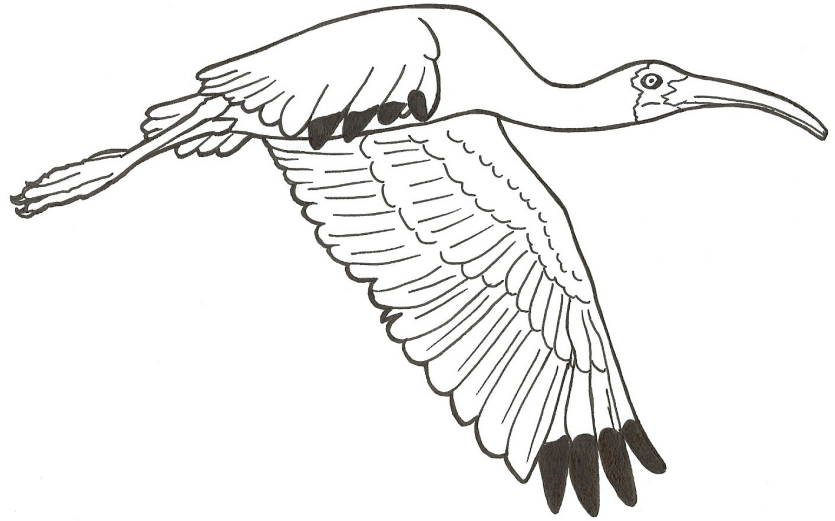


# the IBIS



Newsletter of the Orleans Audubon Society.

A Chapter of the National Audubon Society.

Volume: XXXVIII Issue: 2

November/December 2024

## Fall 2024 OAS Programs

### Purple Haze: A Conservation Film

ZOOM screening of Purple Haze,

the Purple Martin documentary

Filmmaker: Zach Steinhauser

Thursday, November 14 6:30 to 8:30 p.m.

The amazing Purple Martin has a unique and long-standing relationship with humans which originated with Native Americans. The eastern population is dependent upon humans to provide nesting sites in the form of Purple Martin houses, condominiums and gourds. Join us for a feature-length film about Purple Martins and migratory bird conservation. Part of this documentary was filmed in Shreveport.

In the opening and closing comments we will discuss the legal battle that two OAS members who live in Harahan, the Stamms, are having with a neighbor who sees Purple Martins as nuisance animals and wants the Stamms to take down their martin houses. The jurisdiction is the City of Harahan that has proclaimed itself to be a "Bird Sanctuary City" since 1959, yet Harahan's leadership has hired a Special Magistrate to oversee the trial against the Stamms and their Purple Martin residents.

Orleans Audubon Society presents...  
**Thursday, November 14 at 6:30pm**  
a virtual screening of...

## **PURPLE HAZE**

### **A Conservation Film**

What we do at home affects  
what we do to the world.

Follow one man's journey  
chasing America's favorite  
backyard bird halfway around  
the world and back.

WILD STEIN, LLC presents  
in association with JACOB CARTER  
a film by ZACH STEINHAUSER "PURPLE HAZE: A CONSERVATION FILM"  
Executive Producers MICHAEL BISHOP, WALLY STEINHAUSER, OTIS RAWL  
©WILD STEIN, LLC WWW.PURPLEHAZECFMOVIE.COM

[www.jjaudubon.net](http://www.jjaudubon.net)

Free, registration required. To receive registration information for this online Zoom screening, send an email request to [OrleansAudubon@aol.com](mailto:OrleansAudubon@aol.com) with "Purple Haze" in the subject line.

**From the Mesetas, to the Steppes, to the Marismas:  
Central Spain's Wildlife and Its Conservation Needs**

**Speaker:** Wendy Rihner

Tuesday, November 19

6:30 p.m. social, 7:00 p.m. program

Community Church Unitarian Universalist, 6690 Fleur de Lis (Lakeview).

In April of 2024, Wendy Rihner crossed off two bucket list items in one trip to central Spain. Travelling with Field Guides Birding Tours, she not only visited the land of her favorite literary character (some might say her literary hero) Señor Don Quixote, but she also hiked through some of the birdiest regions of Spain. Spain is indeed the birdiest country in Europe, but its birds and other wildlife face threats not too dissimilar from those faced by wildlife here at home. Focusing on a few habitats such mesetas (plains), steppes (unforested grasslands), and marismas (marshes), Wendy will highlight some of the special birds and other wildlife that inhabit these systems and the threats they face today.

Spanish Eagles



European Roller



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**POTLUCK HOLIDAY PARTY**

Hosted by Kathleen Crago

**When:** Tuesday, December 10th

**Time:** 7:00 p.m. to 9:00 p.m.

**Location:** De Limon Club House, 801 Rue Dauphine



*Bring your favorite dish or spirits to share and join us for some holiday cheer!*

**Directions and Parking Information:**

Enter at 801 Metairie Road, across from PJ'S. This street is Rue St. Ann-stay on Rue St. Ann until you come to the second stop sign. Park in front of the office on St. Ann or at the corners of the condos. The entrance is 801 Rue Dauphine.

## Bird Tour Asia's "Not-so-Diabolical" Trip to West Papua, Indonesia

Speakers: Joelle Finley and Ken Harris

Tuesday, January 21

6:30 p.m. social, 7:00 p.m. program

Community Church Unitarian Universalist, 6690 Fleur de Lis (Lakeview).

Searching for Birds of Paradise (BoP) led Joelle and Ken on their latest adventure to W. Papua with a tour company that they had thought they had aged out of. Boy, were they right! Their advice is to watch U-tube videos of Sir Richard Attenborough's BoPs and only go to W. Papua for one very remarkable thief of a Bowerbird.

Joelle and Ken met on a birding tour to Australia in 2005, a month after Hurricane Katrina and have been birding the world ever since. Both have a special spot for birding in Asia (not for the food but for the birds!)

Superb Bird of Paradise



Feline Owlet Nightjar



## Audubon Coastal Bird Surveys in Louisiana

Speaker: Chloe St. Germain-Vermillion

Tuesday, February 18

6:30 p.m. social, 7:00 p.m. program

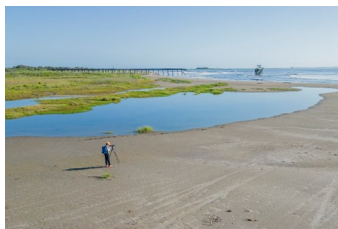
Community Church Unitarian Universalist, 6690 Fleur de Lis (Lakeview).

Chloe St. Germain-Vermillion is Audubon Delta's Coastal Bird Technician, an Orleans Audubon Society Board Member, and a Committee Member for the Louisiana Bird Records Committee. Working primarily in Southeastern Louisiana, Chloe has been monitoring coastal populations of breeding Least Terns, Common Nighthawks, and Wilson's Plovers for the past 3 years. She is also responsible for coordinating the Audubon Coastal Bird Survey in Louisiana and running the New Orleans Rooftop-Nesting Bird Program in partnership with Orleans Audubon Society.

The Audubon Coastal Bird Survey (ACBS) provides scientists with valuable data for addressing conservation needs of coastal waterbirds and shorebirds along the Gulf Coast. As Audubon Delta's Coastal Bird Technician for Louisiana, Chloe is responsible for conducting and coordinating these surveys in coastal Louisiana during the spring, fall and winter. During this presentation, you will discover what it takes to conduct a coastal bird survey, learn some shorebird ID tips, and find out how you can become involved as a volunteer surveyor!



Bird photos by  
Chloe St. Germain-  
Vermillion



Chloe on the beach photo by  
Sydney Walsh/Audubon

## **Audubon Abita Bird Club: How to ID birds by sound with Donata Henry**

December 31

Abita Springs Town Hall, 22161 Level St, Abita Springs, LA 70420

### **BIRDING FIELD TRIPS**

Bring binoculars, field guides, bug spray, rain gear, sunscreen and refreshments. Boots and cell phones may be useful. Snacks and drinks are recommended. Contact the trip leader if you have questions. Any last minute changes will be posted on the Events page of the OAS website: <https://jjaudubon.net/events/>

At the discretion of the leader(s) trips will be divided into groups if the number of attendees becomes too large. *eBird users*: Please share your eBird account email address with the trip leader and the trip leader or designee will keep the trip list to share with participants.

#### **Audubon Abita Bird Club: Bird walk at Big Branch NWR**

Saturday, November 16, 7:30-10:00 a.m.

Leader: Donata Henry, [droome@tulane.edu](mailto:droome@tulane.edu)

#### **Audubon Park and the Fly – half-day trip**

Saturday, November 30, 8:00 AM

Location: Meet in the parking lot off Magazine St. (St. Charles side of Magazine) near the golf club house.

Leader: Peter Yaukey (504) 400-3286, [pyaukey@uhcno.edu](mailto:pyaukey@uhcno.edu)

#### **Fontainebleau State Park – half-day trip**

Saturday, January 11, 8:00 AM

FSP is east of Mandeville on Hwy 190. Meet at the large parking lot closest to the lake. \$2.00 entrance fee required.

Leader: Holly Morales, (985) 264-4406, [holly@moralesmusic.com](mailto:holly@moralesmusic.com)

#### **Joe Brown Park – half-day trip**

Saturday, January 25, 8:00 AM

Meet just inside Joe Brown Park in New Orleans East. Exit I-10 at Read Blvd. and turn right on Read. Joe Brown Park will be on the left about a half mile down Read Blvd.

Leaders: Joelle Finley and Ken Harris, (504) 715-2647, [jjf1946@gmail.com](mailto:jjf1946@gmail.com)

#### **Audubon Abita Bird Club: Winter bird walk at the Abita Nature Center**

Saturday, February 15, 7:30-10:00 a.m.

Leader: Donata Henry, [droome@tulane.edu](mailto:droome@tulane.edu)

### **OAS Officers, Board and Committee Chairs**

#### **Officers**

Jennifer Coulson, *President, Raptor Monitoring, Fund-raising Chair*

Joelle Finley, *Vice-President, Program Chair, Field Trip Chair*

Mary Joe Krieger, *Treasurer*

Sherry DeFrancesch, *Secretary, Editor of The Ibis, Investments Chair*

#### **Board Members**

Byron Almquist, *Public Lands*

Joan Garvey, *Membership Chair*

David P. Muth, *Sanctuary Chair*

Glenn Ousset, *Citizen Science Chair*

Charlie Pfeifer, *Louisiana Wildlife Federation Delegate*

Chloe St. Germain-Vermillion, *Rooftop Nesting Birds*

Wendy Rihner, *Education Chair, Publicity Chair. Native Plants for Birds*

Michael J. Tifft, *Legal Chair*

Andrew C. Wilson, *Conservation Chair, Legal Committee member*

Peter Yaukey, *Birding Course Instructor*

John Nelson, *Wild Bird Rescue*

# Christmas Bird Counts in Southeast Louisiana

The 125<sup>th</sup> Christmas Bird Count (CBC) is almost here! The CBC is a community science project where volunteers count birds in designated areas, called count circles. Each count occurs on one day between December 14 and January 5. The bird survey data are then used to learn about bird populations and trends.

Volunteers are organized into circles, each with a compiler who leads the count. The count takes place in a 15-mile diameter circle, and volunteers count all birds seen or heard, including the total number of each species. Each count usually takes place from dawn until dusk, but owling may be included in some counts and is encouraged.

CBCs provide valuable data on bird population health, movements, and trends. These data are used in countless reports and publications, such as the State of the Birds Report. The CBC began in 1900 as an alternative to hunting birds on Christmas Day. It is now a program of the National Audubon Society and takes place in over 20 countries in the Western Hemisphere.

If you are interested in participating in a local CBC, contact the compiler for instructions:

**Slidell CBC** – Saturday, December 14 – Compiler: Wendy Rihner, [wrihner@gmail.com](mailto:wrihner@gmail.com), 330-348-3810

**Grand Isle CBC** – Wednesday, December 18 – Compiler: Chris Brantley, [chrisbrantley@charter.net](mailto:chrisbrantley@charter.net)

**New Orleans CBC** – Saturday, December 21 – Compiler: Glenn Ousset, [gousset@bellsouth.net](mailto:gousset@bellsouth.net), 985-353-3412

**Reserve-Bonnet Carre Spillway CBC** – Thursday, December 26 – Compiler: Chris Brantley, [chrisbrantley@charter.net](mailto:chrisbrantley@charter.net)

**St. Tammany Parish CBC** – Friday, December 27 – Compiler: Chris Brantley, [chrisbrantley@charter.net](mailto:chrisbrantley@charter.net)

## Birding Courses

OAS is pleased to announce the offering of a series of both in person and Zoom only birding courses taught by Dr. Peter Yaukey, a lifelong avid birder and biology professor at the University of Holy Cross, New Orleans. While the course series follows something of a progression, participation in the earlier courses is not a prerequisite.



ORLEANS AUDUBON SOCIETY'S

# ADVANCED BIRDING II COURSE

By Peter Yaukey, Ph.D.  
Lifelong avid birder & biology professor, Univ. of Holy Cross, New Orleans

**IN PERSON AND ZOOM OPTIONS**

IN PERSON: THREE THU CLASSROOM (7-830PM NOV 14, 21, DEC 5) AND THREE SAT FIELD SESSIONS (8-10AM NOV 16, 23, DEC 7)  
BY ZOOM: FIVE MON ZOOM LECTURES (7-9 PM NOV 18, 25, DEC 2, 9, 16)

Cost \$100, limited to 20 participants in person, 25 online. Pay via Paypal using QR Code below (indicate "Advanced 2 in person" or "Advanced 2 zoom"), or send check payable to "Orleans Audubon Society" c/o: Mary Joe Krieger, OAS Treasurer, 3623 Nashville Ave, New Orleans, LA 70125-4341. Include your name, mailing & email addresses, phone number, course name.



**TOPICS WILL INCLUDE**

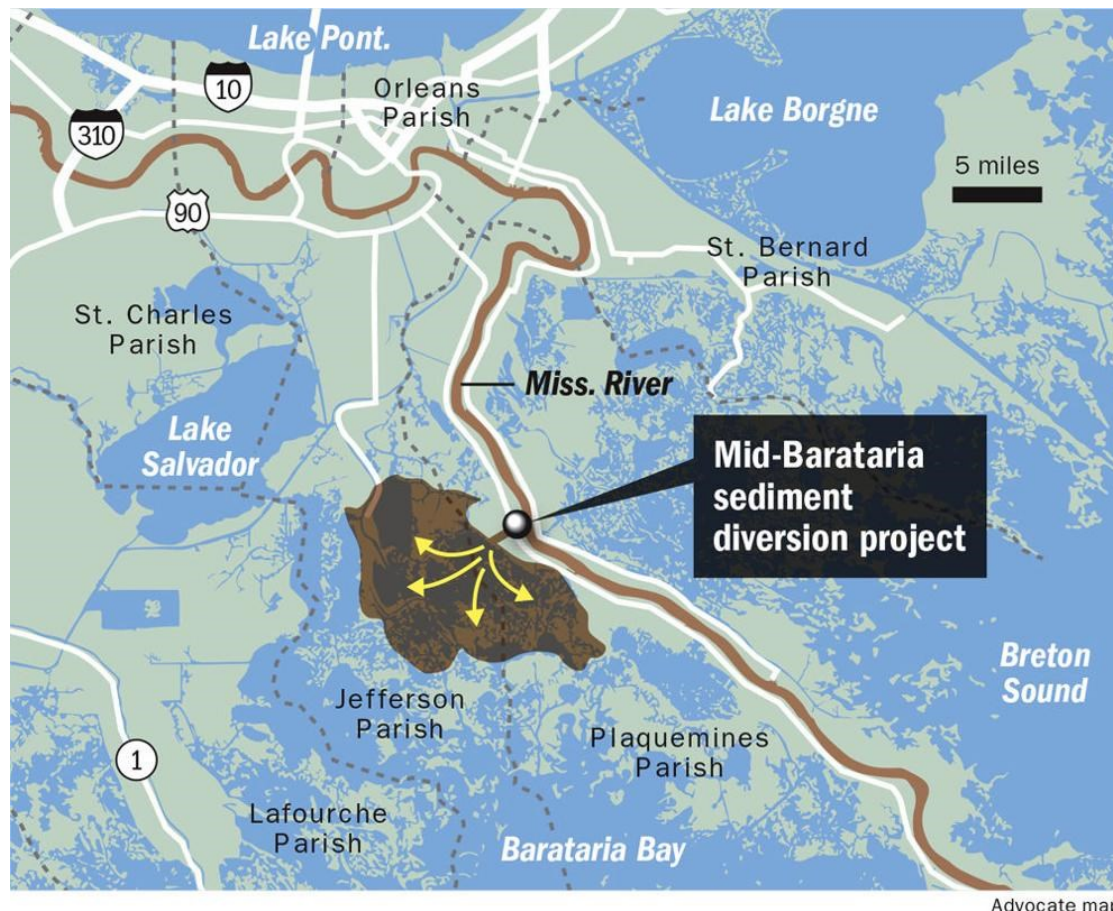
- FIELD STRATEGIES
- BIRD MIGRATION & VAGRANCY
- EXTINCT & ENDANGERED SPECIES
- PHOTOGRAPHY TIPS
- ID OF FLYCATCHERS, SHOREBIRDS, GULLS, AND OTHERS

**\*\*NO PREREQUISITE\*\***

# Will the Mid-Barataria Sediment Diversion Ever Be Built?

By Andrew Wilson, OAS Conservation Chair (JD, LLM Env. Law, Tulane Law School)

Described as a cornerstone in the State's efforts to save Louisiana's coast, the Mid-Barataria Sediment Diversion (MBSD) is intended to build new land in Louisiana's Barataria Basin which has experienced some of the highest rates of land loss in the country. Between 1932 to 2016, the Basin, which is located on the west side of the Mississippi River in parts of Plaquemines, Jefferson, and Lafourche Parishes, lost nearly 295,000 acres of land.



Advocate map

The MBSD project is designed to release up to 75,000 cubic ft. per second of river water and sediment to mimic the natural processes of the Mississippi River. Historically, before European settlers arrived and levees were built, the river flopped about like a garden hose over thousands of years to build lobes of land which eventually became southeast Louisiana. The levees stopped that process. Then trenasses dug by hunters, trappers and fishermen followed by canals excavated for oil and gas exploration and production projects served as capillaries to allow salt water to intrude further inland, killing plant life and accelerating erosion.

As the single largest ecosystem restoration project in the history of the U.S., the MBSD will build more wetlands than any other individual restoration project in the world, and will not only build land but will bring jobs and other revenue to coastal Louisiana. Construction began in August 2023 after 6 years of intensive studies and a lengthy Permitting Process which allowed for significant input from stakeholders and individuals who might be affected by the Project. The MBSD will be funded entirely from fines and penalty money assessed as a result of the BP Oil Spill.

But as writer Clare Boothe Luce once said, "No good deed goes unpunished." Indeed, three lawsuits have been filed related to the MBSD. The first was filed in Baton Rouge by the State's Coastal Restoration & Protection Authority (CPRA) against Plaquemines Parish Government (PPG) seeking a Temporary Restraining Order and an injunction to dissolve a "Stop Work Order" issued by PPG to stop construction activity on the MBSD based upon the State's failure to obtain Parish Permits.

In that suit, CPRA argued that PPG could not require CPRA to obtain a Parish Permit since state law preempted Parish law. CPRA further justified its actions based upon the Public Trust Doctrine in the State Constitution which requires the State to protect its lands and resources, and the police power which requires the State to always take action to protect the health, safety and welfare of the people of the State when necessary. PPG responded claiming that the suit was filed in an improper venue and should have been filed in Plaquemines Parish. PPG then filed its own suit in Plaquemines Parish seeking to enforce its Stop Work Order and CPRA responded once again claiming proper venue was in Baton Rouge where CPRA's offices are located.

Meanwhile, prior to the 2023 gubernatorial election, Landry held a private meeting in February 2023, with Billy Nungesser, a potential candidate for Governor; a nemesis and critic of Landry; a former PPG President and now Lt. Governor; and, a longtime, fierce critic of the MBSD. After that meeting, where the two discussed several topics including the MBSD, the two were all smiles. According to *The Advocate*, Nungesser said of himself, he's "not the right guy to be governor" for now, and Landry said, "It was like a reuniting."

Later that year after Landry was elected, when the Fourth Circuit Court of Appeals decided the venue issue against CPRA, the Landry Administration inexplicably failed to appeal to the Louisiana Supreme Court. The Baton Rouge litigation then ended similarly, and the case is now mired in the local politics of the Plaquemines Parish Courthouse in Pointe-a-la-Hache. Since then, CPRA has done nothing toward seeking a dismissal of the PPG lawsuit, and as a result, the MBSD Project activity has ceased. This means the loss of significant amounts of tax dollars *daily*, as well as significant legal exposure to contractors in the future for breach of contract.

To make matters worse, the federal Trustee Implementation Group (TIG) which oversees the spending of the BP Oil Spill Settlement Funds, sent a terse, formal letter to the Landry Administration and CPRA on October 18, 2024, demanding that the Landry Administration proceed with the MBSD or the federal money and grants, some \$2 billion, will be withdrawn. The letter also explained that the federal funds can't be used for any other coastal projects such as smaller dredging projects favored by Nungesser and his fisheries constituents, absent another series of studies and the development of another Environmental Impact Statement (EIS) as had been developed for the MBSD. That process would take years while all the while the State's coast continues to disappear at an alarming rate.

The only announced reason for the Landry Administration's delays was provided by Gordon Dove, Landry's appointed head of CPRA, at a recent joint legislative committee hearing. Dove indicated that the Landry Administration was concerned about litigation with fisheries, but that made no sense since the State is immune from claims by commercial fishing interests due to recent Louisiana Supreme Court jurisprudence. Dove expressed concern about the PPG litigation which also made no sense due to CPRA's well-reasoned preemption, Public Trust Doctrine and police power arguments raised in the earlier Baton Rouge litigation, which CPRA is apparently no longer willing to assert for unknown reasons.

The MBSD Project is also hampered by yet a third lawsuit, this time filed in federal court in New Orleans by the oyster industry and Earth Island Institute, an out of state non-governmental organization (NGO), and others challenging the EIS and Permit Process which had allowed for the MBSD to go forward. The suit suggests the MBSD will adversely affect certain species listed as either threatened or endangered under the Endangered Species Act (including at least three species of endangered sea turtles that use the Basin for foraging and nesting, and the Red Knot and the Piping Plover), as well as a subspecies of dolphins that has developed a preference for fresher water (referred to as Barataria Bay Dolphins). Named as Defendants were the United States Army Corps of Engineers, the United States Fish and Wildlife Service, and the United States National Marine Fisheries Service, who are being defended by the U.S. Department of Justice (DOJ).

In a rare situation pitting NGO's against NGO's, Orleans Audubon Society (OAS) and several other NGO's have intervened in that federal lawsuit to make sure that the DOJ does everything in its power to protect the MBSD EIS, the MBSD Permit Process and the MBSD Project itself. This is because if the coast is lost, we and all of the animal and plant species living there will be lost as well. It may even be necessary for OAS to intervene in the PPG lawsuit in Pointe-a-la-Hache to "motivate" CPRA and the Landry Administration to defend themselves, and more importantly, the MBSD Project. It shouldn't have to be this way.

## Andrew Wilson Receives Conservation Award

The Orleans Audubon Society (OAS) bestowed its prestigious Swallow-tailed Kite Conservation Award upon **Andrew C. Wilson** at OAS's 75<sup>th</sup> Anniversary Party, held at the Community Church Unitarian Universalist in Lakeview on September 17, 2024. Mr. Wilson received the award for his legal defense of wildlife and the environment. OAS recognized Mr. Wilson for his *pro bono* legal work, volunteer consulting, for his leadership in conservation policy issues, and for his environmental outreach through media communications and grassroots advocacy campaigns.

For a little background, Andrew is an attorney and partner at Milling Benson Woodward LLP in Mandeville, LA. He received his JD and LLM in Environmental Law from Tulane Law School. Andrew is well known for defending the State of Louisiana and achieving the outright dismissal of a class action and several other related suits seeking billions of dollars in alleged damages to oyster leases in Louisiana. The litigation had prevented progress on coastal restoration projects. He is married to Karen Gautreaux, State Director of the Louisiana Chapter of the Nature Conservancy, whom he met during their mutual efforts to save the coast.



Mr. Wilson's conservation volunteer work is extensive, and what follows are highlights from a few of the projects he has spearheaded recently.

**Louisiana's Wind Energy Program.**—Andrew has provided legal consultation to environmental NGOs regarding Louisiana's wind energy development plan for territorial waters. In its efforts to develop nearshore wind rapidly, Louisiana is falling woefully short in terms of environmental obligations. Mr. Wilson alerted the NGOs to Louisiana's new "Operating Agreement" approach in lieu of a lease, and how it could be a way to circumvent environmental concerns.



**St. Tammany's Development Plan.**—Mr. Wilson provided legal representation for OAS and 76 St. Tammany Parish (STP) citizens seeking the right to appeal the decision of the STP Planning and Zoning Commission approving the “New Directions 2040 Development Plan” which had been developed by a consultant chosen by St. Tammany Parish Government. The Parish Plan would allow for rezoning and the construction of 17,000 acres of 1 million sq. ft. warehouses to be built all along already over-burdened and dangerous I-12 to receive and process the intermodal cargo from the Port of New Orleans. Environmental concerns had not been studied or addressed and appropriate flood control and traffic studies were lacking. The citizens’ right to appeal the Planning and Zoning Decision was affirmed by the Louisiana First Circuit Court of Appeal, which was a big win for conservation.

**Endangered Species Act.**—Mr. Wilson has been working diligently to abolish the DOJ’s McKittrick Policy, which discourages prosecutions under the Endangered Species Act (ESA) absent proof that a perpetrator specifically intended to kill endangered species. The policy contravenes the intent of the ESA, and is not a rule, so it could be reversed by the President or the Attorney General with the stroke of a pen. Andrew has drafted letters and resolutions for NGOs and is in touch with members of Congress to garner support and develop a strategy for abolishing this policy.

**Whooping Cranes.**—Shooting of Whooping Cranes continues to be a problem in Louisiana. Mr. Wilson has been working with the U.S. Attorney in Lafayette to pursue greater penalties for shooting endangered Whooping Cranes. Since it costs the State somewhere between \$80,000-\$100,000 to reintroduce each Whooping Crane, he is also working with LDWF to urge the State to seek appropriate restitution for Whooping Crane shootings as a deterrent to future prosecutions.

**Purple Martins.**—Andrew is representing a Harahan couple who have kept Purple Martin houses in their backyard in Harahan for 35 years, before a court in Harahan, because a neighbor complained that the martins and their droppings were a nuisance. Purple Martins depend on human-provided structures for nesting, so losing this case would set a dangerous precedent for the species elsewhere in the nation. Despite the fact that Harahan has an ordinance which declares the city a “bird sanctuary,” the city has now appointed a “special prosecutor” to pursue charges against the retired couple. This dispute is ongoing and Mr. Wilson is seeking an amicable compromise.

**NGO Leadership.**—Mr. Wilson is active in the environmental community. He joined the OAS Board of Directors in 2014, serving on the Legal and Conservation committees. In 2019 he became OAS’s Conservation Chair. As Conservation Chair, Andrew Wilson interacts regularly with Louisiana Wildlife Federation (LWF), often working with the Avian Conservation Committee to develop LWF resolutions. Mr. Wilson has attended Audubon Leadership Conferences, seizing the opportunity to network with National Audubon Society policy and energy experts. Mr. Wilson also serves on the Board of Directors of The Coastal Society. He is also a frequent speaker and panelist for the Tulane Environmental Law Summit and at the annual State of the Coast Conference and is a member of the Environmental Commission of the Episcopal Diocese of Louisiana which seeks to link an appreciation of nature with spirituality.

**Education and Outreach.**—Mr. Wilson’s media and public outreach has been effective at attracting interest in environmental issues and motivating individuals to become involved. Andrew has developed a rapport with local environmental news reporters in local television, newspaper, and radio. He writes regular policy articles for *The Ibis* to keep our membership informed. Aside from environmental law, he is an avid birder, races his sailboat as a member of Fleet 7 of the National Rhodes 19 Association at Southern Yacht Club, and serves as a referee for high school lacrosse.

In closing, Mr. Wilson is an exemplary conservationist and a particularly knowledgeable environmental lawyer. Notably, he shares his expertise with NGOs, government agencies and the public to further environmental policies and causes.

As she handed Andrew Wilson the plaque, OAS President, Jennifer Coulson, also added, “It is a real honor to work with you, sir.”

# OAS's 2024 Accomplishments

By Jennifer Coulson, OAS President

Looking back on 2024, this has been a great year for OAS with a number of milestone accomplishments. The Swallow-tailed Kite project, through magazine and newspaper articles and social media posts, reached over 600,000 people! OAS partnered with American Bird Conservancy, Avian Research and Conservation Institute, International Paper, and the McDaniel Charitable Foundation to conserve Swallow-tailed Kites and their habitats on working forests in the wood fiber procurement area for International Paper's Bogalusa Mill. These partners held "Bird Friendly Forestry Workshops" in Washington and Tangipahoa parishes. OAS also partnered with the Barataria-Terrebonne National Estuary Program to identify areas Swallow-tailed Kites used in the Barataria-Terrebonne Basin, and we worked with private landowners and public land managers to conserve kites there. OAS also provided technical advice for the conservation of the Swallow-tailed Kite for Louisiana's and Texas's Wildlife Action Plans.

Other bird conservation work included partnering with Audubon Delta to conserve rooftop nesting birds and providing volunteers for Audubon Coastal Bird Surveys. OAS continued its partnership with UNO to maintain the Greater New Orleans Area as a USFWS Urban Bird Treaty City. OAS volunteers monitored Bald Eagle nests in Louisiana and Mississippi.

Wild bird rescue efforts included providing emergency care and transport for birds that collided with windows, and capturing Anhingas, Pied-billed Grebes and other water-associated birds tangled in fishing line and plastic netting from landscaping turf. Our most interesting rescue of a debilitated young bird was a Swallow-tailed Kite that fell from its nest. After receiving medical treatment at the LSU School of Veterinary Medicine, the kite was transferred to Acadiana Wildlife Education and Rehabilitation for weight gain and further care, and then it finally came to OAS for flight training and release.

OAS's environmental education programming continues to excel and expand. We offered 10 programs, 20 birding field trips,

and participated in 2 birding festivals and an Earth Day event. One highlight was OAS's 75<sup>th</sup> Anniversary Wine and Cheese Party, with members attending who we had not seen in years, exceptional hospitality, and a running slideshow of OAS's history. The new Audubon Abita Bird Club held 3 programs and 2 birding field trips on the North Shore. OAS produced 4 issues of *The Ibis* newsletter, with both printed and electronic editions. Membership incentives included a new Swallow-tailed Kite fine art print for anyone joining or renewing at the \$150 level. OAS volunteers also participated in native plant sales, specializing in those plants attractive to birds. OAS volunteers also compiled and/or helped with 6 area Christmas Bird Counts.

An exciting addition to OAS's education program was the offering of a new birding course series: Beginning, Intermediate, Advanced I and Advanced II Birding courses were all offered in person and as Zoom options, for a total of 8 courses. We also conducted outreach to institutions and community organizations including Tulane's Ornithology class, high school birding clubs, and the Kids Who Bird club. The talk on nesting Bald Eagles to the River Ridge Community Association drew 84 people!

2024 has proven to be an especially busy and productive year for conservation and advocacy. Coastal restoration statewide is in jeopardy from a law suit, and OAS and the Environmental Defense Fund have intervened. Conservation of the Pearl River included grassroots campaigns opposing the One Lake dam/dredge and development plan and supporting the EPA's decision to restore the Yazoo Pumps veto. OAS provided technical advice concerning renewable energy in Louisiana, especially alerting Louisiana to bird concerns for nearshore wind projects. OAS advocated for MRGO ecosystem restoration, repeal of the McKittrick Policy, and maintaining an effective Endangered Species Act. The Purple Martin grassroots campaign included a petition to drop the case against the Stamms, concerning their Purple Martin gourd complex in Harahan. Please read more about OAS's important conservation work elsewhere in this issue.

## Urban Nature Walks

One of OAS's members, Helen Sierminski, of Nola Sidewalk Gardens and Forests, guides Urban Nature Walks every Sunday at 9:00 a.m. in the Marigny Neighborhood. The group meets at Washington Square (700 Elysian Fields Ave) at 8:45 a.m. and walks for about an hour around this historic neighborhood. She also guides bimonthly walks for the Sierra Club exploring the neighborhoods of New Orleans.

Urban Nature Walks are mindfulness walks designed to foster an appreciation for nature within an urban setting. The walks focus on noticing birds, flowers, trees, lizards, and other aspects of nature that exist all around us. It is suggested that walkers wear comfortable shoes and bring their binoculars for these walks. Downloading the following apps is also advantageous: Seek by iNaturalist and Merlin Bird App.

Helen is a spiritual worker with a nature-based practice. She also offers private Urban Nature Walks. You can contact her on her Instagram and Facebook Pages: Nola Sidewalk Gardens and Forests, or by email: [nolasidewalkgardensandforests@gmail.com](mailto:nolasidewalkgardensandforests@gmail.com) with questions or to book a walk.

# Purple Martins: A Nationally Cherished Songbird is Now Public Enemy No.1 in Harahan?

By Andrew Wilson, OAS Conservation Chair (JD, LLM Env. Law, Tulane Law School)

Purple Martins are one of the most popular songbirds in the nation. Not only do they entertain young and old with their in-flight acrobatics, they also provide a valuable service to humans and animals by consuming harmful insects.

But the City of Harahan, which has ironically dubbed itself a “bird sanctuary,” doesn’t see it that way. The Mayor and the City Council of Harahan have appointed a “Special Prosecutor” and a “Special Magistrate” to prosecute to the fullest extent of the law a retired couple, Carol and Andrew Stamm, who simply offer temporary homes to migrating Purple Martins. The Stamms and the Purple Martins desperately need your help and support to convince the City to stand down.



The Stamms with some of their Purple Martin houses (gourds).

*-The Advocate*

The Stamms have maintained Purple Martin gourds and the structures from which they hang in their backyard for over 35 years. Purple Martins migrate from South America to Louisiana in early spring, mate and fledge their young from April to early June each year and then move on. And so it is with the Stamms’ backyard. That is until a new neighbor arrived who has made it his goal to gradually reduce the number of Purple Martins who visit the Stamms, claiming they produce an excessive amount of bird droppings. But Purple Martins find safety in numbers, so if their flocks are reduced they become vulnerable to predators such as hawks and nuisance birds such as House Sparrows who take over their nest cavities.

The Stamms have offered the new neighbor and any affected neighbors free carwash coupons for the whole time the birds are present (regardless of other birds present and their droppings) and to pressure wash affected neighbors’ properties every 2 weeks as needed, but this was rejected out of hand.

Meanwhile, the Mayor and the Council have also made it all too clear that the Mayor’s Court will be an extremely hostile environment for Purple Martins and the Stamms. As *The Advocate* reported, Councilman Eric Chatelain told the Complainant in a recent Council Meeting, “If I was in your situation, I would have gotten in trouble already.” Even worse, Mayor Tim Baudier himself joined in, stating, “I’d have fed them all Alka Seltzer,” which is a slow and horrible way to poison and kill birds.

Shortly thereafter the Stamms were arraigned in the Mayor’s Court. They pled not guilty to creating a nuisance for simply offering a few months of temporary housing to Purple Martins on their migratory journey. The Magistrate then set a hearing date in December, 2024, for any pre-trial Motions before the full trial is set, but the hearing date is being rescheduled.

Since the City’s Ordinances require an unsuccessful Defendant to pay the City’s attorney’s fees, the Magistrate’s fees, the City’s experts’ fees and all court costs, as well as any fines, the Stamms may be facing upwards of \$70,000 if they lose. This may constitute a violation of the “excessive fines clause” of the Eighth Amendment to the U.S. Constitution since all they are doing is trying to protect a cherished songbird whose numbers are rapidly dwindling in Louisiana. This will be raised in a pre-trial Motion. Also, the City’s Ordinance requires that when a complaint of this nature related to gathering birds is raised, the City Regulatory Officer must meet with members of the Audubon Society and local garden clubs to resolve this issue, which has not happened and will therefore be the subject of another Motion.

The Stamms welcome any support you can give. To find out how you may assist them and Purple Martins generally, please register for the Zoom showing of the documentary, “Purple Haze” which will be shown on November 14, 2024 at 6:30 p.m. Representatives of OAS and other interested organizations will also be speaking at that time to provide further insight as to what you can do to help.

The SE Louisiana Chapter of the  
**National Audubon Society**

Orleans Audubon Society  
3623 Nashville Avenue  
New Orleans, LA 70125



### ***GivingTuesday & Year-end Giving***

You can help OAS achieve its mission to conserve the wildlife and wild places of the southeastern U.S. and to foster an appreciation of nature. Please remember OAS on Giving Tuesday on December 3rd and also in your year-end donations. OAS has a lot of exciting projects that we need more funding for, ranging from Endangered Species advocacy, to building a boardwalk at the Marguerite Moffett Audubon Sanctuary, to building Bald Eagle nest platforms, to Swallow-tailed Kite global tracking, to the Native Plants for Birds campaign.

If you like what we're doing, and want to contribute to local environmental education, advocacy, and conservation, please support OAS. OAS is a 501(c)(3) charitable organization, and as such, your donation may be tax deductible. If donating by check, make the check payable to "Orleans Audubon Society" and mail it to: Mary Joe Krieger, OAS Treasurer, 3623 Nashville Avenue, New Orleans, LA 70125. Or send a donation using the "Donate" button on the OAS website via PayPal. You may also wish to donate through the OAS Facebook Page or through a Donor Advised Fund.

