

California Gull
7 Dec 1986
Saylorville Res., Polk Co., IA
*Steve Dinsmore
IBL 57:56, 78; 65:83

Record Number: 86-21
Classification: NA

DOCUMENTATION

Steve Dinsmore

LETTERS

Stephen J. Dinsmore to Records Committee [Aug 1994]
Randy [Pinkston] to Tom [Kent], 17 Oct 1994

REFERENCES

Field Reports: IBL 57:56
Records Committee: IBL 57:78; 65:83

VOTE: 4-III, 3-IV

IV, Probably correct, but not convincingly documented for a first state record. For a bird studied for 55 minutes at 75 yards in good light, the description lacks strong detail. For example, a faint red smudge was described "above" the prominent dark spot near tip of the bill. In California Gull, the red spot on the bill should be proximal or behind the dark spot, not above it. The head was described as being streaked with brown. One would expect the neck to be also streaked. This bird was described as "noticeably larger than a Ring-billed Gull." How close was it to a Ringed-billed or Herring Gull? Grant describes California Gull compared to Ringed-billed as "longer-bodied and 'slimmer' when perched, with 'proportionately shorter legs', and the bill is slightly longer" (emphasis mine) 2nd edition, p. 166. These basic features are not mentioned in the documentation. The described mantle and leg colors are, of course, highly suggestive of California Gull and that's probably what this bird was. I just don't feel comfortable with this documentation as a first state record.

III, Sounds like a textbook description. Wish Steve would submit field notes.

III, Good documentation. Other species adequately eliminated to conclude California Gull. This being the first state record I would like to have seen a photograph or several other documentations from observers but it seems nobody else got the chance to see the bird. This species should be expected to show up in Iowa at one time or another. This is hopefully just the first.

IV, More details as to proportions, size, coloration, head shape, bill shape, etc. are needed. The description could almost be lesser black-backed gull with something on its bill.

IV, Mantle described as dark gray but similar species does not explain why Lesser Black-backed was ruled out. Eye color not noted. Can't go along with adding to state list without these point being clarified.

III, I am a little uneasy about first state records based on single observer sighting, but cannot fault the description.

III, Just what a California Gull is supposed to look like. That's one good scope.

REVOTE (at meeting, 30 May 1987): 1-III, 6-IV

REVOTE (by mail, 7 Sep 1994): 5 A-D, 1 NA, 1 does meet criteria for rereview.

A-D, The observer presents no new evidence nor is the evidence presented incorrect, which leaves the only criteria allowing us to re-review this record, a new interpretation of the evidence. This appears to be based on the feeling that more stringent criteria was applied to this record because it was a first state record. This is an issue that I personally, and the committee as a whole, still have not resolved satisfactorily. (Ideally, all documentations are of a standard that makes this question moot!) If we, as a committee, agree that records "put on hold" until a pattern of vagrancy is established can then be evaluated, then a reasonable argument exists to re-review this sighting. While I agree with the original committee members that 55 minutes of observation of a bird which the observer was well aware was a first state record should have produced a more detailed documentation. I also agree with Steve that details submitted leave little doubt that this was a California Gull, and am voting accordingly.

A-D, Our specific language for rereview indicates reasons "such as new evidence, new interpretation of evidence, or interpretations ... judged to be incorrect." Note that the term "such as" does not limit reconsideration to the three illustrated examples. Other reasons can be considered. The reasons these two reviews [86-21, 88-26] are acceptable for rereview is seen in the IOU Records Committee Operating Manual, Letter to Nominee, which states "The committee as a whole and individual members should refrain from setting up arbitrary standards." The arbitrary standard by which some members judged these records involved the fact that they were first state records. In each record, one or more voters indicated an unwillingness to accept based at least in part upon that fact. The IOU Records Committee has, in the past, discussed whether there should be a higher standard for such records as is the case in some other states, but have never adopted such a procedure. [discussion of this record] -- A rare but expected species, this California Gull was thinly but adequately described. Darker gray mantle, gray-green legs, and size intermediate between Herring and Ring-billed Gulls eliminates all other contenders. Some of the arguments against this record seem spurious: The fact that the head was described as streaked with brown but not the neck, failure to describe proportionate leg length, and others. Not a spurious argument was the apparent juxtaposition of the red and black bill markings. Regardless, the fact that the red and black marks were seen and described strengthens, not weakens this documentation.

A-D, In reading our criteria for re-review, I can make a case either way for evaluation of this record again. While I have some concerns about being in a position of Monday morning quarterbacking, we have recently taken a look at some older records in the interest of having the most comprehensive and reliable data possible on Iowa bird life. This may be especially true where potential first state records were held to a higher standard of evidence but subsequent observations lend credibility to the likelihood of occurrence. In this spirit I believe re-review is warranted.... The committee conducting the original review apparently felt that this was a correct identification. Solid criteria of gray-green legs and black and red spots on the bill are convincing in and of themselves. Size and mantle color are supportive. Certainly a Lesser Black-backed Gull would have a much darker mantle and be similar in size, but leg color and bill markings make discussion moot. While the documentation may not be sufficient for in depth analysis of all features, the description appears to me to be beyond reasonable doubt.

NA, I think the request for rereview is borderline. No new evidence is presented. I had originally thought that Steve might have inadvertently put down the wrong location for the red spot, but this request does not suggest that that was the case. I do not detect any argument for new interpretation of specific evidence, only the suggestion that the combined evidence is misjudged by the committee. I do not see any specific indications that the committee members judged this bird on incorrect assumptions. Unfortunately, three of the reviewers indicated being influenced by this being a first state record, and one of those wrote the feedback. The committee did not at that time or any other time have a policy to treat first state records any differently than any others. Overall, the request for rereview says that the committee misjudged the record. The argument for this seems to be global rather than specific, so on this basis I would be inclined to support the judgment of the committee at that time. The assertion that "the committee chose to look for minor faults in the documentation, and then use those as a basis for rejecting the record" is entirely false. As one who voted for this record originally and was prejudiced in favor of the record, I can say that those who raised questions about this record being "beyond reasonable doubt" convinced me to change my vote on the basis of interpretation of evidence, certainly not by any prejudice against the record or the documentor. At that time, we all thought that California Gull was long overdue in Iowa. Since this record was evaluated, I have specifically studied Herring and California gulls in fall and winter and photographed many adult California Gulls in California. All of my photos of adult California Gulls show the black mark on the upper and lower mandibles and the red mark only on the lower mandible proximal to the black mark. I have now seen many Herring Gulls with combined red and black on the bill, but I do not have any photos or notes to indicate the location. I spent hours looking for a California Gull at Credit Island, which I did not find, but I did see Herring Gulls with variable combinations of red and black on the bill and variable leg colors. The darker mantle is the most compelling mark observed by Dinsmore, but this can be deceiving and he does not say that

he could see the dark color at all angles and pick the bird out after it flew because of the mantle color. I don't get a clear idea of how dark the mantle was. Dinsmore indicates that he "had a fair amount of experience with California Gull", yet he did not describe the shape, bill size, eye color, leg length, or amount of brown streaking on the head and neck. I agree that one does not need all of the field marks, just enough. My subsequent experience supports the original committee judgment that what was seen was not enough for a species that is not all that easy to identify in my experience. Randy Pinkston requested all of the material on California Gulls from Iowa, so I took the opportunity to ask him if I were judging this record too stringently. His reply is enclosed.

Does not meet criteria for rereview, New evidence was not submitted. I also do not see a new interpretation of the evidence as stated in the documentation. Dinsmore also did not say that his documentation was incorrect as it was forwarded to the records committee. Therefore I do not believe this record should be rereviewed.

A-D, This request to reconsider this record meets two of the three criteria required for reconsideration. (1) "new evidence": subsequent records of California Gull demonstrate a pattern of occurrence which record 86-21 does not violate; (2) "new interpretation of the evidence": Most of Dinsmore's letter, in my opinion, makes the case for reconsideration based strictly on information provided rather than information not provided and presumably not seen. Dinsmore believes that the committee took the latter approach in not approving the record, even though there was sufficient information presented to eliminate other possibilities beyond reasonable doubt.

REVOTE (by mail, October 1994): 4 A-D, 3 NA

A-D, First, a comment about eligibility for re-review. I still believe this and the following record (Little Gull) fits the criteria for re-review based on the now established pattern of vagrancy for this bird. I understand that the criteria has been set up so that the committee does not waste time endlessly rereviewing old records. However, I would not like to think that we are so inflexible in our procedures that we would not look a second time at a record that the observer genuinely felt had been misjudged. Discussion of the record: Discussion of this record rests on confusing with two species, Lesser Black-backed and Herring Gull. I eliminate LBBG as I am confident the much darker mantle would have been immediately evident to Steve and I am confident enough of his ability to believe he would not have made that mistake. Herring Gull is more difficult to eliminate, especially as committee member raise the question of Herring gulls with red and black spots on the bill. Steve asks us to judge this record on what was described, not what wasn't but the lack of eye color at this point is a major issue, and one that could have easily cleared up the question of a transitional Herring Gull. I believe that the bill coloration could be that of a Herring Gull, but to call this a Herring Gull, I must then assume that the mantle color, leg color, and size are also different than what would be expected for that species. This seems more unlikely to me than the occurrence of a California Gull at an expected time and place.

A-D, I took the opportunity to discuss this record briefly with the observer. The observer prepared the documentation form directly from the field notes, which included the bill description. He stated that he was aware of the apparent inconsistency regarding the respective locations of the red and black marks, but felt it would be dishonest to "modify" the description. He was candid in saying that he had no explanation of the discrepancy, other than the fact that it may have been a notation error. He understood that this was an empirical component of the description, unlike the more subjective descriptions of the mantle color, leg color, etc. I also asked him about the failure to describe the bird's eye color. He stated that the viewing conditions were such that eye color was not obvious. I commented that I had never had much luck trying to determine eye color of gulls, and agreed that at such a distance, it might be impossible to observe. Surprisingly, he took issue with my comment, and said that under optimal viewing conditions, eye color can be determined at that distance, but that viewing conditions did not allow it in this instance. He reiterated his contention that the bird was a California Gull, including the amount of brown streaking on the head -- a field mark that I incorrectly dismissed as irrelevant in a previous vote. The observer made another comment that added substantially to his identification. He said that when he saw the bird, he knew instantly that it was a California Gull, based on overall impression of the bird. To me, this is far different than if he had seen the black and red marks on the bill, and then tried to

make the other field marks fit for California. It is easy to create misidentification from a single field mark. The identification did not start with a single, questionable field mark, but a correct overall perception ultimately supported by field marks. I feel that the bill problem was probably a notation error.

NA, The observer is justified in requesting a rereview based on two factors. First, the established pattern of vagrancy in Iowa since the 1986 sighting should be considered as new evidence. Second, the observer thinks that this record was held to a higher standard because it was a first state record. Although I am in the minority I have always felt that a first state record should be held to slightly higher standards than other sightings. Especially concerning the length of time seen, distance, and lighting. Certainly this bird was seen long enough and under good conditions, therefore there is no reason to discount this record because it was not seen well. Omitted field marks should be considered during the review process. The more prominent and diagnostic the omitted field mark is the more distracting from the record it should be. However, seen field marks should always take precedence over unseen or unreported characters. It would have been nice if eye color could have been seen, but two seen characters cause me to vote NA as to whether this was a California Gull beyond reasonable doubt. 1) The observer comments that "the mantle is much darker than the light gray mantle of Herrings and Ring-billed Gulls present". I don't think one would normally describe the difference between a Herring's and a California's mantles as much darker. It should be slightly dark. This makes me wonder if Lesser Black-backed gull was appropriately eliminated. 2) The bill spot could possibly be a red spotted gull in the final stages of molt to the red bill spot.

A-D, Certainly the description of the red spot on the bill is problematic, but we must be careful to not overlook the leg color, size, and mantle color. The combination takes me beyond reasonable doubt.

NA, No additional comments to add.

NA, Original classification correct. Weak description of mantle coloration. Lack of description of eye color, position of red spot on bill all are enough to leave enough doubt about identity of bird. Size also too close to Herring Gull.

A-D, Difficult decision; I don't have a problem with likelihood of Lesser BB Gull, but description is rather sketchy. Leg color especially rules out LBB Gull. Based on timing of record, subsequent occurrence pattern, and experience of observer, I am prepared to accept.

To: Members of the Iowa Ornithologists' Union Records Committee

From: Stephen J. Dinsmore
4024 Arkansas Dr.
Ames, IA 50014

I respectfully request that the Records Committee reevaluate the following four records in light of some clarifications of the original information. The records are:

- 1. (California Gull 7 Dec 1986 Saylorville Res., Polk Co.)
- 2. (Little Gull 27 Oct, 1 Nov 1988 Saylorville Res., Polk Co.)
- 3. (Little Gull 8 Oct 1989 Saylorville Res., Polk Co.)
- 4. (Red Phalarope 4 Aug 1991 Saylorville Res., Polk Co.)

Literature Cited

- Dinsmore, S. J. 1992. A second Red Phalarope at Saylorville Reservoir. *Iowa Bird Life* 62: 86-87.
- Dinsmore, S. J., P. Allen, and R. Allen. 1990. Little Gull at Saylorville Reservoir. *Iowa Bird Life* 60: 77.
- Grant, P. J. 1986. *Gulls: A guide to identification*. Buteo Books, Vermilion, South Dakota. 352 pages.
- Kent, T. H. 1989. Report of the Records Committee for 1988. *Iowa Bird Life* 59: 75-77.
- Kent, T. H., and R. K. Myers. 1987. Report of the Records Committee for 1986. *Iowa Bird Life* 57: 77-78.
- National Geographic Society. 1987. *Field guide to the birds of North America*. 2nd ed. National Geographic Society, Washington, D.C.

Record #1

An adult California Gull studied in detail for nearly an hour on 7 Dec 1986 at Saylorville Reservoir. The description, though brief, is more than adequate for an adult California Gull, hence the statement in the Committee's annual report, "The committee felt that the identification was probably correct for this species, which is long overdue to be found in Iowa." (Kent and Myers 1987). That report further states, "More details on the shape of the bird, length of the legs, and bill size would have helped. The black spot on the bill seemed to be out of place." Are these features necessary to identify an adult California Gull? The answer is no. It has always been my feeling that every field mark of a rare bird need not be seen for the identification to be correct. Just because I didn't describe the length of this bird's legs relative to other gulls present doesn't mean they were not different. Leg length may be useful when identifying California Gulls (they are proportionately shorter-legged than a Ring-billed Gull), but it is not always a reliable field mark because appearances may change if the belly feathers are fluffed out, the bird is crouching in a brisk wind, etc. General shape may also be useful, but again can change depending on how the bird is resting. I simply described what I saw and recorded in my field notes. It is my feeling that the committee chose to look for minor faults in the documentation, and then used those as a basis for rejecting the record. The last statement of that report states, "... the committee was nearly unanimous in deciding that a sight record by a single observer for a species that is new to the state and difficult to identify should be beyond any doubt." What is difficult to identify? Does this only cover those species that appear very similar, e.g. Western and Clark's grebes, Ring-billed and Mew gulls, Ruby-throated and Black-chinned hummingbirds, etc.? Might not a common bird seen under poor conditions also be considered "difficult to identify"? At the time of this observation, I had a fair amount of experience with California Gull, as well as a number of similar species (Herring, Ring-billed, Great Black-backed, Lesser Black-backed gulls). I certainly had no problem identifying the bird as soon as I saw it, and I confirmed that identification over the next hour. In my opinion, the bird was not "difficult to identify".

I believe that the field marks I described are diagnostic of an adult California Gull in basic (fourth-winter) plumage. Forget about what was not seen/described. The committee has no ability to conclude whether such omissions were really due to the absence of the field mark, or simply weren't noted by the observer. If I documented a Roseate Spoonbill in Iowa, but failed to describe the leg color, would the record be accepted? Certainly, because other features (namely bill shape and pink color on body and wings) are diagnostic for this species. The same reasoning applies to this record. Points in favor of this bird being a California Gull are the size, mantle color, leg color, and black and red spots on the bill. Nothing in the documentation is inconsistent with California Gull, though some members felt the black spot on the bill was out of place. Are the positions of the black and red spots important? Not as important as the fact that there were red and black spots on the bill. I noted that "the bill was yellow with a prominent dark spot near the tip of the bill and a faint red smudge above the dark spot." Are there any other gulls of similar size and mantle color with both black and red spots on the bill in adult (fourth-winter) plumage?

I would like to see the committee evaluate this record on the basis of the details provided, and not attach some higher standards to the record because it would be the first record for the state. Since 1988, there have been four additional records of California Gulls in Iowa, all of them in the period September-December.

October 17, 1994
Salado, Texas 86-21

Dear Tom,

I agree entirely with your stand on rereview of the 1986 California Gull record. I have also observed many Herring Gulls in Texas with variable combinations of red and black on the bill tip. Some show the same arrangement of the two spots as an adult California Gull, but others do not. Like you, in my experience all adult Californias have been consistently black at the tip with a red spot behind the black on the mandible. Several four-year gull species could likely display this bill pattern in transition from an immature's dark bill tip to an adult's red spot.

Steve did not mention eye color which could have been accurately described from 75 yards with a telescope and excellent viewing conditions. Did he not look for it? He is right that every field mark need not be observed for a correct identification to be made, but eye color seems to be a critical one in this case.

Like some of the original committee members, I am concerned that Steve did not adequately eliminate
(over)

Lesser Black-backed Gull. I worry that his mantle description sounds too dark for California. He describes the bird's size as "slightly smaller than a Herring Gull." California Gull should be clearly intermediate between Ring-billed and Herring Gulls.

In summary, I think there are several good reasons to be skeptical about this record as originally presented, first state record or not, and I would be very cautious about reversing the committee's decision based on evidence that is now 8 years old.

Sincerely,

Randy

P.S. I wrote up the California Gull at Saylorville and sent it in to Jim. Thanks for all your information. I sure wish I could be at Red Rock for the fall IOU meeting.

86-21
Summary of Review of an Ornithologic Observation

86-21

by the Records Committee
of the Iowa Ornithologists' Union

SPECIES: *California Gull*

DATE SEEN: 12-7-86

SITE OF OBSERVATION: *Saylorville Res.*

OBSERVERS: *S. Dinsmore*

DATE OF REVIEW: 5-30-87

METHOD OF REVIEW: *Vote*

CLASSIFICATION OF RECORD: *IV*

COMMENTS:

On a very close vote the majority of the committee members thought that while the ID was very probably correct not enough convincing details were given to confirm this ID as a first state record.

The opinions expressed here are based on the information available to the Committee and should not necessarily preclude an alternate interpretation by those who observed the bird firsthand.

Any action may be re-reviewed upon submission of additional evidence.

Explanation of Classification:

- I = labeled, diagnostic specimen, photograph, or recording available for review by the Committee
- II = acceptable sight record documented independently by 3 or more observers
- III = acceptable sight record documented by 1 or 2 observers
- IV = probably correct record, but not beyond doubt
- V = record with insufficient evidence to judge
- VI = probably incorrect identification, escapee, or otherwise unacceptable record

Classification is based on the highest category agreed upon by six of seven committee members.

DOCUMENTATION FORM

Species?California Gull

How Many?1 winter ad.

Location?Saylorville Reservoir, Polk Co. (Cherry Glen Recreation Area)

Habitat?sitting on ice with other gulls

Date?7 Dec 1986

Time?1:13-2:08 P.M.

Observers Name and address:Steve Dinsmore, Ames

Others who saw bird:none

Description of bird:I first noticed the bird because of its darker mantle as it rested on the ice with about 150 Ring-billed and Herring gulls. The bird was slightly smaller than a Herring Gull, but noticeably larger than a Ring-billed Gull. The mantle was a dark gray color, much darker than the light gray mantles of Herring and Ring-billed gulls. The underparts were white. The head was also white with some dark brown streaking. The bill was yellow with a prominent dark spot near the tip of the bill and a faint red smudge above the dark spot. The legs were gray-green in color, not bright yellow-green like the legs of a Ring-billed Gull. In flight, the wingtips were black with some white spots near the tips of the primaries. The underwings were pale. In flight, the tail was all white.

Similar species and how eliminated:Herring Gull eliminated by larger size, lighter mantle color, lack of black and red spots on bill, and wrong leg color (pink, although a very few Herring Gull show yellowish legs). Ring-billed Gull eliminated by smaller size, lighter mantle color, lack of a black ring on bill, and by yellower leg color.

Viewing conditions and equipment:Viewing conditions were excellent with the sun behind me and the sky mostly clear. Estimated viewing distance was 75 yards at the closest. I used a Bushnell 20-45x spotting scope and Nikon 8 x 23 binoculars.

Previous experience with species:I saw several hundred California Gulls this past summer in Yellowstone N.P. and I have seen other California Gulls in North Dakota and Wyoming.

References consulted:NGS Field Guide to the Birds of North America

How long before field notes were made?immediately

How long before this form was completed?4 hours