

NARRATIVE REPORT
WERTHEIM NATIONAL WILDLIFE REFUGE
JANUARY - DECEMBER, 1972

REFUGE PERSONNEL

George E. Gage.....	Refuge Manager-in-Charge
Frederick C. Schmid.....	Asst. Refuge Manager (Morton)
George F. O'Shea.....	Asst. Refuge Manager (Temp.)
Michele F. Sleva.....	Clerk-Typist

The Wertheim National Wildlife Refuge was established on June 7, 1947, and is administered through the Target Rock National Wildlife Refuge, Huntington, New York, which is located approximately 30 miles to the northwest. This narrative covers only the 148 acres of Bureau-purchased lands adjoining the large Wertheim holdings (currently under life-use reservation).

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH & WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES & WILDLIFE
SUFFOLK COUNTY, BROOKHAVEN, NEW YORK

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I. GENERAL

A. Weather Conditions.

No attempt was made to record weather data on this refuge which lies 30 miles from the nearest manned station.

This area received above average rainfall as did most of Long Island.

B. Habitat Conditions.

1. Water. The refuge consists primarily of tidal marshland along Bellport Bay and the Carmans River. Tidal storms and monthly tides inundate much of the area through a network of mosquito control ditches. Several coastal storms produced extreme tidal inundation into the marshlands but no noticeable ill effects were noted. In the past, such storms have been known to litter the refuge shore with banks of eelgrass and floating debris.
2. Food and Cover. Much of the refuge is vegetated with Spartina spp., and no change in condition was noted. Because of the excellent rains this year, good production of marsh foods resulted, along with a lush growth of common threesquare and cattail along the upland edge of the marsh, where a more fresh-water situation exists from localized upland run-off.

II. WILDLIFE

A. Migratory Birds.

1. Waterfowl. No attempt was made to formally record waterfowl use on this unmanned station. A peak of 75 black ducks were flushed from the tidal ditches in October. Mallards, widgeon and teal also frequented the refuge marshlands.

Waterfowl populations in the Carmans River and offshore in

Bellport Bay present a much better picture. Offshore rafts of up to several thousand scaup were reported during the winter months. Six whistling swans and a peak of 120 mute swans were observed in January. Other waterfowl recorded included two gadwall, 25 shoveler, 20 redhead, 600 canvasback, 50 common goldeneye, 60 bufflehead and eight ruddy ducks. Other species present were common and red-breasted mergansers, oldsquaw, white-winged and surf scoters.

2. Marsh and Water Birds. A common egret, two snowy egrets, up to eight great blue herons, two American bitterns, seven green herons and ten black-crowned night herons were observed during cursory visits.
3. Shorebirds, Gulls and Terns. Several tidal pools and the refuge shore along Bellport Bay attract some shorebirds during spring and fall migrations. Highest populations were observed in August with up to 45 spotted sandpipers, 20 semi-palmated plovers, 20 sanderlings, two black-bellied plovers and one ruddy turnstone. A peak of 125 herring gulls, 75 great black-backed gulls and lesser numbers of ring-billed and laughing gulls were recorded. Both least and common terns feed offshore in Bellport Bay and rest along the refuge shore. Peaks of 50 least terns and 10 common terns were observed. Double-crested cormorants are common offshore visitors in September and are frequently seen loafing atop commercial fishing traps.
4. Other Migratory Birds. Mourning doves are common throughout the year along the upland edge of the marsh. Up to 30 were observed and several nests were found in June. In April, two common snipe were recorded. Woodcock and clapper rails are known to use the marshes but were not observed during this period.

B. Upland Game Birds.

Qualified observers state that bobwhite quail and ring-necked pheasants use the upland edge of the refuge. However, no observations were made during this period by refuge personnel.

C. Big Game Animals.

White-tailed deer use the refuge extensively. Tracks were observed throughout the winter and again in the fall. A doe with one fawn was observed near the refuge during a late May visit.

D. Fur Animals, Predators, Rodents and Other Mammals.

Several muskrat houses were located on the northern part of the refuge. Fox tracks were observed throughout the refuge. One fox was found in a steel trap just north of the refuge boundary where this handsome predator had fallen prey to a Sayville trapper. Small rodent populations appear sufficient to support wintering and migratory raptors.

E. Hawks, Eagles, Osprey, Owls, Crows, Ravens and Magpies.

The marshlands of Fireplace Neck provide excellent habitat for migratory and wintering hawks. Up to ten marsh hawks, ten rough-legged hawks and two sparrow hawks were recorded. One peregrine falcon was observed while posting tracts 11a and 14 on the east bank of the Carmans River during October. A lone osprey was observed fishing in the Carmans River during a cursory visit in April and one pair of ospreys nested in the Wertheim estate's woodlands on the east side of the river. One young was fledged. For the second consecutive year, this was recorded as the western most osprey nesting on Long Island. Up to 16 crows frequented the refuge.

F. Other Birds.

Mr. Dennis Puleston, a noted, local environmentalist, has conducted a banding station along the northern end of the refuge for several years. This year, 1,718 birds were banded, representing 80 species. His banding list is appended.

G. Fish.

Several species of minnows may be found in the tidal ditches. Some commercial fishing and clamming operations are conducted adjacent to the refuge in Bellport Bay. The Carmans River continues to be a local center for eel fishing and blue-claw crabbing.

H. Reptiles.

Diamondback terrapins used the tidal ditches. Up to 20 were observed in August. Some were quite large.

I. Disease.

None reported during this period. The duck farm at the head of the

Carmans River continued to receive criticism as the state began to impose more severe controls over Long Island duck farm operations. Some botulism was reported in south shore ponds but not from the Carmans River's drainage area.

III. REFUGE DEVELOPMENT AND MAINTENANCE

A. Physical Development.

1. Posting. Tracts 11a and 14 on the east side of the Carmans River were surveyed and posted in mid-October. These small tracts adjoining the large Wertheim holdings were posted to identify Bureau-owned lands for a group of local hunters who purchased a 160-foot wide corridor in the marshlands. See violations section and appended news articles.
2. Mosquito Control. Field crews of the Suffolk County Mosquito Control Commission conducted ditch maintenance in April and periodic field investigations throughout the mosquito breeding season. A total of 288 gallons of Flit MLO was applied. Malthion and Abate 4E had been approved for use but were not required.

B. Plantings. None.

C. Collections and Receipts. None.

D. Control of Vegetation. None.

E. Planned Burning. None.

F. Fires. None.

IV. RESOURCE MANAGEMENT

A. Grazing. None.

B. Haying. None.

C. Fur Harvest. None on refuge lands.

D. Timber Removal. None.

E. Commercial Fishing. None on refuge lands.

F. Other Uses. None.

V. FIELD INVESTIGATIONS

None this period.

VI. PUBLIC RELATIONS

A. Recreational Use.

None recorded. It was learned, however, that in past years biology classes from Bellport High School, under the leadership of Mr. Arthur Cooley, teacher and active environmentalist, have used the refuge marshlands for a variety of biological studies. Access to the refuge is gained by boat or walking the shoreline and jumping mosquito control ditches.

B. Refuge Visitors.

Random visits were made by refuge personnel and U. S. Game Management Agents. Personnel from the Suffolk County Mosquito Control Commission made frequent visits into the property.

C. Refuge Participation.

Frequent contacts were maintained with Russel Murdock, supervisor of the Wertheim estate. Manager Gage attended a variance hearing in Patchogue on November 9 regarding adjoining lands on the east side of the refuge in the Shirley development. Contacts were made with several individuals regarding potential land acquisition in the vicinity of the refuge. Three parcels of marshlands were available for purchase during the year. Manager Gage also met with New York State Department of Environmental Conservation personnel to discuss land acquisition coordination in the vicinity of the refuge under the state's Environmental Quality Bond Act of 1972.

D. Hunting.

The refuge is closed to hunting and no reports of violations were recorded. In the past, some hunter trespass has occurred, but the return of a U. S. Game Management Agent, Roger Priest, to Long Island and in residence in close proximity to the refuge may have contributed to the decline of such activities.

E. Violations.

None were recorded on refuge property but a great deal of controversy erupted with the purchase of a narrow strip of land within the Wertheim holdings by the Nacomac Gun Club, a group of five waterfowl hunters whom established two blinds and hunted the marsh

throughout the waterfowl season. It was reported that the hunters took 40 black ducks during the first week of the season. The appended news articles depict only a portion of the situation. The Bureau has only technical title over Mrs. Wertheim's lands and she still holds the deeds to other interior tracts which she has planned to will to the government upon her death. The estate is operated as a licensed hunting preserve with very restricted hunting operations, being hunted only on certain days of the week by a select clientel and only during certain daylight hours. The operations of the Nacomac Gun Club were not so limited and conflicted with the Wertheim's hunting activities. Furthermore, the publicity did neither the Bureau nor Mrs. Wertheim any good. The Associated Press releases, television commentary and radio puns by such raucous disc jockeys as "Imus in the Morning" (WNBC) cast the Bureau in a bad light. Every attempt should be made to negotiate or condemn, if necessary, this tract of land and bring a contiguous property under the Bureau's control for management of the resource.

Target Rock's Boston Whaler was based at the Squassex Landing Marina during the early part of the waterfowl season. On November 26, it was stolen from the lighted and policed facility, taken down the Carmans River and stripped of its 65 horsepower Johnson motor and controls. Another boat was similarly stripped on the same night. All normal contacts were made but no leads developed in this theft.

F. Safety. Not applicable.

VII. OTHER ITEMS

A. Items of Interest.

1. Refuge Revenue Sharing. Refuge Manager Schmid (Morton) presented the Suffolk County Treasurer with a check which included the amount of \$625.99 for this refuge's share of funds under the Refuge Revenue Sharing Act.
2. Planning. The refuge's Objective Statement and Planning Data Summary Guide were revised and approved during the year.
3. Complaints. Several telephone calls were received at the Target Rock office along with two letters regarding skeet shooting along Mott Lane. Apparently the Brookhaven town range was closed during the summer and local enthusiasts were forced out to isolated areas to enjoy their shooting on evenings and weekends. The disturbance to residents along Mott Lane was

considerable, and, thus, we were contacted when all else failed. Since the skeet shooters are a quarter of a mile from the nearest refuge boundary, this situation is completely out of our jurisdiction. The problem will probably be relieved when Brookhaven's new range is opened in 1973.

4. Credits. This report was written by Assistant Refuge Manager George O'Shea who also receives credit for the photography. The report was edited by Refuge Manager George Gage and typed and assembled by Clerk-Typist Michele Sleva.

B. Narrative Forms. Appended.

C. News Articles. Appended.

D. Photographs. Appended.

- - - - -

Reviewed by:

Submitted by:

Signature Date

George E. Gage 1/29/73
Signature Date

NRs Checked in R.O. by: _____

3-1972 (NR-12)
(9/65)

Bureau of Sport Fisheries and Wildlife

Refuge

Wertheim NWR

ANNUAL REPORT OF PESTICIDE APPLICATION

INSTRUCTIONS: Wildlife Refuges Manual, secs. 3252d, 3394b and 3395

Proposal Number
TR-72-4

Reporting Year
1972

Dates of Application	List of Target Pests(s)	Location of Area Treated	Total Acres Treated	Chemical(s) Used	Total Amount of Chemical Applied	Application Rate	Carrier and Rate	Method of Application
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
5/12/72	Mosquitoes:	Wertheim Addition,	110	Flit MLO	10	MLO at NTE	None	Topical
5/19/72	<u>Aedes</u>	west of Carmans			8	3 gal./ac.		ground spray.
5/30/72	<u>solicitans,</u>	River; portions of			50			
6/9/72	<u>Aedes cantator,</u>	tracts 50, 50a and			55			
6/20/72	<u>Culex pipiens.</u>	51. Saltmarsh and			15			
7/1/72		woodland border.			30			
7/21/72					30			
8/1/72					35			
8/15/72					25			
8/29/72					15			
9/12/72					5			
9/27/72					10			
					<u>288</u>			

10. Summary of results (continue on reverse side, if necessary) Heavy breeding this season required extensive Flit MLO spraying. Abate 4E and malathion were approved for use but were not required. Activities of the Suffolk County Mosquito Control Commission were not checked by refuge personnel. It is reported that the high number of applications stemmed from applications on various sections of the refuge. All spraying operations stemmed from approved chemical control proposals and were authorized on Special Use Permit - TR-72-4. Under the terms of this permit, no more than 6 applications, spaced at least three weeks apart, are to be made. From the reported data it is impossible to determine the specific ditches and ponds controlled on individuals dates. We will request better record keeping during future seasons.

BIRDS Banded DURING THE PERIOD SEPT. 2 - DEC. 18, 1972

Sparrow hawk	4	Yellowthroat	158
Bobwhite	1	Yellow-breasted chat	5
Nighthawk	1	Hooded warbler	1
Flicker	7	Wilson's warbler	1
Hairy woodpecker	5	Canada warbler	1
Downy woodpecker	21	Redstart	35
Crested flycatcher	1	Common grackle	1
Phoebe	8	Cowbird	7
Yellow-bellied flycatcher	1	Cardinal	8
Traill's flycatcher	4	Rose-breasted grosbeak	1
Least flycatcher	3	Indigo bunting	1
Wood peewee	1	Purple finch	4
Blue jay	4	House finch	28
Black-capped chickadee	41	Goldfinch	69
Tufted titmouse	2	Rufous-sided towhee	11
Brown creeper	1	Savannah sparrow	65
House wren	18	Grasshopper sparrow	1
Winter wren	5	Sharp-tailed sparrow	6
Long-billed marsh wren	23	Vesper sparrow	2
Mockingbird	2	Slate-colored junco	9
Catbird	134	Tree sparrow	20
Brown thrasher	7	Clay-colored sparrow	1
Robin	18	Field sparrow	10
Wood thrush	1	White-crowned sparrow	3
Hermit thrush	20	White-throated sparrow	25
Swainson's thrush	4	Fox sparrow	2
Veery	4	Lincoln's sparrow	10
Golden-crowned kinglet	32	Swamp sparrow	399
Ruby-crowned kinglet	40	Song sparrow	298
Cedar waxwing	1		
Red-eyed vireo	7		
Philadelphia vireo	1	Species total	80
Black & white warbler	2	Individuals total	1718
Nashville warbler	1		
Parula warbler	2		
Yellow warbler	6		
Magnolia warbler	4	Dennis Puleston	
Cape May warbler	1	Meadow Lane	
Black-throated blue warbler	6	Brookhaven	
Myrtle warbler	105	N. Y. 11719	
Black-thr. green warbler	3		
Chestnut-sided warbler	1		
Bay-breasted warbler	1		
Blackpoll warbler	3		
Pine warbler	1		
Prairie warbler	1		
Palm warbler	19		
Yellow palm warbler	4		
Ovenbird	7		
Northern water thrush	9		
Mourning warbler	1		

Newsday / Long Island

Tuesday, November 21.



Federal game warden Roger Priest watches the hunters watching the ducks

Let the Ducks Fall Where They May



Newsday Photos by Stan Wolfson

Dick Pfeifle seated in a blind

By Ed Lowe

Brookhaven—The "Nacomacs," a group of Patchogue duck hunters, spent 12 hours yesterday watching for ducks. Their attorney, Leonard Wexler, sat shivering in a wet duck blind for 12 hours, watching two federal game wardens. Two federal game wardens spent 12 hours in an open boat on Fish Creek here, watching Wexler, the Nacomacs and the ducks. And all but two of about 1,000 ducks watched everybody watching everybody else.

The two ducks that weren't watching got shot.

It was a day for amazement. Wexler was amazed "at anybody who would sit out here in this miserable wind and wet, just to shoot a duck. These guys are nuts," he said. "And those guys, the feds, they gotta be crazy, too." Dick Pfeifle, leader of the Nacomacs, was amazed at his two hunting colleagues, Jim Cassel and Tom Wright, each of whom dropped his target within 10 feet of his blind, a four-by-eight-foot camouflaged hideout, when what they wanted to do was have the birds fall on federal property. And game warden Roger Priest said later that he was surprised to learn that the men wanted the game to fall on federal property.

Taken in small doses, the day was only moderately confusing. The Nacomacs own a 160-foot-by-2,000-foot strip of land in the middle of the Wertheim Shooting Preserve on Carman's River, an 1,800-acre tract of wetlands that will be deeded to the U.S. government after the death of Mrs. Cecile B. Wertheim, widow of wealthy banker-sportsman Maurice Wertheim. After Mrs. Wertheim's death the tract is to become a federal wildlife preserve, closed to hunting of any kind. Under a unique 1947 arrangement, all the land except for three strips is now open to hunting only by persons invited by Mrs. Wertheim.

Of the three strips of land that cut across the Wertheim Shooting Preserve, the widest belongs to the Nacomacs, who bought it solely for duck hunting. The other two strips, each of them about 60 feet wide, have

The Season Opens,
Dave Knickerbocker's Column on Page 61

been purchased by the federal government, and have been classified as federal wildlife preserves. Yesterday, Priest and his boss, John Waters, New York State officer for the U.S. Fish and Wildlife Bureau, sat, under orders from the office of U.S. Attorney Robert Morse, making sure that nobody stepped on the forbidden strips of federal property.

But Waters admitted that he could only protect the birds that flew over, or fell onto, one of the two narrow strips of federal land. "We have no jurisdiction over Mrs. Wertheim's property," he said. "And we obviously have no jurisdiction over the Nacomacs' property." The Nacomacs, meanwhile, were trying to test a pair of federal laws that would make it illegal for them to retrieve a bird that fell on federal land (trespassing), and equally illegal for them not to retrieve the same bird (wanton-waste provision of the Migratory Bird Treaty Act).

But no bird fell on federal land. Jim Cassel dropped a duck almost in his lap at the western end of the Nacomacs' property, and Tom Wright shot a black duck from a blind on the southeastern end. It landed 10 feet from Wright's blind, almost in the middle of the Nacomacs' strip of swamp. The hunters waiting in the blind in the middle of the property had to be satisfied with the intrigue. Most intriguing was the helicopter that circled the wardens and the three Nacomacs' duck blinds at about 2 P.M. It was marked "Police," but the Suffolk County, Nassau County, State Police, Parkway Police and State Conservation Department could not say where it came from. Priest, the federal warden, said too, "I don't know where it came from."

LONG ISLAND PRESS, TUESDAY, NOVEMBER 21, 1972

All hunters survive duck season opener

Duck season opened on Long Island yesterday and all reportedly went well for the hunters — if not the ducks.

The season runs through Jan. 9 except for a special broad bill season which runs until Jan. 24.

Last week, the federal government warned seven Suffolk residents that they may be in violation of the law if they use a duck hunting blind between Carman's river and Big Fish Creek in the hamlet of Brookhaven.

The 60-by-1,000-foot strip of privately owned property borders the Wertheim Federal Preserve.

According to Roger Priest, a game management agent for the U.S. Fish and Wildlife Service, no violations were cited yesterday and duck season opening went smoothly.

U.S. Attorney Robert Morse warned that if ducks were shot and fell onto preserve land or if the men entered onto preserve land to pick up the kill, they would be liable to prosecution under the Migratory Bird Treaty of the National Wildlife Refuge Administration Act.

Brookhaven Councilman Robert L. Hughes was one of the seven Suffolk hunters to receive the warning.

Duck season serves as a means of harvesting the excess duck population, according to the U.S. Fish and Wildlife Service.

Sitting Ducks Aren't Blind To the Law

NEW YORK (AP) — It seemed like the ideal location for a duck blind — a long strip of land located smack in the middle of the Wertheim National Wildlife Refuge.

So seven Long Island sportsmen purchased the 1,000 x 60-foot strip, built a blind and sat back in anticipation of glory to come when the season opens Monday.

U.S. Atty. Robert A. Morse said yesterday the men will face up to six months in jail and a \$500 fine if any duck they shoot over their narrow sky falls in the refuge.

Nor can they retrieve a duck from the refuge, either by themselves or by dog. That is also a crime.

"These guys are sitting ducks," Morse said.

Lansing, Mich.

THE STATE JOURNAL Tues., Nov. 21, 1972 A-5

Hunters Go Armed For 'Feds'

BROOKHAVEN, N.Y. (AP) —Armed with shotguns to bring down the birds and a lawyer to hold back the "feds," seven Long Island sportsmen have opened the duck hunting season inside a federal game sanctuary.

The seven recently bought a 1,000-foot sliver of land surrounded by the sanctuary for a duck blind. But they were warned they could be arrested if they shot a duck that fell on federal land.

IF THEY retrieved a fallen bird from the sanctuary they would be violating the federal trespassing law and if they left it they would be violating the Migratory Bird Treaty Act, they were told.

When the hunters showed up at their blind on the Carmans River north of Great South Bay on Monday, they had their lawyer in tow with a letter he had drafted asking for permission to pick up such birds.

Tracts 11a and 14 were surveyed and posted during 1972. The Nacomac Gun Club hunted a narrow corridor of land upon which this photographer stood in October. Note the eelgrass which had washed up along the shore of the Carmans River.

O'Shea, TR-72-R33-8

A section of the Big Fish Creek along the Nacomac Gun Club property. The Carmans River is seen in the background and beyond it our Fireplace Neck property.

O'Shea, TR-72-R33-12



Target Rock's Boston Whaler was stolen from a nearby marina on the night of November 26 and stripped of \$1,100.00 worth of motor and accessories.

O'Shea, TR-72-R34-22

A cold evening in February on the Fireplace Neck section of the refuge. We use this sunset as an ending in some of our environmental slide shows.

O'Shea, TR-72-R7-15

