mono Craters and part of the Sierran escarpment.

On March 29th, 120 people testified before the House Interior Subcommittee on Public Lands and National Parks, which was represented by Congressman Lehman and Congressman James Moody of Wisconsin. Most supported a Mono Lake Monument, though there was disagreement over boundaries and management.

The national monument proposal was criticized by the Los Angeles Department of Water and Power. Although Lehman's bill specifically disclaims any impact on water rights, DWP's Chief Engineer Duane Georgeson argued that its passage would send "a powerful signal" to the courts on Mono Lake's behalf, thereby threatening DWP's diversions from the lake's tributary streams.

Earlier in March, 14 Los Angeles area Congressmen had supported DWP by urging the Subcommittee Chairman, John Seiberling of Ohio, to drop national monument legislation until the lawsuits ran their course. Seiberling was not swayed. "Since all of the Mono Lake bills specifically disclaim any effect on California water rights issues," he responded, "I am still perplexed as to how action by the Congress on such bills would adversely affect the current court case."

"The City of Los Angeles again asks us to wait years on a court decision before taking action on Mono Lake," Lehman said in Lee Vining. "I believe we have already waited too long."

The Mono County Board of Supervisors, Mammoth Lakes Chamber of Commerce, Yosemite Park and Curry Company, Mono Lake Committee, church groups, environmental organizations and most Inyo-Mono participants agreed with Lehman. "The monument bill is needed sooner rather than later," Mono County Board Chairman Michael Jencks told the subcommittee.

Many Mono Basin residents, however, joined mining interests and northwest shore property owners in advocating a smaller monument that excluded the Mono Craters, private property and land not adjacent to the lake. The U.S. Pumice Company, which

and Conservation Association, Sierra Club, Wilderness Society and Friends of the Earth supported Lehman's proposed national monument boundaries, but were critical of forest service administration. "The overall preservation mandate of the National Park Service," Laura A. Loomis of the National Parks and Conservation Association told the subcommittee, "is more in tune with the needs of Mono Lake than the multiple-use orientation of the Forest Service." Dan Taylor of the National Audubon Society, however, praised the Bureau of Land Management's protection of the South Tufa area, and suggested BLM management.

Among the voices for a larger monument were those of Dr. Kenneth LaJoie, geologist with the United States Geological Service, and Dr. Robert R. Curry, Professor of Environment



Larry Ford

Congressman Richard Lehman (center) questions witnesses at the March 29th national monument field hearing in Lee Vining. On the far right is Congressman James Mooney of Wisconsin, one of the monument bill's co-sponsors.

Geology at the University of California at Santa Cruz. They emphasized the geologic and ecologic uniqueness, not only of the proposed national monument, but of the entire Mono Lake watershed and adjacent drainages. "The ultimate boundaries of the area," Friends of the Earth Chairman David Brower wrote the subcommittee, "should be much larger in recognition of the superlative qualities that deserve protection because of their international importance."

Speaking on behalf of the Mono Lake Committee, Executive Director Ed Grosswiler firmly supported the establishment of a Mono Lake National Monument, but steered clear of the boundary and management debate. He especially praised the provisions in H.R. 1341 for studying the impact of declining water levels, and for studying water supply alternatives available to Los Angeles.

MLC Chairman David Gaines, speaking as a private citizen, advocated compromise to alleviate local concerns, including the deletion of some of the Mono Craters and protection of private property and valid mining claims.

Paiute Tribal Elder Ruth Brown asked that traditional Native American activities, including the gathering of brine fly larvae for food and willows for basketmaking, be permitted within the national monument. "Indians are truly the keepers of Mother Earth," she told the subcommittee. "By supporting Congressman Lehman's bill to make Mono Lake a national monument, we are partly fulfilling our role as keepers."

"I would like it written into the record," Brown added, "that as a Native American I have never sold my land or water... Mother Earth is not for sale... I speak for Mono Lake, a sacred place, since it cannot speak for itself..."

Lehman promised to "carefully review all written and oral

comments" on his Mono Lake National Monument legislation, and "make every effort to reach a fair and reasonable compromise." A Washington D.C. hearing is probable in May, and the bill may pass the House by summer.

"Mono Lake should be recognized by this Congress as a national monument," Lehman concluded. "Whether it becomes a monument to shortsighted, untempered thirsts or remains a monument to natural splendor and unique life systems, only the citizens of Los Angeles, the state of California and the courts have the power to decide."

WHAT YOU CAN DO: It is vital that Mono Lake's friends and supporters take a minute today to call, telegram or write their Congressmen and Senators in support of a Mono Lake National Monument:

1. Contact your Congressman. Ask for co-sponsorship and strong support for H.R. 1341 and a Mono Lake National Monument (U.S. House of Representatives, Washington D.C. 20515).
2. Contact Senators Alan Cranston and Pete Wilson (U.S. Senate, Washington D.C. 20510). Your calls and letters may spark action in the Senate, where a bill has not yet been introduced.
3. If your Congressman is one of the following co-sponsors of H.R. 1341, be sure to thank him for his support: Jim Bates, Douglas Bosco, Barbara Boxer, Phillip Burton, Ronald V. Dellums, Don Edwards, Vic Fazio, Tom Lantos, Robert Matsui, Norman Shumway, Pete Stark.
4. Thank Congressman Richard Lehman for coming to Mono Lake's defense.

Evolution of Mono Monument Legislation

In November, 1980, the Mono Lake Committee submitted a proposal for a Mono Lake Tufa National Monument to President Jimmy Carter. Included in the proposal were the northern, eastern and southern shores of the lake, Negit and Paoha Islands, Panum Crater and Black Point. Since these lands were already in federal ownership, Carter had the power to establish the monument without congressional approval. Surprisingly, despite bipartisan support from throughout California, the National Park Service opposed the monument. Less surprising, Los Angeles fought it as well. As a result, Carter left office without taking action.

On June 26, 1981, Congressman Norman Shumway introduced H.R. 4057 to establish a national monument on federal lands around Mono Lake, including Negit and Paoha Islands and the Mono Craters. At a Lee Vining town meeting attended by 24 local residents, most people present opposed the inclusion of the craters, the forested lands east of the craters, and private in-holdings. On February 2, 1982, Shumway introduced H.R. 5424, which excluded these lands, and included only federal land in the immediate vicinity of the lake.

At a hearing before the House Subcommittee on Public Lands and National Parks in Washington D.C. on May 18, 1982, the Mono Lake Committee, Mono County and the Lee Vining Chamber of Commerce testified in favor of H.R. 5424, while the State of California and national environmental groups favored the larger boundaries in H.R. 4057. The Los Angeles Department of Water and Power opposed both bills, arguing they threatened water diversions. Subcommittee Chairman John Seiberling

assailed Los Angeles and DWP officials for taking a "rigid position" on Mono Lake.

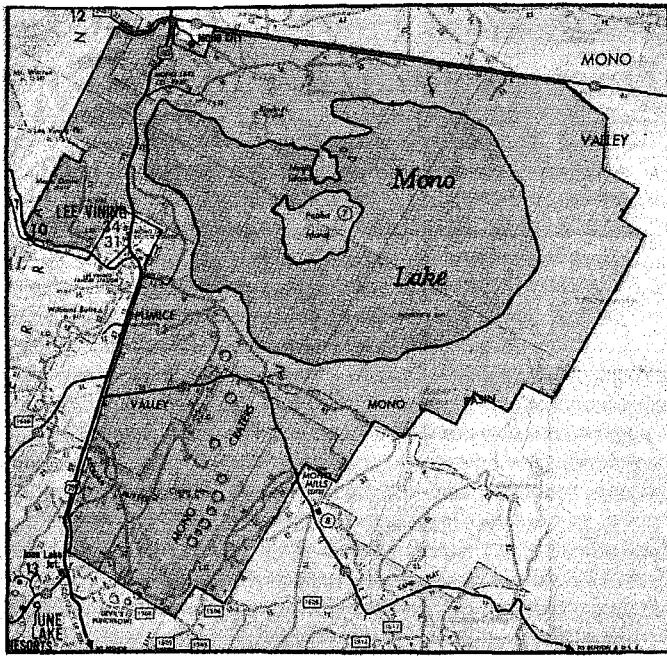
On November 19, 1982, Congressman Seiberling toured Mono Lake, and concluded it was deserving of national monument protection. However he also felt that the monument should include the Mono Craters and the Sierra Nevada "viewshed".

No action was taken, and Shumway's bills died with the 1982 Congress.

On February 8, 1983, Congressman Lehman, who now represents Mono County, introduced a new national monument bill, H.R. 1341. His bill proposes including the Mono Craters and part of the Sierran escarpment, but specifies forest service rather than park service administration, and includes language to protect mining, hunting, grazing and other current activities.

Summary of H.R. 1341

1. Establishes Mono Lake National Monument to be administered by Inyo National Forest in accordance with laws generally applicable to national forest system.
2. Prohibits acquisition of mining, mineral and geothermal interests on federal land within the monument boundaries except by donation, exchange or consent of owner.
3. Protects all uses of private property occurring within monument boundaries prior to introduction of bill.
4. Provides that hunting and commercial brine shrimp operations shall be permitted.



Boundaries of the Mono Lake National Monument proposed by Congressman Richard Lehman in H.R. 1341. Most local residents, while supportive of the monument concept, favor reducing the boundaries and deleting the Mono Craters.

Resources Chief Unfamiliar With Mono Lake Issue

California's new Secretary of Resources, Gordon Van Vleck, claims to be "completely unfamiliar" with the conflict over water diversions at Mono Lake. Van Vleck took over the resources post from Huey Johnson when George Deukmejian became governor.

"I do know that the level of the lake is receding," he told the magazine Western Water in March, "but I really don't know how we should resolve this problem. I've always felt that Los Angeles took the proper and appropriate steps in order to get water down to their city."

In April, MLC Executive Director Ed Grosswiler met with Van Vleck to appraise him of the Mono Lake crisis.

WHAT YOU CAN DO: Write to Van Vleck, explaining Mono Lake's plight and urging him to help us save this precious resource (Department of Resources, 1416 Ninth Street, Sacramento, CA 95814).

- 5. Provides that individuals holding grazing permits within the monument shall be able to continue to exercise and renew those permits.
- 6. Provides for construction of a visitor center within the monument adjacent to Highway 395 within three years.
- 7. Authorizes studies of (a) use of Mono Basin water by Los Angeles and cost of alternatives, and (b) lake level needed to sustain current wildlife populations.
- 8. States that the monument does not affect water rights, including those of Los Angeles.
- 9. Repeals a 1936 law which authorizes sale of public land in Mono Basin to Los Angeles for \$1.25 an acre.

Mono Lake Research Bill

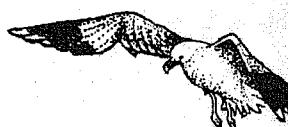
On March 3rd, Assemblyman Norman Waters and 18 co-sponsors introduced A.B. 1614 in the California Assembly to provide \$500,000 for a "scientific study of the effects of water diversions on the Mono Lake ecosystem."

The bill would require California Fish and Game to contract with the University of California and possibly other public and private institutions or individuals to evaluate the effects of declining lake levels, increasing salinity and other limnological changes upon all of the following:

- 1.) The total productivity, seasonality and physiology of brine shrimp, flies and algae living in and around Mono Lake.
- 2.) The numbers, productivity and physiology of breeding and migratory bird populations.
- 3.) The extent and magnitude of dust storms from the relicted bed of Mono Lake and their implications for human health, wildlife, and surrounding vegetation.
- 4.) The lake's hydrology, including groundwater inflow, evaporation and freshwater spring flow and associated habitats.

On April 18, A.B. 1614 passed the Assembly Water, Parks and Wildlife Committee by a 6-0 vote.

WHAT YOU CAN DO: Contact your state assemblyman and senator in support of A.B. 1614.



Cartoon by Dennis Renault, reprinted with permission from Sacramento Bee.

DWP Seeks To Evade Air Quality Laws

The Los Angeles Department of Water and Power (DWP), in a blatant attempt to evade air quality laws, is pushing a bill to exempt "any article, machine, equipment or contrivance which is used for the production, diversion, storage or conveyance of water" from air quality standards. Using its considerable political muscle, DWP lobbied its bill, S.B. 270, past the California Senate Committee on Government Organization on March 22nd.

Through S.B. 270, DWP hopes to circumvent the Great Basin Unified Air Pollution Control District (APCD), which has demanded permits for DWP's groundwater pumping and surface water diversions in the Owens Valley and the Mono Basin. The APCD maintains that "air contaminants in the form of dust and other particulate matter have been and continue to be blown off the exposed portions of Mono Lake and Owens Dry Lake, causing an intermittent but frequent air pollution problem in the Mono Basin and Owens Valley." DWP, however, has refused to comply, protesting that the APCD could use the permit process to restrict Los Angeles' water supply.

The confrontation came to a head last year, when the APCD withheld permits for DWP's Coso geothermal development until it obtained permits for its water operations. Rather than accepting responsibility for increasing air pollution in the eastern Sierra, DWP is trying to gut California's air quality laws. Tragically, it may succeed.

"This legislation," commented Mono County Board of Supervisors Chairman Mike Jencks, "is nothing more than a bald attempt to evade the good faith and sincere efforts of our regions, our Air Pollution Control Districts and our Boards of Supervisors to enforce air pollution control laws and to preserve our area's air quality."

Mother Nature protested as well. On March 31st, DWP took three legislative aids to the Mono Basin and Owens Valley to prove there is no dust problem... and ran smack into a massive dust storm. Clouds of blinding alkali billowed from Mono's southern, eastern and northeastern shores. In the Owens Valley, dust forced the closure of a six mile stretch of Highway 395. "I've lived here 10 years and I'd never seen anything like it," a DWP official commented. Incredibly, despite the alkali erupting from Mono's shorelines, DWP claimed the dust had little to do with its water operations.

"If DWP is not contributing to the dust problems," responded Congressman Richard Lehman, "then they ought not to fear equal application of the air pollution laws... Regardless of who is to blame for the dust problem it is wrong on principle to deny people equal protection under the law... This legislation will build DWP far more ill will than water diversion ever has because it is the worst possible symbol of tyranny of the majority."

S.B. 270, in sum, would give DWP a carte blanche to pollute the air of the eastern Sierra. It would deprive the APCD of one of its most effective means of maintaining air quality at an acceptable level for residents and visitors. It would impair the enforcement of air quality standards statewide, and open the door for other "special interest" onslaughts on environmental laws.

WHAT YOU CAN DO: We hope to stop S.B. 270 in the California Assembly, but cannot succeed without your help. Please take the time to visit, call, telegram or write your state assemblyman expressing your strong opposition to this special interest legislation. Let's preserve California's strong air quality laws and protect Mono's skies. Defeat S.B. 270!

Geothermal Leases Threaten Mono Basin

Ignoring the concerns of Mono County, the Mono Lake Committee, Congressman Richard Lehman, the Sierra Club and other groups and individuals, the U.S. Bureau of Land Management and Forest Service are determined to lease lands around Mono Lake and in the Mono Craters to geothermal developers.

The Mono Lake Committee does not oppose geothermal if it can be developed without consuming water and disrupting the environment. However we view with grave concern the federal government's pell-mell rush to lease lands without even an environmental impact report or any assurance that environmental values will be respected. In particular, unmoderated geothermal development could compete for water that Mono Lake desperately needs to survive, and bring refinery-type complexes, pipe line, cooling towers and similar industrial intrusions into the Mono Basin. For these reasons, Mono Lake's islands, the Mono Lake Tufa State Reserve, and the proposed Mono Lake National Monument should be protected from geothermal development.

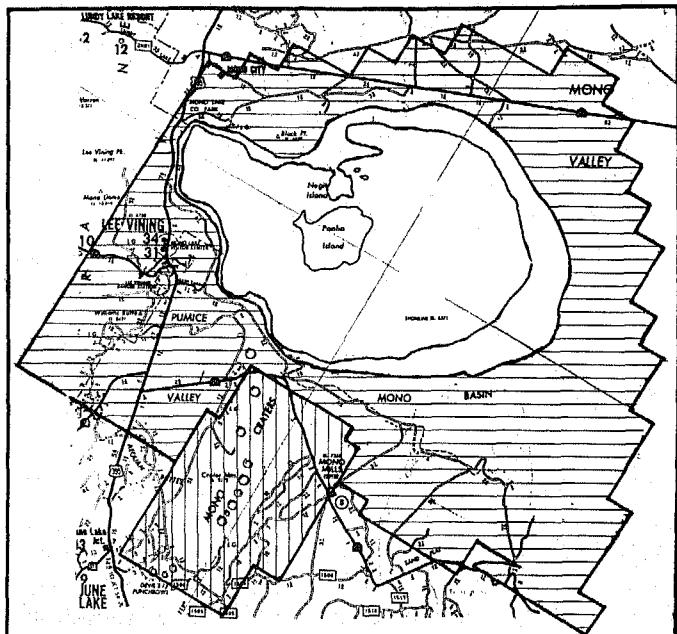
Unfortunately this is not the case. BLM's lease sale includes virtually all federal land around Mono Lake, while the Forest Service sale encompasses the entire Mono Craters and most of Long Valley (near Mammoth Lakes).

One developer has already bid on some of the BLM land, and only a Sierra Club appeal is staying the actual granting of leases. The appeal has been dismissed by BLM State Director Ed Haste, who maintains that leasing will not significantly affect wildlife, recreation or wilderness values.

However "environmental controls" are not discussed or specified in the leases. And regardless of the controls, geothermal development will impair Mono's national monument qualities.

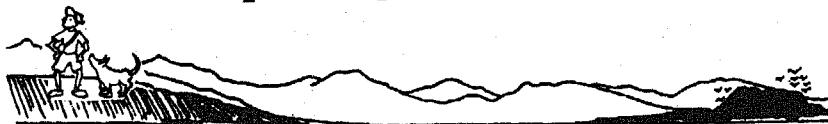
The Sierra Club, with MLC support, is continuing to appeal the BLM lease sale, and may eventually go to court.

Forest Service lease sales in the Mono Craters and Long Valley likewise ignore consumptive water use and esthetic impacts. They are being appealed by Mono County.



Location of BLM (stippled) and Forest Service (cross-hatched) geothermal lease sales in the Mono Basin.

Exploring Black Point

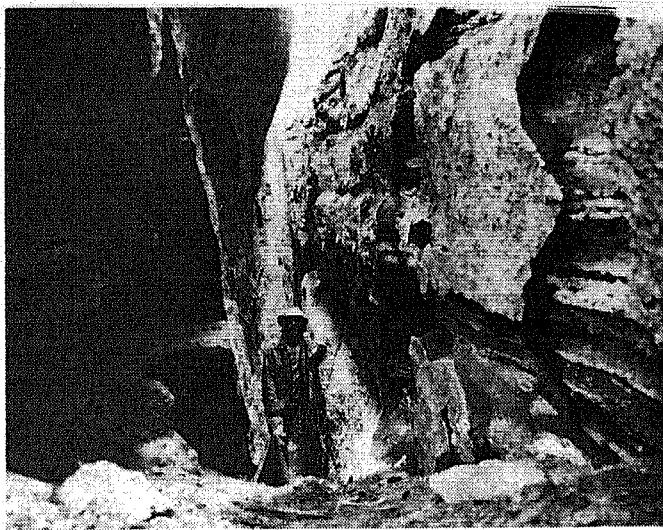


Black Point, which rises like a dark-colored groundswell from Mono Lake's north shore, is the only underwater volcano in the world that is now completely exposed. This unique formation is included in Congressman Richard Lehman's national monument proposal (H.R. 1341).

Thirteen thousand years ago, Black Point sputtered beneath ice-age Mono Lake, never quite breaking the surface. At least four separate eruptions shattered the stillness of the Mono Basin landscape. Upon contact with the lakewater, lava exploded into fountains of steam and ash. Most of the ash spread sideways from the underwater vent, forming a circular volcanic mound.

Black Point's lava chilled so quickly that a rare, uncrystallized basaltic glass was formed. Also unusual are the rounded stream cobbles on its summit, uplifted when the volcano erupted through layers of glacial gravel. During the eruptions, some of these rocks became so hot they partially melted, forming a pumice-like "popped-granite."

Most spectacular are the deep, narrow fissures that furrow Black Point's summit. Two to three feet wide and 50 to 60 feet in depth, the fissures opened as the volcanic material settled and



Tufa-veened fissures furrow the summit of Black Point.

cracked. Their walls are bizarrely veneered in bubbly white tufa.

Near the western flank of Black Point, Wilson Creek has cut a vertically-walled wash through 32,000 years of Mono Basin sediments. To geologists, these sediments are an "open book" telling of eruptions, floods, droughts, earthquakes and other earthshaking events.

The rewards of exploring Black Point are not just geological. There are exhilarating views of Mono Lake and the Sierra, sagebrush birds and flowers, and even Great Horned Owls nesting in the fissures.

Allow half a day to hike to Black Point's summit. There is no trail, but the ascent is gentle. It is easiest to start on the dirt road on the volcano's eastern flank. Search for the fissures near the point's southwestern rim. This summer BLM will be installing posts to mark the route. For more information, inquire at the Mono Lake Information Center in Lee Vining.



Photo by Jim Frazee

These layered sediments, exposed along Wilson Creek west of Black Point, were deposited beneath the waters of ice-age Mono Lake 12,500 (top) to 23,000 (bottom) years ago. Near the top is a thick, dark layer of ash from the Black Point eruption of 13,000 years ago. Below are light-colored Sierran sediments interspersed with narrow bands of dark-colored ash from eruptions of the Mono Craters.

How Fast Do Tufas Grow?

A paper by Joseph R. Jehl in the January, 1983 issue of *California Geology* presents evidence that tufa may form relatively rapidly.

In January, 1981, Jehl discovered a small, rusted steel drum on Mono's south shore that was heavily encrusted with tufa. Evidently, the U.S. Navy had dropped the drum into the lake in the course of testing explosives in 1964. During the intervening 17 years, tufa grew to a vertical height of 17 inches from its base on the side of the drum. Hence the rate of tufa formation averaged at least an inch per annum.

Jehl speculates that a 30 foot high tufa tower might be formed in as few as 400 years, but concedes this is only guesswork. "The rate of tufa formation at any site," he writes, "is probably highly variable, being affected by the volume, persistence, and solute load of the sublacustrine spring, the nature of the substrate into which the spring emerges, and the chemistry of the lake water. Further, as tufa increases in height it must also increase in breadth, or it will topple. Accordingly, while the volume of tufa deposited may be relatively constant, the increase in height may not."

Hiking Around Mono Lake

by Lora Shank

Few people hike the 40 miles around Mono Lake. Fewer still do so alone. One major obstacle is the east shore, a vast expanse of alkali-coated muck left by the receding lake. "For many miles," wrote Ken Brower, "the lessons were all variations on a theme: how many hundreds of ways can a lake shore dry up?" At South Tufa, the County Park, the west shore, Mono still retains much of its beauty. Not so the east shore, where the water has retreated two or more miles, leaving an eerie deathscape of point-blank alkaline flatness.

In October, of 1981, MLC intern Lora Shank set out alone to circumnavigate the lake. The following is her account of her adventure, her first time backpacking alone.

With my backpack loaded with five quarts of water-- hopefully enough for the three day trek-- I headed south out of Lee Vining. It had rained that morning, but I couldn't let that discourage me. Before I reached Mono's shore, I glimpsed a rainbow, a good omen.

After lunch, I hurriedly passed through the South Tufa grove, as I was eager to set foot on shores where I had never been. Walking was easiest close to the lake, where the sand was wet and hard. Many tiny springs bubbled out of the sand and ran into the lake, luring gulls and other birds.

The first night I camped in a sheltered spot between some tufa and a willow-lined spring. Coyotes yipped in the distance, and I hoped I had not intruded upon their watering hole, for I did not wish them to visit.

After a bone-chilling dawn and a cup of hot coffee, I headed east. Long-billed Curlews, Willets and many other birds I could not identify flocked along the shore and circled overhead.

The sandy beach suddenly ended at a series of pools overgrown with cattails that reflected clusters of crumbling tufa [Simon Springs on the southeast shore-- ed.]. I had to leap over spring-fed rivulets to keep my boots dry, and was relieved to leave this wetland behind. But little did I know what lay ahead!

Beyond was nothing but white alkaline flatness, the exposed bottom of the shrinking lake. Occasionally I sank into muck to my boot tops. The alkali glared. Toward sunset, the low-angle light softened the harshness of the alkali plain, and I felt a kind of beauty here. But I did not wish to spend the night.

Mono Lake State Reserve: New Trails, New Rules

The Mono Lake Tufa State Reserve, which attracted over 100,000 people last year, is expanding its interpretive facilities. Exhibit shelters at Navy Beach, Black Point and the Mono Lake County Park will introduce visitors to Mono's wonders. A nature trail at South Tufa will explain the lake's geology and natural history. A 600-foot long boardwalk below the Mono Lake County Park will keep people's feet dry while they view tufa and birds.

State Reserve Rangers David and Janet Carle are conducting interpretive walks at South Tufa every Saturday and Sunday at 11:30 a.m. Beginning June 1st, they will offer walks at both 11:00 a.m. and 2:30 p.m.

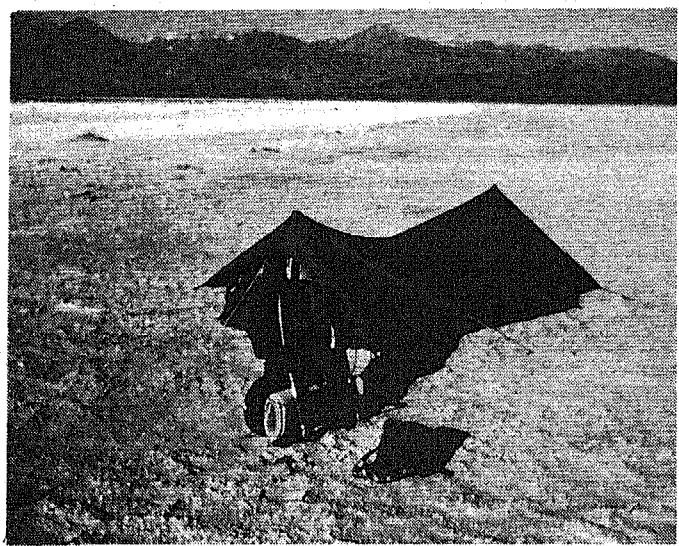
In order to protect Mono's natural and scenic features, the State Reserve has been closed to camping, ground fires, rockhounding and collecting, unleashed pets, livestock grazing, defacement of tufa, disturbance of plants and animals, and off-

I soon realized, however, that I could not cross the east shore before dark, and reluctantly pitched my tent on the alkali. Owls hooted, but no coyotes howled. When I arose, my water was frozen solid.

The next morning I walked from the alkali into the muck. Springs were emptying into the lake, and the shores were thick with brine flies [Warm Springs on the eastern shore-- ed.]. I must have tried to cross the rivulets for an hour or more, sinking in the muck, backtracking, then sinking again. First I moved toward the lake, then gave up and headed for higher ground. It was quite a relief to find solid earth beneath my feet again! [People have sunk to their waists in this area-- ed.]

I shied away from the lake until midafternoon, then beelined for Black Point. It was almost dark as I made my way past the County Park to the Mono Inn, where I telephoned the committee for a ride back to Lee Vining.

From South Tufa to the County Park, I saw not a single person. All in all it was a good venture, and I was ecstatic most of the time. I was saddened, however, to see so much of the lake turned into alkali.



Laura Shank's "alkali camp" on Mono's eastern shore.

road vehicle use. In general loaded firearms are prohibited, but waterfowl hunting is still allowed in season in the Simon Springs area and along the northwest shore. In addition, Native Americans may still gather brine fly pupae along the lake's shore.

BLM Trails At Panum Crater, Black Point

Ever searched in vain for Black Point's fissures? This summer the Bureau of Land Management will mark a route to these spectacular if elusive features. It will also coordinate construction of a self-guided interpretive trail on the rim of Panum Crater by Sierra Club volunteers. If time permits, the 20 or so Sierra Clubbers will also build a trail from Panum to South Tufa.

BLM, which has done an excellent job of protecting South Tufa, will be patrolling the Mono Lake area every day this summer.

The Mono Naturalist

Swallows dodge snowflakes beneath a gray April sky. Slowly and fitfully, old man winter is retreating.

From November until the vernal equinox, several feet of snow blanketed the basin. In the Sierra, 30 foot drifts buried the ranger station at Tioga Pass. Snowfall even exceeded the infamous winter of '69, setting new records.

Yet in the midst of a furious February blizzard, spring announced herself in the form of a lone, wind-blown violet-green swallow. In early March, with the snow deeper than ever, bluebirds and gulls appeared along Mono's shores. By mid month, the songs of cassin's finches, meadowlarks and red-winged blackbirds were proclaiming the change in season. By April, flickers and sapsuckers were courting, robins were carrying nesting material, and red-tailed hawks and great horned owls were patiently incubating eggs.

Miraculously most of the snow around Mono Lake melted away by April. Green shoots lifted their heads through the moist earth. Fuzzy catkins appeared on aspens, portending the green to come.

With the warmer days, insects began to stir. Mayflies fluttered above snow-covered streambanks, and brine flies buzzed along

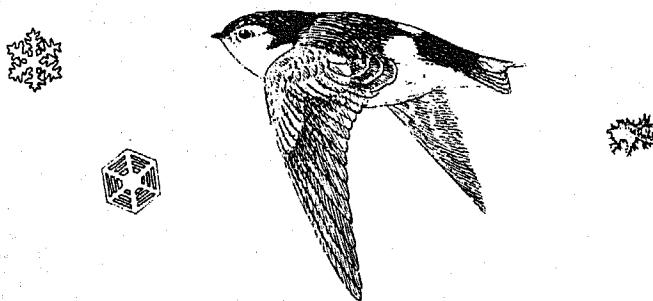
Mono's shores. All during April, legions of Painted Lady butterflies migrated northward through the basin battling headwinds to cross the lake.

The swell of life was contagious, and we, too, delighted and rejoiced in the earth's rebirth. On the equinox, we gathered along Mono Lake's shore to greet the sunrise and celebrate spring's return. It dawned cold and cloudy, and the sky soon filled with snow.

Spring Mono Lake Bird Count

The spring Mono Lake bird count is scheduled for Wednesday, June 15th. We will be censusing all birds within a 15-mile diameter circle centered along Mono Lake's west shore. The count ranges from 6,376 feet at the lake to 12,327 at the summit of Mt. Warren. Experts and novices alike are invited to participate. Hardy hikers are especially needed.

Please meet at the Mono Lake Information Center in Lee Vining at 7 p.m. on Tuesday, June 14th, so we can assign you to a party. Or give us a call in advance. The count will conclude with a pot-luck dinner at dusk on Wednesday.



Expanded *At Mono Lake* Photographic Exhibition Opens June 15th In San Francisco

The *At Mono Lake* Exhibition arrives at San Francisco's California Academy of Sciences on June 15th. Fifteen new photographs have been added to this history-making collection, which includes the work of Ansel Adams, Brett Weston, Phillip Hyde and many other outstanding artists. Many of the photographers will be available at the June 15th opening to discuss their work and sign copies of the newly-published exhibition catalogue. For more information, please contact the exhibition coordinator, Steve Johnson, at [415] 641-8571.

Grants From Packard Foundation, Conservation Endowment Fund and Zellerbach Support Research and Education

Mono Lake is continuing to receive crucial philanthropic support. The David and Lucile Packard Foundation have contributed \$10,000 to the Marine Sciences Institute of the University of California at Santa Barbara for brine shrimp research. The Conservation Endowment Fund has granted \$5,000 to the Point Reyes Bird Observatory for gull studies. The Zellerbach Family Fund has given \$2,000 to augment a \$10,000 grant from the Fleishaker Foundation for the *At Mono Lake* photographic catalogue. We are deeply indebted to all these foundations.

Mono Lake Field Trips

Both the Mono Lake Committee and the Mono Lake Tufa State Reserve will be conducting free tours at the South Tufa Grove this summer. Special group tours may be arranged by reservation. For more information, call the Mono Lake Committee at (619) 647-6386, or the State Reserve at (619) 647-6331.

Slide Show Update

Our 80-slide program has been improved and updated with many new photographs and a cassette tape narration set to classical music. The program vividly conveys the beauty and importance of Mono Lake and the water conservation alternative to its destruction. We loan the program to groups and schools for up to two weeks without charge, but ask that a \$35 refundable deposit be sent with each request. The show can also be purchased for \$50, discounted to \$40 for non-profit groups and schools (California residents please add 6% sales tax). Please allow three weeks for delivery.

Used Paperbacks, Paper Sacks Wanted

We can sell your used paperbacks to the vacationing throngs at our Mono Lake Information Center, and raise funds for the lake. We prefer fiction, but will accept just about anything that looks saleable. We can also recycle your used grocery bags and paper sacks, and maybe save a few trees. Send to: Mono Lake Committee, P.O. Box 29, Lee Vining, CA 93541. Or, if you wish to ship via UPS, address to: Mono Lake Information Center, Hwy. 395, Lee Vining, CA 93541. Thanks!

MLC News and Activities

Mono Lake Grand Auction in San Francisco June 1st

Two weeks for two at a 440-year old house in Hydra, Greece...with a stairway to the sea!

Deluxe dory trips down the Grand Canyon!

Two weeks for two at a luxurious 3-bedroom villa on a private beach in the Caribbean!

Three days and nights at the Ahwahnee Hotel in Yosemite, including meals!

Private plane trips to Mono Lake with meals, accomodations, and a boat trip to the islands!

These are just a few of more than 70 fantastic items to be auctioned by Justice William N. Newsom of the California Court of Appeals at the Mono Lake Grand Auction in San Francisco June 1st. All of the items, which also include hideaways in Hawaii, West Virginia, Carmel Highlands, Santa Barbara and Bodega Bay, sailing weekends on San Francisco Bay, chauffeured evenings at gourmet restaurants, jewelry, china, fine art and much more, have been donated to help Mono Lake live on.

will be accepting additional items up to the last minute. If you can contribute, please get in touch.

Or bring your check book, mastercharge or visa card, and attend the auction at San Francisco's Fort Mason at 7:30 p.m. on Wednesday evening, June 1st. Tickets are \$25 per couple or \$15 single, and must be purchased in advance due to limited seating. Hors d'oeuvres and wine will be served.

For tickets or more information, please contact Grace de Laet at [415] 398-6744.

L.A.-Mono Bikeathon August 29 - September 3

Whether you are beginner or expert, you are invited to cycle along with the 4th annual Los Angeles to Mono Lake Bikeathon.

The 6-day, 350 mile ride departs from the L.A. Department of Water and Power headquarters on August 29th, and arrives at Mono Lake on September 3rd. Each cyclist carries a small vial of water from DWP's reflecting pool back to its natural destination--Mono Lake. Sponsors pledge a dime, quarter or more per mile to the cyclist of their choice. Last year over 30 cyclists of wide-ranging abilities completed the trip, raising over \$13,000. Sag wagons carry our gear, and we camp along the way. It's fun, publicizes Mono's plight, and raises funds for the lake's defense.

If you would like to join the 1983 bikeathon, or would like more information on this worthwhile adventure, please contact David Takemoto-Weerts at our Sacramento office (926 J St. Bldg., Room 914, Sacramento, CA 95814; [916] 448-1045).

Mono Lake Benefit Run October 2nd

Monomaniacal runners and joggers, mark your calendars! Join us Sunday, October 2nd for an exhilarating 10k (6.2 mile) benefit run on Mono Lake's beautiful north shore. The run will begin from the Mono Lake County Park 5 miles north of Lee Vining at 12 noon. Times will be given at 1, 3 and 5 miles, and water provided at 3 and 5 miles. We'll have awards for the top 3 runners in each division, and T-shirts for everyone. Refreshments will include lite beer from Miller, cookies from Schat's Bakery, soft drinks, oranges, and more!

To enter, please send \$7.00 (\$9.00 day of race) to the Mono Lake Committee, P.O. Box 29, Lee Vining CA 93541.

For more information, call our tireless volunteer race director, Dennis Yamnitsky, at [209] 379-2786. More details in our summer newsletter.

Information Center Readied For Summer

This summer, upwards of 50,000 people will learn of Mono's plight at our Information Center in Lee Vining. Thanks to the help of hardworking monophiles, the center has never looked better.

In March, Todd Berens and Jim Stehn volunteered their time to rewire the center, saving us from electrocution or possibly worse. In addition, the light bulb dangling from the ceiling has been replaced with florescent lighting that brightly illuminates our displays, book shelves and art gallery.

Another volunteer, Paul Johnson, constructed a skylight above our cave-like Information Center office. He even provided excitement by crashing through the ceiling and showering our office with fiberboard, plaster dust, tools and himself! Fortunately, nobody was hurt, and the gaping hole in the ceiling was in just the right spot. The skylight now brightens our office and spirits.

The front desk has been replaced with a large, solidly constructed glass case donated by Don Banta of the Best Western Lakeview Motel. We plan to use part of the case for a diorama with mounted birds and other natural history specimens. Taxidermist extraordinaire, Anna Martyn, is donating her time to mount birds that have been found dead, but in good condition, along Mono's shores.

The glass case is also being used to display our growing assortment of Mono Lake sweatshirts, long-sleeve and toddler size T-shirts, Mono Lake and Yosemite Topo T-shirts, raised relief maps, seagull mobiles, gulliver gulls, new postcards greeting cards, color slides, and Mono Lake seals, patches and pins! Through the sale of these items, we spread the word and raise funds for Mono's defense.

Shelves have been built for the many books we are stocking this summer. We now have an even wider selection on human history, natural history, Native Americans and the environment, and an eclectic collection of fiction, poetry, children's books and miscellany.

This past winter, the roof leaked like a sieve, buckling the floor and warping many displays. We've ripped out offending floor boards, and improvised simple repairs. The displays we've backed with plywood. Some day we'll fix the roof...

Special thanks to interns Dean Cutter and Sam James for helping us get the Information Center in shape. Come visit this summer!

Staff Hellos and Good-Byes

Our new Lee Vining intern, Sam James, arrived at the beginning of April. Sam, an ardent cross-country ski racer, was delighted to find the Sierran snowpack unmelted. He just completed a Ph.D. in ecology at the University of Michigan.

Paul Johnson, who has donated two winters to Mono Lake, migrated north in April to work as a range biologist with BLM. Paul assiduously followed geothermal development, keeping us informed of its potentially serious impacts. We'll miss his fresh bread, friendly spirit and gentle soul, and hope he returns this fall!



A touched-up photograph of Mono Lake graces the cover of a German science fiction magazine. First Pink Floyd, now this!

Letters

It is tempting to feel that the rising lake levels of 1982 and 1983 bode well for Mono Lake. Looking at the climatic history of the lake basin for the past 100 years, however, we see that this 2-2.5 year "surplus" is not really uncommon. It occurs two or more times in a hundred-year period. As in the 1870-80s, such years of excess are most often interspersed closely with drought periods.

Robert Curry
Professor of Environmental Geology
University of California, Santa Cruz

I am quite pleased that Mono Lake supporters are taking this issue as high as the California Supreme Court. However, I fear that if the DWP is blocked from removing water from the Mono Lake system, they will find another way of destroying some part of our environment. My plea to you is that while in court, you force the DWP to seek alternative sources, whether it be conservation or development of better irrigation techniques or desalinization processes. This will be the only way that precious water tables and streams in California can be spared. Please keep up the excellent work, and don't give an inch!

Regan McMorris
Salem, Oregon

Accolades

We are indeed grateful to The Grateful Dead and Bill Graham Presents for including Mono Lake as a beneficiary of their March 29-31 benefit shows in San Francisco. Ed Vine, David Shuford and David Winkler helped man our display, answer questions and pass out literature and bumper stickers to the 10,000 concert-goers. What a long, strange trip it's been!

Thanks to the Fresno Audubon Society and the Tehipite Chapter of the Sierra Club for donating all the proceeds from their April 23rd Birdathon to Mono Lake. Over the years, our friends in Fresno have never wavered in their support for our efforts.

Santa Clara Valley Audubon Society members spent two weekends harvesting, hulling, drying, bagging and selling a walnut crop donated by Lynn and Martha Hunton, raising \$549 for the Mono Lake lawsuit.

Mildred Bennett has arranged a special guided tour of the "treasures from the Shanghai Museum" exhibition at San Francisco's Asian Art Museum, all proceeds benefitting the lake. This winter she organized two highly successful benefit trips to view the Elephant Seals at Ano Nuevo. Thank you, Mildred!

In February, Nancy Smith of Bishop toted a Mono Lake display, literature and merchandise to the convention of the San Joaquin Diocese of the Episcopalean Church in Fresno. The "Gulliver Seagulls" sold out!

We are also indebted to the Altacal Audubon Society, Berkeley Garden Club, Cabrillo Section of the Angeles Sierra Club Chapter and Orange County Sierra Singles for generous donations.



I see that the Sierra Club is one of your members, therefore I will support the L.A. Dept. of Water and Power.

J. C. Raddatz
Sepulveda

I didn't expect the literature I got from you when I sent in a donation. I must say, you put more into research and less into glossy production than some environmental organizations I am familiar with... Only 4300 members? What could you do with 8600? I am sending your position paper and newsletter on to more potential members...

Inyo Ellersiek
Los Angeles

This year we have split our efforts on behalf of Mono Lake. Half the team worked on influencing legislators, and the other half worked on Rain Dances.

Fresno Audubon Society

In view of the fact Los Angeles will stall and stall until time runs out and Mono is as dry as Owens Lake, it would be appreciated if our donation could be used to blast DWP's diversion dams out of existence. We are not violent folks, just impatient.

Meg and Will Challis
Retired Monkeywrenchers, Weaverville

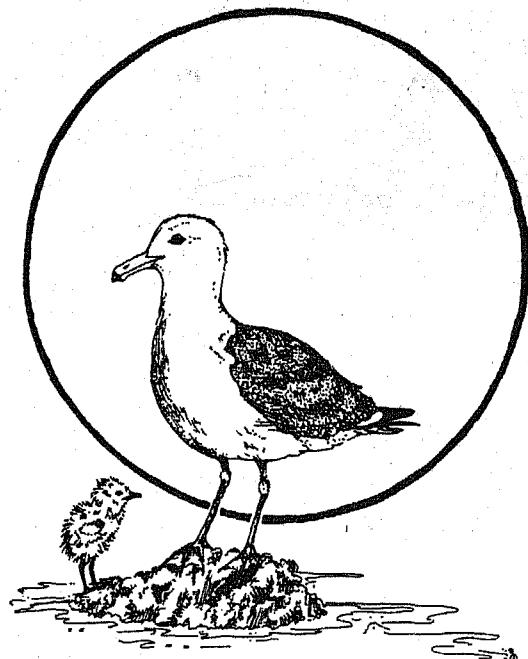


Sally Judy Gaines, backed by David and baby Vireo, models the new 100% cotton Mono Lake Topo T-shirt, available in small, medium, large and x-large. The shirt costs \$9.95.

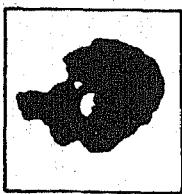
Mono Lake Cards and Envelopes, by Lauren Davis. Two designs to choose from: Mono Lake Birds (see newsletter cover), or Gull and Chick (right). \$2.50 for packet of 5 cards and envelopes. →



Lee Vining monophiles Tanzi Hess and Sarah Jewett model our new Mono Lake sweatshirt and long-sleeved T-shirt. The sweatshirt is available in blue only, sizes small, medium and large. The long-sleeved shirt is available in lilac, powder blue and beige, sizes small, medium, large and extra-large. Sweatshirts are \$13.50, long-sleeved shirts \$10.00.



To order, please send total amount plus \$2.50 for postage and handling (California residents please add 6% sales tax) to: *Mono Lake Committee, P.O. Box 29, Lee Vining, CA 93541.*



**The
Mono Lake
Committee**

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