

MINUTES
of the California Bird Records Committee 2004 Meeting
San Jose, 23B24 January 2004

Present: Luke W. Cole, Richard A. Erickson (Chair), Guy McCaskie (Secretary), Todd McGrath, Joseph Morlan, Kristie N. Nelson, Peter Pyle, Michael M. Rogers (Vice Chair), Mike San Miguel, John C. Sterling, John C. Wilson.

1. The meeting was called to order at 7:30 p.m. January 24, 2004 by Erickson.
2. Election of members.

Erickson expressed a desire to have new members at the meeting just after they were elected, and wondered if there were ways to make that happen, such as having election by conference call prior to the annual meeting. McCaskie noted that it was difficult to have a good discussion of candidates by conference call. These ideas were discussed but no action was taken. Erickson polled the most recent crop of members (McGrath, Nelson, Sterling) to inquire as to how to make their experience better, and received the universal feedback that 1) the new members do not see batches for months and months; and 2) Tristan McKee's New Member Memo was useful. Pyle noted that the Committee had at one time sent a recirculation batch to new members early on and suggested that all new members receive the Afourth and final@ batches after the old members= review; this was discussed but not adopted. McCaskie pointed out that the Chair determines the sequence of the routing of the batch; it was agreed that getting a batch or two to new members earlier would be a good idea. McGrath suggested sending a sample batch out to new members so they could see what one looked like and what to expect. This was embraced by the Committee. Rogers suggested the batch include a sample of the issues facing the Committee B such as ID challenges, natural occurrence issues, etc. The Asample batch@ could be returned to the Secretary for future use with other new members. There was consensus that this was a good idea.

Action items:

1. Secretary will compile a sample batch to share with new members.
2. Chair will adjust routing to ensure that new members see batches as soon as possible.

2a. Discussion of the future membership. The Committee discussed potential candidates on the horizon, expressing the desire to attract new blood and to retain experience and expertise. The need for more women was noted.

2b. Election. It was agreed that the discussion of candidates is confidential, and that the comments of individual members during this discussion are not to be shared outside the Committee. The following candidates were nominated (superscripts indicate the number of CBRC terms served previously):

Jon L. Dunn⁶ (Cole, McGrath, Morlan, Nelson, San Miguel)
Matt T. Heindel³ (Erickson, Wilson)
Marshall J. Iliff⁰ (Erickson, McGrath, San Miguel)
Don Roberson³⁺ (Erickson)
Daniel S. Singer¹ (Morlan)
Brian L. Sullivan⁰ (Cole, McGrath, San Miguel)

The only outside suggestion this year was David Vander Pluym.

The Committee elected Dunn, Heindel and Iliff. The CBRC appreciates all the nominees= willingness to serve.

3. Election of Secretary. Cole nominated Guy McCaskie, San Miguel seconded. The Committee unanimously elected McCaskie.
4. Election of Chair
 - 4a. Proposed bylaw change. Erickson expressed concern that the new Chair should have some continuity on the Committee, and thus thought that options to extend the Chair=s term on the Committee after it expires. Cole had drafted two bylaws changes to reflect Erickson=s wishes, one which would waive the Aone year off@ requirement for the Chair, and one which would allow for a non-voting Chair similar to the non-voting Secretary position. There was no support for waiving the Aone year off@ requirement. Pyle moved to approve a non-voting Chair, Rogers seconded. After discussion on the topic, the motion failed 7-3 (requires 9-1 for passage).

- 4b. Election of chair. McGrath nominated Cole, Morlan nominated Heindel. The Committee elected Cole. It was clarified that under the bylaws, nominations for the chair may only be made at the meeting; although nominations cannot be made until the annual meeting, members were encouraged to discuss candidates ahead of time.
5. Election of Vice-Chair. Wilson nominated Heindel, who was elected unanimously. It is anticipated that Heindel will become Chair when Cole's term expires in 2005.

The Committee adjourned for the evening at 10:25 p.m. and reconvened at 9:10 a.m. January 24, 2004. All members were in attendance; member-elect Iliff was also present.

6. Approval of 2003 minutes. Cole suggested removing the brackets and Aadopted?@ in Section 8f; with this change the 2003 Minutes were unanimously approved. Erickson suggested, and the Committee reached consensus, that minutes should go out to members sooner, be approved sooner, and be available to the public on the CBRC website sooner. As it is now, the minutes take one year for approval and posting to the website. A vote by e-mail could accelerate this process substantially; a simple majority is all that is needed to approve the minutes. Wilson suggested that this change be reflected in the Bylaws, and it was referred to the Bylaws subcommittee for wordsmithing. McGrath and Wilson pointed out that the minutes are the living product of the CBRC and thus important. Morlan noted that the CBRC used to produce a digest of the minutes, maintained by the Vice Secretary, that was useful reading.

Action items: 2004 Minutes are to be distributed to membership for an e-mail vote as soon as possible. Bylaws subcommittee will review bylaws for any necessary changes.

7. State of the Committee. After a review of the agenda, Erickson led discussion.
- 7a. Annual reports. The report of 2002 records (Cole and McCaskie) is at *Western Birds*; it was sent to Philip Unitt earlier this month. Publication expected in the first issue of *Western Birds* this year. San Miguel and McGrath have volunteered to write the report of 2003 records; final draft should be to Unitt by mid October 2004. Erickson solicited volunteers for the 2004 records report; Nelson and Sterling expressed interest. McCaskie suggested that an Aolder@ Committee member also be part of the writing team; Cole volunteered.

Action item: Draft 2003 report to *Western Birds* by October 2004.

- 7b. Circulation. McCaskie suggested that the Committee members try to get through batches within two weeks of receiving them. If a member will be out of the country, please advise McCaskie and the membership so that batches can be routed around the absent member. The Committee expressed happiness at how quickly batches were being sent out by the Secretary. Wilson wondered about conditional recirculation (e.g., APlease recirculate if I am the only reject vote@), and McCaskie stated that he tried to follow members' instructions as best he could. McCaskie also noted that if a member is interested in a particular record, he could send the record to that member and so recirculation to the entire Committee was not required to see others' comments.
- 7c. Budget. McCaskie requested to be reimbursed for the post office box rented for the Committee, \$136.00; the bill was sent through Morlan to the WFO treasurer. The Committee thanked McCaskie for his many other unreimbursed contributions (postage, paper, copying, etc.) to the Committee.
- 7d. Secretary's/Chair's comments. Several items were raised:
- § The Secretary will not circulate reports that do not include a description or something else to evaluate; simple reports will not do.
 - § After some discussion, the Committee reaffirmed that records submitted to *North American Birds* regional editors and then to the CBRC will be circulated if there is a description of the bird, even if the report is not published in *North American Birds*.
 - § The Secretary reminded members that he will not reveal vote totals to the public until there is a decision on a record.
 - § McCaskie noted that not all material received with each record is circulated, as some is duplicative, bulky, or not particularly relevant. Committee members expressed a preference for seeing all material on Afourth

and final@ circulations, except where the record had already been accepted on ID grounds. The Bylaws Subcommittee will ensure that the bylaws match this practice by providing that all Apertinent@ material will circulate.

§ McCaskie reminded members: 1) you must provide comments for all first-round reject votes; 2) never add documentation to a record during circulation; 3) it is not the responsibility of the Secretary or the Chair to solicit documentation that members know existsCdo it yourself; 4) the Secretary may attempt to discourage reports of Aobviously misidentified@ birds, but if reporters persist, the record will circulate.

§ McCaskie queried the Committee on what to do with new information received on records already in circulation or already accepted/not accepted. The Committee determined that such information should either circulate with the number of the already submitted record if the Secretary determines it likely pertains to the same bird, or be attached to records already decided upon and archived at Western Foundation of Vertebrate Zoology (WFVZ).

§ Pyle asked about the use of the date spans published in *North American Birds*. McCaskie reaffirmed the CBRC=s practice of following the *NAB* dates unless the Committee has reason to believe otherwise.

§ McCaskie presented a number of records that raised interesting policy issues for which he needed direction. After discussion, the Committee offered advice and counsel on how to deal with these records:

1. Recirculation of records not accepted when new information is submitted (e.g. Imperial Valley Glossy Ibis, Santa Cruz Nutting=s Flycatcher). The Committee decided that the records should recirculate with the existing number if the Secretary determines it is likely the same bird. Cole and McGrath requested that the Nutting=s Flycatcher record from Santa Cruz circulate a third time. The Glossy Ibis will circulate with a new record number.

2. Circulation of documentation extending the date of occurrence for accepted records (e.g., Ruddy Ground-Dove, Black Rosy-Finch). McCaskie explained the policy of the CBRC to follow the dates in *North American Birds* unless there is reason to believe otherwise. The Committee decided that the reports extending the dates on controversial records should recirculate with the existing number if the Secretary determines it is likely the same bird. McCaskie stated he would circulate the Rosy-Finch as the same bird.

3. Circulation of records with inadequate or unusual documentation. Several records which had languished for some time were dealt with as follows:

a. A published, unreviewed record of Gyrfalcon, with no details, and reference to Black Rosy-Finches in a Masters Thesis with no details, subsequently cited to in the *Birds of North America* account, are both to be filed at WFVZ in Apublished, unreviewed reports@ folder.

b. Pyle will investigate specimens of Yellow Rail apparently collected in California, but with no date and location on the label, found in the Canadian Museum of Nature, Ottawa; and a previously lost record of Upland Sandpiper, including a photographs of distinctive feathers. If the records are plausible, they will be forwarded to McCaskie for circulation.

4. Records of obvious escapes will not be circulated. These are to be sent to the Introduced Birds Subcommittee (IBS), which will review reports of exotics of all kinds (including Darter, House Crow and Great Tit reports reviewed at the meeting). The Committee decided that the subcommittee (not the CBRC) should maintain a list of those species reported, and apprize the Committee on an annual basis.

5. The Committee dealt with two records involving misidentifications and wrong information.

a. A 1945 specimen record of Short-tailed Hawk appears to pertain to a Zone-tailed Hawk and will circulate to the Committee, as it is within the date span for Zone-tailed records reviewed by the Committee.

b. Two Smith=s Longspur specimens at Cornell University were mislabelled, and were actually collected in Kansas. The labels at Cornell have been corrected, and this report will be placed in a file at WFVZ in case earlier published reports of the specimens lead researchers there.

6. Reports submitted to McCaskie from the web site with no details, despite several follow up efforts, will be discarded.

Action items: Reports of Gyrfalcon, Black Rosy-Finch and Smith=s Longspur will be filed at WFVZ (Erickson)
Pyle to investigate Yellow Rail and Upland Sandpiper records and report to Committee.
McCaskie to send reports of exotics to IBS.
McCaskie to circulate 1945 Short-tailed Hawk record as a Zone-tailed Hawk record and recirculate Nutting=s Flycatcher record.

The Bylaws Committee to suggest wording so that all Apertinent@ material will circulate.

7e. Assignments/volunteers.

1. Public relations on the Internet. Kimball L. Garrett will continue to serve as CBRC spokesperson.
2. Maintaining and updating the CBRC photo gallery. Morlan=s tenure on the Committee is expiring, McGrath agreed to take on this task.
3. There has been no movement on a continent-wide gathering of records committees, although Cole pointed out that a national listserv of committee members now exists. McCaskie asked to be apprized of it. Iliff agreed to pursue this issue, probably with the help of Dunn.
4. Erickson agreed to continue to print color photo files sent to the CBRC or found on webpages; WFO may need to invest in a color printer for McCaskie.

Action items: Garrett to be notified of continuing role as spokesperson (Cole).

Morlan to transfer instructions on web loading to McGrath and notify CBRC webmaster

Peter LaTourrette.

Erickson to assess role as printer for CBRC and determine, with McCaskie, need for new printer.

7f. Update on digitizing the CBRC archives.

McGrath presented the findings of his research on the topic, noting that the two main issues facing the CBRC on the archival front are 1) disaster recovery, in that all the Committee=s files are in one place and are thus vulnerable to some catastrophic event; and 2) degradation of documentation, either through disintegration of materials or through handling. McGrath provided the Committee with a detailed memorandum on the issue [attached to hardcopy of minutes in file]. Erickson and McGrath noted that digitizing of the archives had begun this past summer by David Vander Pluym.

McGrath=s impressive memo, his presentation, and the Committee=s discussion focused on the development of a digital technology plan, so that we Ado it right the first time@; an examination of the types of files and storage media involved; and the naming convention for easy retrievability of archived files. McGrath outlined the various policy issues facing the committee, including which records to scan first. The Committee agreed to the follow prioritization for scanning records: first, species with five or fewer accepted California records; second, older records, especially those with photographs; and third, everything else. Members suggested that county location and year of sighting be included in the naming convention.

There was discussion of moving to entirely digital review, and Sterling spoke highly of eRoom technology.

An Archives Subcommittee was formally formed, with McGrath as chair and Sterling as member. It is hoped that at least one member from each CBRC class will serve. Heindel was mentioned. Membership is not limited to Committee members, and Erickson and Larry Sansone were suggested as members too. There was discussion about dividing up the scanning duties among the members of the subcommittee, so that all records in circulation will be scanned and archived as they circulate. McGrath and the subcommittee will determine how to do this.

It may evolve that there is a need for two subcommittees, one to handle the archival issues and another to set up electronic review of all records.

Action item: McGrath to convene Archives subcommittee, report back to CBRC next meeting (or sooner).

8. a. Proposed Bylaw Changes.

By memo to the Committee, the Bylaws Subcommittee (Cole, with input from Robert A. Hamilton and Curtis A. Marantz) proposed 33 changes in the bylaws to bring them into the electronic age, clarify them, and make them more useful and readable. [See Memo attached to minutes in files.] The changes found as numbers 1-25 in Appendix A to these minutes were unanimously approved on a motion by Morlan and second by McGrath. After some discussion, and in some cases reworking of Cole=s proposed language, the changes numbered 26-33 were unanimously approved on San Miguel=s motion and McGrath=s second.

Action item: Cole to communicate bylaws changes to LaTourrette for inclusion on CBRC website.

b. Bylaws changes affecting CBRC policy. Cole also raised several policy issues that arose in the context of the bylaws, which were resolved by minor bylaws amendments.

1. The Nearest point of land question. The Bylaws are silent on whether this includes islands, which it does. The following was unanimously approved on a Pyle motion with Morlan second.

II. Purposes

A. This area is within 200 nautical miles of the nearest point of land (including islands) in California, except to the extent the southern boundary is truncated by areas under the jurisdiction of Mexico pursuant to international law.

2. Statistical acceptance and record numbers. Up to now, the Committee has not given record numbers to those records accepted for statistical purposes only, which has led to some confusion. All records, statistical or not, need a record number to be entered into the CBRC electronic database. The following was unanimously accepted on Pyle's motion and Wilson's second.

VI.H. Statistical acceptance or non-acceptance of records. The Committee may adopt additional methods of dealing with published records of review-listed species for which documentation is not available (an example might be records which were supported by specimen and published in an authoritative source, but for which the specimen is no longer extant). For record-keeping purposes, these records shall be given CBRC numbers. Such records may be accepted or not accepted for statistical use in the compilation of California records without circulating through the Committee. Decisions of this nature may be made at a meeting. Records without details may be formally not accepted by majority vote. Any record accepted in this category must receive all, or all but one, of the votes of the Members present at such meeting. Any use or publication of such accepted records by the Committee shall be accompanied by a clear indication that the record was not accepted under normal procedures; such records are considered statistically accepted or not accepted.

The consensus of the Committee was that such numbers should, in the year portion, pertain to the year of the CBRC report in which they were first published, and in the sequential number portion following the hyphen, to start at 500 to indicate to the casual observer that the record decision was for statistical purposes.

3. Cole pointed out that the bylaws were internally contradictory in the number of votes they require to add and delete species from the Review List, in places allowing such changes by 5, 6 and 7 votes. The Committee determined that 7 votes should be the minimum, and referred the matter to the Bylaws Subcommittee to effectuate its decision.

4. Committee purposes. To reflect the broadening of the Committee's purposes beyond the review of only sight records, the following was approved unanimously on a Morlan motion and Pyle second:

II. Purposes

D. Provide a means by which sight bird records can gain universal acceptance as valuable scientific data.

Action items: Review List vote bylaw referred to Bylaws Subcommittee for recommended language. Cole to communicate bylaws changes to LaTourrette for amending of website.

c. The Committee briefly discussed adoption of *Robert's Rules of Order* or similar. Cole reported that he would run the meeting slightly differently than Erickson based on his experience with Robert's Rules, but that no policy or bylaw change was necessary.

d. McCaskie reviewed the problem of having less than ten votes because of a member missing in action. After discussion, it was agreed that if the problem arose during a member's term, the Bylaws provide for removal of that member and appointment of a new member. If the problem arises in the context of a fourth and final review after the member's official term has expired, the Committee agreed to pressure the member to provide votes upon learning from the Secretary or Chair of the problem, and to have a new member review the records if votes are not forthcoming in a timely fashion.

e. The rights of the Secretary at the meeting were reviewed. As the Secretary is a non-voting *member*, he or she is entitled to full participation at the Committee meetings. McCaskie noted that the Secretary should stay mute on pending records, however, during their discussion by the Committee.

9. Introduced Bird Subcommittee (IBS).

9a. San Miguel presented the report of the IBS (Garrett, Morlan and San Miguel) [attached to the hardcopy of these minutes in the file]. The report touched on events outside the CBRC that may create work for the IBS, such as the inclusion of Yellow-chevroned Parakeet on the ABA checklist and the Mitred Parakeet in the 43rd AOU Checklist Supplement. Birds that have been suggested by the public for possible qualification as additional species for the state list include Mute Swan and Mandarin Duck; the IBS proposed to put out specific calls for information regarding these species. The IBS also reported that it has been the position of the IBS, and thus the CBRC, that the CBRC will make no pronouncement on the Accountability@ of Eurasian Collared-Doves in individual counties. The IBS also proposed that it maintain an Aofficial@ list of breeding exotic species in California; the consensus of the Committee was that that list was best maintained in an unofficial capacity by the IBS with reports to the Committee as warranted. The IBS was encouraged to produce a web page with relevant information for posting on the CBRC website.

9b. Garrett, Morlan and San Miguel remain the IBS members. Cole suggested that new members need to be recruited from later CBRC classes to keep at least one current CBRC member on the subcommittee after next year.

10. Proposed Review List changes.

10a. Additions to the Review List. Pyle moved, Wilson seconded, the addition of American Golden-Plover to the Review List. After a discussion of the difficulty of its identification and the fact that the Committee is not aware of its true status and distribution due to many potentially misidentified birds, the Committee voted unanimously to add the species to the Review List and review all records after January 1, 2004. It is possible that when the Committee achieves a better understanding of the status and distribution of this bird, it may remove the bird from the Review List.

Other birds discussed as candidates for addition in the future were Cape May Warbler (McGrath), Rusty Blackbird (Cole), and Elf Owl (Morlan), the last which may be extirpated as a breeder in the state and thus only expected as an off-course migrant. In light of occasional calls for the addition of Brown Thrasher, it was noted that the species averaged over seven per year from 1982-2001. Morlan suggested the creation of a Rare Breeding Birds panel, as in Britain. McGrath opined that that task was better suited to organizations such as Western Field Ornithologists, local Audubon societies, etc. No action was taken.

10b. Deletions from the Review List

1. Yellow Rail was removed after the discovery of possible nesting and the conclusion that patterns of occurrence in the state were similar over long periods of time. Wilson motion, Cole second, 9-1 vote.

2. Ruddy Ground-Dove was removed because there are more than 100 accepted records and the species is nesting in the state. Wilson motion, McGrath second, 10-0.

3. Painted Bunting was retained on the list after a Wilson motion, Cole second, failed 4-6. Robert A. Hamilton's study is still in the works, and the Committee felt it was still learning more about the distribution of the bird through records. Cole suggested that the evaluation of the Painted Bunting for removal at the next annual meeting was delegated to Dunn.

4. Scarlet Tanager was briefly discussed but no action was taken.

5. Eurasian Collared Dove was discussed. Cole moved, Morlan seconded, to remove the Eurasian Collared-Dove from the Review List. After it was pointed out that the Collared-Dove is not on the Review List (although it has been added to the State List), Cole withdrew the motion. Cole then moved, McGrath seconded, not to add the Eurasian Collared-Dove to the Review List, which passed unanimously.

Action items: Cole to communicate Review List addition/removals to LaTourrette for website change. Dunn to evaluate Painted Bunting for removal and report at the next annual meeting.

11. Accepted records for which the Chairman/Secretary need direction or assistance.

- a. Glossy Ibis (May-Jul 2000, near Calipatria IMP, 2000-109 and 2001-110) B the Committee confirmed that the 27 May 2000 bird shall stand as not accepted.
- b. Black-backed Wagtails (Woodlake, TUL, 2003-046; Deep Springs, INY, 2003-049) were thought to be different birds.
12. Records brought to the meeting at the request of a member.
- a. Arctic Loon (15 Dec 2001, Pt. Reyes MRN, 2001-216). Raised for discussion by Morlan, Morlan and Wilson voted to recirculate and the record will now circulate for a third time and thus does not have a final decision. The discussion of this record pointed out a potential ambiguity in the Bylaws as to when a member can request a record be brought to the meeting and when a record is considered final. This was referred to the Bylaws Subcommittee for resolution; the subcommittee will present options to the Committee electronically in the coming months. McCaskie argued for finality two weeks after notification of the outcome of the vote, others argued for one to three months.
- b. Yellow-billed Loon (21 Feb 2000, Tule Lake N.W.R. SIS, 2000-057). Morlan raised the problem of absent Committee members not having the benefit of the discussion of at the annual meeting of records destined for a fourth and final circulation, and this bird suffering as a result. It was agreed that if a member misses an annual meeting, it is incumbent on that member to find out from the other members the content of the discussion of the fourth and final records prior to their circulation.
- c. Common Pochard (26 Dec 1994, Bolsa Chica ORA, 1995-082). Cole raised this after a Nick Lethaby e-mail on Calbirds raised the hybrid issue, but withdrew putting the Pochards in play after reading a refutation of Lethaby's points by Malcolm Ogilvie.
- d. Harris's Hawks (various dates, places, and numbers). Erickson reminded the Committee of its 5-year plan. The first five years under the plan will be completed at the next annual meeting, so a discussion will ensue then. Wilson reported on an aviary release of Harris's Hawks in 1999.
- e. Yellow Rail (8 specimens, 1889-1912). These had been statistically accepted previously based on their publication in Grinnell and Miller, but with the discovery of the specimens in the relatively recently acquired Stanford University collection at the California Academy of Sciences, Pyle was able to photograph the specimens. After review, the eight records (to be numbered sequentially by McCaskie) were accepted 10-0. One specimen dated 17 November 1911 was listed as from Mayfield, Santa Clara County, indicating that previous treatment by the Committee based on Grinnell and Miller including this as one of the seven records from Redwood City, San Mateo County, was apparently in error. Rogers confirmed that Mayfield is in Santa Clara County.
- f. Little Stint (9 Jul 1988, Upper Newport Bay ORA, 1988-156). Erickson brought up this record for discussion because, in his review of Little Stint records throughout the New World, Iliff found this previously not accepted record to be worthy of reconsideration. The Committee voted 4-5 not to recirculate the record.
- g. Curlew Sandpiper (14-20 Sep 1999, Bolinas Lagoon MRN, 1999-154). After reviewing a new and substantial information in the form of detailed descriptions from Steve N.G. Howell and Michael O'Brien, the Committee voted 10-0 to recirculate the record.
- h. Bar-tailed Godwit (fall 2003, Moss Landing MTY). Since this bird has been determined to be a Marbled Godwit, McCaskie suggested not circulating it. It was the consensus of the Committee that once submitted, under the bylaws the record must circulate to its certain demise.
- i. Broad-billed Hummingbird (21 Apr 1969, Pacific Grove MTY, 1984-228). This record illustrated a problem in the CBRC's treatment of statistically accepted records, as the record was formally rejected during its circulation, but then apparently statistically accepted and thus appears in the draft of *The Rare Birds of California* as statistically accepted. The Committee wanted to deal with the issue as a group, and requested that Erickson put together a batch of records to be considered for possible statistical acceptance or statistical non-acceptance (i.e., an asterisk batch). Erickson noted that this relatively complicated procedure was agreed to at an annual meeting approximately ten years ago.
- j. Black-headed Gull (10-31 Dec 2000, Goleta SBA, 2001-001). The Committee voted 9-0 that this was likely not the same bird as had earlier wintered for a number of years several miles to the east at Santa Barbara.
- k. Thick-billed Murre (12 May 2003, HUM). Erickson wanted clarification of whether this was 4 records or 1 record. The Committee felt it was appropriately circulated as 4 records.
- l. Eurasian Collared-Dove (eight reports with various dates, places, and numbers). All of these birds were accepted, and are to be included in the 2002 report.
- m. Ruddy Ground-Dove (6 Oct 2002-17 Feb 2003, Furnace Creek Ranch INY, 2002-193 & 2003-081). The Committee determined that the same doves were involved in both records, with the female present from 6 Oct 2002 and the male present from 11 Oct 2002.
- n. Thick-billed Kingbird (various winters, Pomona LA). After some discussion, the Committee unanimously accepted the following revised dates supplied by Chris Brady:

7-8 Mar 1993 [no change] 19 Oct 93 - 4 Mar 94 [no change] no reports, winter 94-95 [no change] 30 Nov 95 - 24 Mar 96 [extend to 18 April] 9 Sep 96 - 2 Mar 97 [extend to 21 March] [extend to 18 Sep] 30 Oct 97 - 21 Feb 98 [extend to 8 March] 14 Oct 98 - 1 Mar 99 [no change] 2 Nov 99 - 2 Mar 00 [no change] 29 Oct - 23 Dec 00 [no change] [extend to 27 Nov] 1 Dec 01 - 28 Feb 02

Rogers requested that Brady be approached for documentation for or confirmation of the dates in spring 1996, as April 18 would be the latest date for TBKI by 12 days and the latest date for this bird by 6 weeks. San Miguel agreed to contact Brady.

o. Blue-headed Vireo (ca. 40 from various dates, places, and numbers). Cole, with assistance from Rogers, reconstructed the batch initially assembled by Stephen C. Rottenborn after it was stolen from Erickson's car. Cole briefly outlined the levels of documentation available (slender to mediocre), and also the dilemma facing the committee of reviewing birds that were not documented as full species and will probably not withstand full committee review. Statistical acceptance was suggested, and Pyle noted that the Committee's policy has been to only consider such acceptance from pre-1980 records (of which most of these are not). The consensus was to circulate the Vireo batch one round, and then bring any records not achieving acceptance to the next meeting for discussion.

p. Yellow-green Vireo (28 Sep 14 Oct 1996, Carmel R. mouth MTY, 1996-172; and 5 Oct 1996, Mission Ranch MTY, 1997-051). Following review of the records, the Committee voted 10-0 that two birds were likely involved, in agreement with the opinion of local birders.

q. Pine Warbler. San Miguel reported that the Committee was unlikely to get any update on same bird issues concerning recent Long Beach bird(s).

r. Snow Bunting (27 Oct 1988, Southeast Farallon I. SF, 1988-213). This record inadvertently circulated through the Committee a second time after being published as accepted in 1992. The files generated in the second review will be attached to the original record and archived at WFVZ.

s. Black Rosy-Finch (16 Feb 2001, vic. Benton MNO, 2001-057). A description potentially extending the date of this controversial record will begin circulation and receive the full consideration given to any new record. It will be given the same number as, and circulate with, the accepted record.

Action items: Bylaws subcommittee to fashion definition of A final@ to resolve ambiguity.
McCaskie/Cole to bring Harris's Hawk records to 2005 meeting,
Erickson to compile an Asterisk batch@ of records for circulation.
McCaskie to circulate Blue-headed Vireo batch for one round and bring to 2005 meeting.
San Miguel to follow up with Chris Brady about 18 April 1996 Thick-billed Kingbird

record.

13. The following records, which are without a decision after completion of third circulation, were discussed, sometimes heatedly. All will recirculate for the fourth and final round.

Shy Albatross	25 Sep 1999	The Football SON	1999-139A
Manx Shearwater	7 May 2001	Pt. Piedras Blancas SLO	2001-102
Gyr Falcon	1 Dec 2001	vic. Denverton SOL	2001-210
Long-billed Murrelet	28 Aug 2001	off Little R. mouth HUM	2001-147
Blue-headed Vireo	7 Oct 2001	Camarillo VEN	2001-206
Grace's Warbler	27 B 29 Sep 2001	Natural Bridges S.B. SCZ	2001-166
Pine Warbler	21 Oct 2001	Cactus City Rest Area RIV	2001-180
Painted Bunting	23 Sep 2001	Torrance LA	2001-164

The albatross will circulate as the same bird as one accepted off Pt. Arena MEN, 24 Aug 1999 (1999-093). The records raised policy issues for the Committee such as second-hand reports, the use of one description for several birds, the desire for more detailed documentation from Humboldt County, the need for corroborating documentation from other observers known to have seen a particular bird, the multiple-bird theory, and issues of escape v. natural occurrence.

Action item: McCaskie to circulate a A fourth and final@ batch.

14. Supplemental List.

a. Demoiselle Crane. Morlan moved, and Sterling seconded, to add the Demoiselle Crane to the Supplemental List. After discussion, the motion failed 4-3 with 3 abstentions, and more discussion ensued. The motion then failed 5-5 (6 votes necessary).

b. Black-backed Oriole. Pyle pointed out that the oriole is not that migratory and thus its discovery when it was supposed to be in Mexico may not be that meaningful. San Miguel moved, and McGrath seconded, to add the Black-backed Oriole to the Supplemental List. Motion carried 6-3 with one abstention.

Action item: Bylaws subcommittee to define ASupplemental List@ if possible and report to CBRC.
Cole to contact LaTourrette to update Supplemental List on CBRC website.

15. Miscellaneous items.

15a. Group photo. A group photo was taken.

15b. The steps toward completion of *Rare Birds of California* were detailed by Erickson. Paul E. Lehman has been brought in to review the book, and has brought in a review team that includes Heindel, Iliff, Tony Leukering, Curtis A. Marantz, McCaskie and Don Roberson. With the review, the expected publication date is Fall 2004. The Committee voted 7-3 to put non-native species in the main list in taxonomic order. The Committee held an extensive discussion on the issue of mistakes and discrepancies in the references, as found by outside reviewer David M. Compton. Some believed Compton=s discovered Amistakes@ to be mostly minor, others believed them more serious. The problem should be resolved through the serious vetting the manuscript is currently undergoing by the reviewers, and also through Lehman=s intended outreach to other reviewers.

McGrath left meeting at 6:02 p.m.

15c. State List: The Committee still lists the California Condor as extirpated, but will continue to monitor the ongoing reintroduction program.

15d. Review of individuals showing potential hybrid characters. Pyle noted that the Committee was inconsistent in its handling of hybrids, reviewing some (Blue-winged x Golden-winged) and rejecting others (Black x American Oystercatchers). A brief discussion followed. The point was made that the genetic purity of such individuals should be considered when evaluating records, and the Committee should strive for consistency among members on where the line is drawn on accepting or rejecting such records.

15e. Mechanism(s) for resolving conflicts of interest in the review process. The Committee reached consensus that to guard against the reality or appearance of undue influence, when discussing a member=s record at the meeting, that member could be available for direct questions, but should leave the room for a discussion of the record and should not lobby for the record during the meeting.

15f. Proper public expression of opinions during first circulation of controversial records. The Committee felt that it was appropriate for members to voice opinions on the identity of rare birds, for example the Santa Cruz ANutting=s@ Flycatcher, in print or on web pages as long as the intent was not to lobby or influence another member=s vote on the first round, even if the opinion was based on a review of the CBRC record. Morlan had received conflicting advice on his web pages on the ANuttings,@ and the Committee felt that the advice he received B do not change the website even as evidence mounted against the posted identity of the bird B was overly limiting.

15g. Published locations in CBRC reports. With the creation of the gazetteer for The Book, members should use it to standardize the locations when compiling CBRC reports.

15h. Aging and sexing information for reports. Pyle noted that the CBRC has standardized its terminology, both in *The Rare Birds of California* and in the 2002 Report (Cole & McCaskie) and that such terminology should be used in future reports.

15i. Update of circulation. McCaskie updated members on the status of batches.

15j. Batch coversheet. The appearance of apparent errors on the batch cover sheets was explained by McCaskie; most result from quirks in the electronic database.

Action item: Sterling to transmit CBRC photo to LaTourrette (via Cole if necessary) for the CBRC website.

16. Closing.

16a. Site and date of next meeting: Camarillo 21-22 January 2005.

16b. Appreciations: The Chair recognized Scott B. Terrill and H.T. Harvey and Associates for hosting the meeting; Morlan and Wilson for varying years of service to the CBRC; David Vander Pluym for digitizing CBRC records; Peter LaTourrette for maintaining the CBRC website; and Peg Stevens, Jon Fisher, and WFVZ staff for ongoing support in archiving CBRC records. Cole spoke for the Committee in commending Erickson for his six years of outstanding leadership as chair.

16c. Adjournment. The meeting was adjourned at 6:46 p.m.

APPENDIX A: BYLAWS CHANGES

1. **II. (Purposes), B.** Permanently maintain ~~or cause to be maintained permanently~~ the original bird records and all Committee votes and comments for use by future bird students.
2. **III. C. (1) Election and Term of Office.**

(a) The Members shall be elected on a staggered basis, each for a term of three years, so that three (or four) will be elected each year. Election shall be by vote of a quorum present in person or represented by written absentee ballot at the Annual Meeting of the Committee; proxies shall not be used in this election, but an absent Voting Member may vote by indicating the choices to the Chair in writing prior to the meeting. The three (or four) candidates receiving the largest number of votes shall be elected; if necessary, ties shall be decided by an additional ballot(s) listing only those persons tied.
3. **III.C.(2) Nominations.** Nominations of Members shall be made only by Voting Members and only in writing to the Chair at least 30 days prior to the Annual Meeting. It is the responsibility of the nominator to obtain ~~approval~~ confirmation of willingness to serve from the nominees submitted. A nominator may make a maximum of one nomination per each vacancy, ~~and may not nominate oneself.~~ If the total number of nominees is not sufficient to fill the vacant seats, it is the responsibility of the Chair to nominate the number of persons required. The Chair shall ~~mail~~ transmit the names of the nominees to all Members at least three weeks in advance of the Annual Meeting.
4. **III.D. Secretary.**

(1) Qualifications. ~~In addition to~~ The Secretary must meet the qualifications of Membership, above. ~~The Secretary may or may not at the same time be both simultaneously serve as Secretary and one of the Nine Members, but need not be a Member.~~
5. **II.D(2) Election and Term of Office.**

(a) The Secretary shall be elected for a term of one year. Election shall be by vote of five or more Members present in person, not by proxy or written absentee ballot, at the Annual Meeting of the Committee. The candidate receiving the largest number of votes shall be elected; if necessary, a tie shall be decided by an additional ballot(s) listing only those persons tied. The Chair, or if absent another Member, shall conduct the election.
6. **III.D. (3) Nominations.** Nominations for Secretary shall be made only by Members (not the Secretary or other persons) and at any time prior to, or at the Annual Meeting, either in person or by ~~letter communication~~ to an attending Member. It is the responsibility of the nominator to obtain ~~approval~~ confirmation of willingness to serve from the nominee submitted. A nominator may make a maximum of one nomination, and may not self-nominate. ~~oneself.~~ The Secretary must notify all Members ~~by mail~~ at least three weeks in advance of the Annual Meeting of a willingness to continue in office or an intention to retire.
7. **III.D. (4) Duties.** The duties of the Secretary and Chair overlap somewhat, and responsibilities may fluctuate over time. The following are the duties of the Secretary:
8. **III.E. Chair**

(2) Election and Term of Office.

(a) The Chair shall be elected for a term of one year. Election shall be by vote of a quorum present in person, not by proxy or absentee ballot, at the Annual Meeting of the Committee.

9. **III.E(3) Nominations.** Nominations for Chair shall be made only by Voting Members, and only at the Annual Meeting, either in person or by communication letter to an attending Voting Member. It is the responsibility of the nominator to obtain approval confirmation of willingness to serve from the nominee submitted. A nominator may make a maximum of one nomination, and may not self-nominate oneself.

10. **III.E.4.(e)** Assist the Secretary and members ~~in terms of~~ with record distribution, recirculations, and other required clarifications.

11. **III.F. Vice Chair**

(2) Election and Term of Office.

(a) The Vice-Chair shall be elected for a term of one year. Election shall be by vote of a quorum present in person, not by proxy or absentee ballot, at the Annual Meeting of the Committee.

12. **III.F(3) Nominations.** Nominations for Vice-Chair shall be made only by Voting Members, and only at the Annual Meeting, either in person or by communication letter to an attending Voting Member. It is the responsibility of the nominator to obtain approval confirmation of willingness to serve from the nominee submitted. A nominator may make a maximum of one nomination, and may not self-nominate oneself.

13. **VI.B(7)** Without specific Committee approval (i.e., approval of all or all but one Members at a meeting), forms other than species will not be treated unless listed on the Review List.

14. **VI.B (8)** The Committee will also review records of breeding populations of introduced species not on the state list, but only if evidence is submitted that attempts to prove (a) the correct identification of the species and (b) the viability of the population. To be judged viable, ~~(i) a population must:~~ (i) have bred in the state for fifteen (15) consecutive years, (ii) in general, ~~the population is~~ be increasing or stabilized after an initial period of increase, (iii) be judged to have occupied all geographically contiguous suitable habitat to such a degree as to sustain the population and be thought unlikely to significantly diminish, and (iv) occupy an environment judged similar enough in ecological factors (e.g., climate, vegetation, food, shelter, competitors, predators) to the species' natural habitat, or to other successful introductions, that permanent establishment seems likely.

15. **VI.D. Resubmission**

(2) Records previously receiving a final not accepted decision must receive all or all but one accept votes to reverse a record not accepted on identification or establishment of population, or all but two accept votes to reverse a record not accepted on natural occurrence grounds, with the exception that two not accept votes based on identification will always result in a decision of not accepted, identification not established. Records previously receiving a final accepted decision must receive a majority of not accepted votes to reverse the previous decision and become not accepted; otherwise they remain accepted. Any such re-review of previously final records with previous decisions should be discussed in an appropriate annual report.

16. **VI. F. Circulation Procedures.**

(1) Initial Receipt by Secretary. Upon receipt of a record, the Secretary should do the

following:

(a) Affix to it a unique number, consisting of the year of receipt (not the year of sighting) separated by a hyphen and from the next available unused number, (starting with A001, for that year). ~~If a record is represented by descriptions from more than one person, each description shall receive the same number.~~ Each description received in support of the same record shall receive the same number.

(b) Record in a safe place at least the name of the reporter, the species name of the bird, the date and locality of the record, and the record's number.

17. **VI.G. Voting**
(6) Consultations. On the first circulation, a Voting Member should not discuss a record, with intent to persuade or lobby for a particular outcome, with another Voting Member prior to both having voted. Discussions about the validity of a sighting between observers, commentators or ~~Field Notes~~ *North American Birds* editors (for example, to determine if such a sighting should be published), is acceptable. On subsequent circulations, pre-vote discussions with other Voting Members are acceptable. On any circulation, a Voting Member may consult anyone outside the Committee before voting.
18. **VI.G. (7) Voting Criteria.** The criteria used by a Voting Member for acceptance or non-acceptance of a record are an individual matter and should not be dictated by these Bylaws. Such criteria might include particular scrutiny of records by single or untrustworthy observers, or records not identified to the satisfaction of the reporter.
19. **VI.G. (12) Not Accepted Records.** Any not accepted record that receives two or more ~~Anot~~ accepted, identification not established@ votes will be published as ~~Anot~~ accepted, identification not established.@ All other not accepted records will be published as ~~Anot~~ accepted, natural occurrence questionable (identification accepted),@ or as ~~Anot~~ accepted, establishment of introduced population questionable,@ whichever receives ~~the most~~ more votes; ties between these two categories shall be decided by the Chair. If a record is ~~Records~~ not accepted on the basis of either as Anatural occurrence questionable@ or Aestablishment of population questionable,@ this shall indicate ~~denotes~~ that identification was accepted.
20. **VI.G. Voting**
(13) Supplemental List. The Committee shall maintain a Supplemental List of those species not yet on the State List that are ~~Anot~~ accepted, natural occurrence questionable@ but approved by a majority of Members on a final vote as described in Article VI, Section G, Paragraph 11, or at an annual meeting. All records of species fitting these criteria which are not yet on the State List, and which a majority did not accept on a final vote, shall be brought to the next available annual meeting, where a majority vote will be needed to place the species on the Supplemental List. After such a record has been considered at one annual meeting, it shall be brought to additional meetings for further consideration only at the request of a Member. A record of a species meeting the above criteria, and appearing on the Supplemental List herein described, may be reconsidered at a meeting at the request of a Member, but it shall require a two-thirds vote of the Members at such a meeting to delete the record from the Supplemental List. If a species is added to the State List, it shall be automatically removed from the Supplemental List.
21. **VI. H. Statistical acceptance or non-acceptance of records.** The Committee may adopt additional methods of dealing with published records of review-listed species for which documentation is not available (an example might be records ~~which that~~ were supported by specimen and published in an authoritative source, but for which the specimen is no longer extant). Such records may be accepted or not accepted for statistical use in the compilation of California records without circulating through the Committee. Decisions of this nature may be made at a meeting. Records without details may be formally not accepted by majority vote. Any record accepted in this category must receive all, or all but one, of the votes of the Members present at such meeting. Any use or publication of such accepted records by the Committee shall be accompanied by a clear indication that the record was not ~~accepted~~ reviewed under normal procedures; such records are considered statistically accepted or not accepted.
22. **VI. I. Publication.**
 (1) The decisions of the Committee shall be published annually, under the authorship of the Chair and/or others if desired, in the form of an Annual Report, in *Western Birds*. A section of this Annual Report shall be devoted to updating ~~bringing~~ the California State List ~~up to date~~.
23. **VI.I. Publication**

(2) The published data for accepted records should include at least the species name of the bird, date(s) of observation, locality, and reporting observers. Other data may be added at the discretion of the author(s) and the Voting Members.

24. **VI.I Publication**

(3) Not accepted records should also be published, with a minimum of the above data, except that the observers' name(s) should not be included with the record for those records not accepted on grounds of identification.

25. **VI.I Publication**

(6) Periodically, the Committee shall publish or cause to be published the official California State Bird List, as mandated by Article II, Section G. At a minimum, this list will include a Main List of all accepted species and a the Supplemental List of those species ~~not accepted, natural occurrence questionable~~ as defined by Article VI, Section G, Paragraph ~~13. 12, but which is approved by a majority of Members on a final vote as described in Article VI, Section G, Paragraph 11, or at an annual meeting. All records of species fitting this criteria which are not yet on the State List, and which a majority did not accept on a final vote, shall be brought to the next available annual meeting, where a majority vote will be needed to place the species on the Supplemental List. After such a record has been considered at one annual meeting, it shall be brought to additional meetings for further consideration under this paragraph only at the request of a Member. A record of a species meeting the above criteria, and appearing on the Supplemental List herein described, may be reconsidered at a meeting at the request of a Member, but it shall require a two-thirds vote of the Members at such a meeting to delete the record from the Supplemental List.~~ All species on the State List will be annotated to indicate the highest level of documentation supporting their acceptance.

26. **II. (Purposes), G.** Keep₁ or cause to be kept, ~~keep~~ the official California State Bird List.

27. **III.E.4(b)** Keep₂ or cause to ~~keep~~ be kept, minutes of Committee meetings.

28. **III.G. Removals.** The Committee may remove, for cause, the Secretary, the Chair, or Members who are delinquent in their duties. Such action requires a vote of the majority of all other Voting Members, not merely of a quorum. A removal must be accomplished at a meeting of the Committee; absent Voting Members may vote by written absentee ballot to the Committee.

29. **III.H. Vacancies and Special Elections.** If the Committee loses a Voting Member during mid-term (through death, resignation, removal, or otherwise), the Chair shall immediately conduct an election, termed a Special Election, for the purpose of filling the vacancy. A Special Election may be conducted at a meeting or by individual contact (such as mail, e-mail or telephone), whichever is most expedient in the opinion of the Chair. The manner of nomination and election shall be similar, with appropriate exceptions, to the regular selection of a Member or Chair, whichever pertains. ~~A vacancy resulting from the election of a Member, whose term has not expired, to the position of Chair at an Annual Meeting, shall be filled in the same manner.~~

30. **VI. Bird Records**

A. Definitions. For the purposes of this Committee and these Bylaws, a record is considered to be documentation submitted to the Committee as proof of the identity of a seen, sighted, heard, collected, banded or photographed bird. The Review List is that most recent list of forms (such as species, superspecies, subspecies or hybrid combinations) that will be accepted for review by the Committee.

31. **VI.B. Records Treated**

(2) The forms treated will be as determined from time to time by the Committee. In general, the Review List will consist of species that have occurred within California and adjacent ocean on an average of four or fewer times per year during the ten-year period immediately preceding revision of the Review List. By vote of a quorum at a meeting, the Committee may, as it sees fit, add other species (such as those whose identification is

difficult) or forms (such as superspecies, subspecies or hybrid combinations) to the Review List. The Committee may delete species that exceed the Afour or less records per year@ criterion, but ~~in general~~ generally will not delete species ~~that have~~ with less than 100 acceptable records either reviewed or in circulation. The Committee may, however, delete species which are deemed to ~~have become~~ be a regularly-occurring part of the state=s avifauna, ~~such as~~ (for example, through range expansion of a resident species or a better understanding of offshore a species= status and distribution in the state), before the A100 acceptable records@ threshold is reached. A species which reaches the A100 acceptable records@ threshold shall be discussed, but deletion from the Review List is discretionary and should take into account the other criteria set out in this paragraph. To add or delete a form to/from the Review List shall require all or all but one, two, or three affirmative votes. Records of species not on the Review List, but for which there is no accepted record for California, will be treated.

32. **VI.B (5)** Any record, whether published or not, old or new, may be submitted by a Voting Member or other person, ~~whether or not an observer, if one has first attempted to obtain details from the observer(s).~~ An exception to this is a record that has received a previous Committee decision (see Resubmission).
33. **VI.F(2) Receipt by Member.** Upon receipt of a record, the Member should do the following:
- (a) Judge its validity and vote.
 - (b) Send the record to the next Member as soon as possible.
 - (c) Send the completed Voting Form to the Secretary.
 - (d) The last Member to vote should return the record to the Secretary.
 - (e) ~~Proposed lengthy absences from a Member=s mailing address should be reported to the Secretary; circulation may be rerouted to accommodate such absences.~~
Members anticipating lengthy absences from their mailing address shall report their intentions to the Secretary, Chair, and other members; circulation should be rerouted to accommodate such absences.