



WETLAND *matters*

Published bi-monthly for the Friends and Members of Oxbow, Inc.

Oxbow, Inc. Activities Schedule

Programs

Tuesday, January 8, 2002, 7:30 p.m.
Cincinnati Zoo, Education Building

Steve Maslowski, noted wildlife photographer, will present a program on conservation entitled *One Yard at a Time*. Steve was kind enough to reschedule this program from the original date 9-11-01. Be sure to put this on your calendar now.

Tuesday, February 12, 2002, 7:30 p.m.
Public Library, Lawrenceburg, Ind.

Ron Austing, another well-known wildlife photographer, is putting together some of his favorite videos of birds taken over the last 15 years to show us. Another "must see" program.

Field Trips

Wednesday, January 23, 2002, 7:30 p.m.

Meet John Klein and Morris Mercer at the club house at Shawnee Lookout Park. It's time again for our great winter night walk. (513) 941-2534.

Saturday, February 23, 2002, 8:00 a.m.

Meet Darlena Graham at Gardens Alive for a trip into the Oxbow. Flights of waterfowl should be numerous as well as colorful. (859) 581-2227.

Dearborn County Sheriff's Department Is Patrolling Oxbow, Inc. Property

by *Dwight Poffenberger*
(Board Member)

Pursuant to a request by the Board of Directors of Oxbow, Inc., the Dearborn County Sheriff's Department has been patrolling property owned by Oxbow, Inc. According to the Dearborn County Sheriff's Department, patrols began September 3, 2001, and have been on-going.

The emphasis of these patrols has been on week-ends and during hunting season. The purpose of these patrols is to catch and arrest trespassers including those hunting illegally or dumping illegally on Oxbow, Inc. property.

In a letter dated November 30, 2001, the Board of Directors asked the Sheriff's Department for a report summarizing the results of the patrols to date. No response has been received as *Wetland Matters* goes to press. Each future patrol will be accompanied by a written report.

The Board of Directors of Oxbow, Inc. is encouraged by the action taken by the Dearborn County Sheriff's Department. Several Board members have seen patrolmen from the Sheriff's Department monitoring the area.

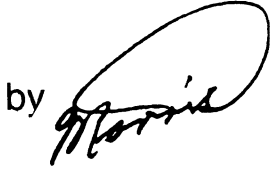
If you see patrolmen at the Oxbow do not be alarmed. Oxbow, Inc. members are asked to report any illegal action they see to the Dearborn County Sheriff's Department.

Bouquets to Charley

Everything's coming up roses and tulips and violets for Oxbow, Inc. thanks to Charley Noe and his annual stock donation. Many, many thanks, Charley.

Field Notes

by



Mercer

Autumn came to the Oxbow and it was a most beautiful season. I did enjoy my many trips into the valley of the three rivers.

Frances and I made a trip on a warm windy fall day. The dry leaves hurried before the wind. The roads were carpeted with leaves and made a nice sound under the tires. The walnut trees were loaded with nuts. The squirrels were busy preparing for winter but some took a little time out for a free lunch. They were snacking on the nuts crushed on the road by passing cars. A little dangerous but so good. I saw a fat fox squirrel with a dirty face. Usually I crack walnuts and I thought my fingers are not as stained as that little fellow's face.

The drive along the roads was so pretty. The clumps of New England asters in with goldenrod made a perfect autumn bouquet. The flurry of leaves chased by the southwest wind only added to the beauty of the afternoon. A wild turkey came to the edge of the road then flew up into the woods. The sun caught the color in the feathers. There was so much more color than I had seen before.

On a mid November day, Jim Simpson and I were making a trip to the Oxbow. The fog was so heavy we could see very little on the way to the Oxbow but on our way back to Beaver Pond, Jim said, "What's that?" Our first thought was great blue herons but even through the fog we could see these creatures stood tall and straight. They were sandhill cranes. We saw six over near the Oxbow Lake. When the fog had lifted a little, we saw a nice flock of wood ducks. There also were a couple of wigeon, several gadwall and mallards. It was fun looking for them in the fog.

One evening in early October as we finished supper, I told Frances I was going to the Oxbow. As I crossed Lost Bridge, I saw some great blue herons on the sand bars of the Great Miami. I moved on and soon turned off U.S. 50 and it was good to be back at the Oxbow. I drove back toward Beaver Pond. The dirt road was dry but there were some bad holes with water and mud left from wetter days. People had made detours around the mud holes. When I reached the bend where I could see Beaver Pond, I stopped and counted the cormorants. I counted 67 then drove on back to the water hole where I saw even more double-crested cormorants.

The sun was low when I started for the Oxbow Lake. What beauty! The setting sun reflecting on the water! I saw a kingfisher and heard its rattled call as it flew over the

willows. I took a look at the beavers' new lodge and noticed the many muskrat houses in the shallow water. I drove on down along the Oxbow. I could hardly believe my eyes when I looked at the willows on the inside bend of the Oxbow. They seemed filled with great egrets. I counted 72 and was sure I had missed some. I moved on down where I could pull in closer to the water. Several wood ducks flushed and I could hear their alarm call as they flew out.

Twilight had come to the Oxbow but I looked up to see more great egrets coming in to spend the night in the willows. It was time for me to move on but I stopped once again to listen to the call of the wild. I couldn't see them but I knew there was a flock of Canada geese somewhere above me. That is a sound I still love to hear.

Soon I was crossing Lost Bridge on my way to Shawnee. A young raccoon crossed the road. A deer came to the edge of the road then turned back toward the Miami. There along the Miami I stopped and took a deep breath to enjoy the odor, or the fragrance, that is the river bottoms on a fall evening. It was time to move and I started for Dugan Gap but had to slow down as a 'possum slowly crossed the road. Maybe those slow crossings are why we see so many flat 'possums on the highways.

It was on to Dugan Gap, up the hill and a turn onto Cliff Road. My timing was just right. The harvest moon was just coming up. The moon looked as big as a bushel basket. I moved on up the river toward its big north bend. I was looking up the river at the full moon. The light from the moon made a wide path on the water from the moon to me. The path looked as if it were pure gold. And for tonight the Ohio was truly *Moon River*. It was time to be going home, Are there any sweeter words than *Goin' Home, Goin' Home?* Not to me.

Autumn has been a beautiful season with lots of falling leaves, warm winds and blue skies. Now I'm looking forward to winter. The words from the song *Danny Boy* come to me: "Come ye back when the valley is white and hushed with snow." I do enjoy the days and the beauty here in the Valley of the Three Rivers.



The Common Nighthawk

(And a Graduate Student Thesis?)

by *David Styer*

On years when our Birdathon team, the No-see-ums, would arrive at the Oxbow at dusk we would, with luck, see a nighthawk flying around rather low over the water. Missing that, we would try for a nighthawk in a more urban area where they breed on flat rooftops. Oxbow Inc.'s Birdathon always took place on Mother's Day (= second Sunday) weekend in May and our experience was somewhat typical of the spring migration. That is, in spring, to be sure to see nighthawks, you go to where they breed.

In the fall the common nighthawk migration is different. To see nighthawks near Labor Day just go outdoors in the evening and look up. With any luck at all you'll see one or more, maybe several dozen.

Common nighthawks are remarkably easier to see during fall migration than spring migration. Why this should be so seems a natural question. Of course they are more common in the fall because they have just finished reproducing. They won't reproduce again until next year: the population will slowly decrease over the intervening seasons.

I don't personally believe that this difference in population size is what makes the difference between the spring and fall migrations. One plausible reason would be the difference in weather. Labor Day follows months of hot weather. As summer progresses there may be more and more insects in the air. In March, the temperature goes below freezing about half of the nights. Even in May, when the nighthawks return, the temperature often gets too low for many flying insects.

Nighthawks feed by flying around, opening their big mouths and snapping up whatever tasty morsels they encounter. They share this habit with swifts, swallows, and a few people. It has occurred to me that there may be a much better food selection well above treetop level around Labor Day than there is in the first half of May.

Since all local bats feed by flying around catching insects and aerial spiders, Morris Mercer suggested I contact Jackie Belwood, bat biologist and Scientist in Residence at the Cincinnati Nature Center. Jackie put me in touch with Dave Russell, who has recently earned a Ph.D. in entomology at Miami University.

Dave didn't know the answer to my question but we had a great conversation and we figured out a good thesis project for a graduate student. The student could hire a plane,

like a crop duster, to fly short distances, pulling an insect net. On a given evening the plane could make trips at several different levels, with a fresh net used at each level. Let's say the plane could do it every hundred feet up to a thousand feet. Then the student could analyze the insect population at the different levels. Of course, the plane would have to fly the same routine in different seasons, especially in the first half of May and early September.

In the end we would have a plausible explanation for why the nighthawks fly differently in spring and fall if the best food sources shifted similarly between spring and fall. At best, this could provide compelling evidence, but not proof. Besides that, we might develop a new way to control insects by flying airplanes around dragging insect nets behind them.

Conservation

Corner

by *Jon Seymour*

Greenspace in

Hamilton County

The Hamilton County Park District and the Regional Greenspace Initiative have jointly sponsored a series of eleven citizens meetings all around Hamilton County. I attended the meeting at Winton Centre on August 28, 2001. The purpose of the meeting was to ask the general public in attendance what were their priorities on preserving, securing and improving the Greenspace in Hamilton County.

The reason this was important is that HB 3, passed in the State Legislature earlier this year, has provided a pool of some 2.3 million dollars per year for four years to fund conservation programs in Ohio. Hopefully the Hamilton County Park District will be able to make a successful application for some of this grant money in order to further enhance the Park District. The Park District already owns and protects several hundred acres of the land east of the Ohio/Indiana border that is part of the Greater Miami River flood plain and is near or adjacent to Oxbow protected property.

I hope all Oxbow, Inc. members will support the Hamilton County Park District in their efforts to improve Hamilton County Park land, and encourage, as we are able, the use of such grants to further protect the important wetland areas and flood plain near and within the Oxbow area.

Election of Six Members.....

.....of the Board of Directors of Oxbow, Inc. will take place at the January 8 meeting at the Cincinnati Zoo Education Building. The candidates are Jeanne Bocklage, Norma Flannery, John Getzendanner, Steve Pelikan, Dwight Poffenberger and Suzanne Skidmore. Oxbow, Inc. members in good standing are eligible to vote.

Talent? Dedication? Enthusiasm? You Be the Judge.....

Meet the Board of Directors

Wetland Matters is pleased to introduce Oxbow, Inc.'s Officers and other Members of the Board of Directors -- all seventeen of them. We are proud not only of their many talents but also of their generous spirits. We thank them for their imaginative input, undying enthusiasm, perseverance. Their love of nature and of the Oxbow bring strong dedication to their task. Look for more brief "biographies" in coming issues but now may we present the first six Members of the Board: Denis, Norma, Jerry, Tim, Dennis and Suzanne.

Denis Conover... Home town, Dayton, Ohio, but currently a resident of St. Bernard. B.S. and M.S. in Biology, University of Dayton; Ph.D., Biology, University of Cincinnati, special emphasis on ecological physiology, field botany and ecological restoration. Tall, dark and single (with the good looks of, say, a young Eugene O'Neill) and says he "would like to get married and raise kids if I could find someone who could put up with me." (Please take a number, girls. And no shoving.)

A biology prof at U. C., Denis has conducted research on ecological physiology of freshwater clams, seeds and plants; on restoration of prairies, wetlands and forest; on control of invasive plant species. He has conducted botanical surveys for Hamilton County, Greene County and Montgomery County Park Districts. For Oxbow, Inc., he conducted a two-year botanical survey of the Oxbow area.

Interests: "I love animals." Over Thanksgiving, Denis acquired a six-week-old yellow lab replacing his dog, Aggie, who had recently died. He also has a cat named Ginger.

Biggest Frustrations: Denis says, "One of my biggest frustrations is having been born just 200 years too late to have witnessed the Ohio, Kentucky, Indiana wilderness in its glorious primeval condition. Another frustration is seeing the continued destruction of the little remaining wetland, forest and farmland by uncontrolled development. Everywhere you look there are more and more new shopping centers, housing developments and highways devouring the landscape."

Dream Job: "The job I have now-- teaching biology and working on field biology research projects. "

Norma Flannery...Lifelong Cincinnati westsider; West High, Class of 1940. Norma lists her profession as "full time volunteer and wildlife enthusiast." Famous for her sense of humor.

Norma is devoted to saving the Oxbow. A founding member of Oxbow, Inc., she has served on various committees, edited *Wetland Matters* for many years and served as president since 1987, truly a full-time job. She got interested in birding while a partner in Kiddie Ranch Day Nursery in Dent, Ohio. "That was on three acres and the children, ages two through five, napped in the afternoon," Norma states. "Other than monitoring the sleeping kids there was not much else to do. I started looking out the windows at the surrounding trees and discovered, for the first time, birds."

Today Norma literally keeps barrels of bird seed and dried ears of corn ready at her home for backyard visitors.

Norma's first field trip to the Oxbow was with Dave Styer as leader. It had recently rained but Norma came prepared with rubber galoshes over her sneakers. Norma recalls, "As Dave enthusiastically went across a field pursuing some species of bird, we dutifully followed. After 15 or 20 paces, the Oxbow mud sucked my galoshes right off my feet. Discretion being the better part of valor, I turned for home."

Interests: Birding, traveling, reading, music, crossword puzzles. (This news has leaked: she does the Sunday *New York Times* puzzle in ink.)

Biggest Frustrations: "Things not getting done by deadlines. Also being unable to protect our property against destructive uses by ATV's, illegal dumping and unauthorized hunters."

Dream Job: Norma jokes, "One that pays a salary." Her serious comment: "When you are in the corporate world you dream about retirement and doing only those things you want to do. Once you get there, there no longer exists a *dream job*."

Jerry Lippert... A birder since he was 12 years old. Native Cincinnati. 1985 graduate of Finneytown High, B.A. in History and a B.S. in Social Studies, Secondary Education, Miami University.

1995 married Pamela and they reside in Finneytown.

Jerry first became interested in the Oxbow area while on field trips led by Morris Mercer, Jay Stenger and Dave Styer. A Hamilton County park naturalist at Winton Woods, Jerry is one of the relative youngsters on the Board and is admired for his enthusiasm-- sometimes quiet and sometimes ebullient.

Interests: Christianity, birds, reptiles and amphibians, trees and land preservation. Jerry and partner Wayne Wauligman have completed three herpetology surveys on local tracts of park land. Other interests include canoeing, tennis and writing. (Look for his entertaining articles right here in *Wetland Matters*.)

Biggest Frustration: "How suburban sprawl is gobbling up the Tri-State's open lands and farmlands, relatively unchecked; and by extension how we people are unwilling to draw boundaries to be able to say, *Within these lines we will develop most of the property and not tax people and businesses so much that they can't make a go of it (and flee further outside the city for cheaper land and taxes), and outside these lines we will have farmland and open space/natural habitat that we won't develop.*"

Dream Job: "To raise money for extensive land preservation and then close some deals!"

Tim Mara...Lifelong resident of Green Township, western Hamilton County. Graduate of LaSalle High School, University of Cincinnati, Chase College of Law. Tim has his own law firm with offices on Fifth Street, downtown Cincinnati. Active in a number of civic activities over the years.

Tim has been Oxbow Inc.'s attorney since 1993 when he came on board to help deal with the prospect of riverboat gaming on the edge of the Oxbow wetlands. He believes, "It's great to be a small part of a group that actually gets things done instead of just talking or complaining. Oxbow, Inc. truly is citizens in action."

It's like Tim to say he's a "small part". The truth is this soft-spoken man gives of his know-how and time without measure and plays a major role in Oxbow, Inc. affairs.

Interests: Tim confesses, "I try to take a one hour walk three times a week, weather permitting."

Biggest Frustration: "Seeing beautiful hillsides, wetlands and wooded areas bulldozed over to make way for tacky shopping centers."

Dream Job: "My ideal job? Hamilton County Commissioner but that isn't going to happen because there's no way I could ever come up with a half million dollar war chest."

Dennis Mason... Former tool and die maker, an instrumentation specialist and research lab manager--retired in 1999 due to heart problems. Wife Lynda, children Dean and Julie and four grandchildren. Denny's family has been in this area for some time. One ancestor actually was captured by the British and



L to R seated: Oxbow, Inc. Board Members Dennis Mason, Denis Conover, Norma Flannery, Tim Mara and Jerry Lippert. Standing: Jon Seymour, Dwight Poffenberger, Jeanne Bocklage, Morris Mercer, Dr. Aaron Perlman and Patti Niehoff. Missing Board Members are: John Getzendanner, Rick Pope, Suzanne Skidmore, David Styer, Mark Westrich and Steve Pelikan. (Steve was on the other side of the camera.)

MORE... *Meet the Board of Directors*

their Indian allies in August, 1781, in the only Revolutionary War battle fought in Indiana, *Lochry's Defeat*, near Aurora. He was imprisoned in Cleves and Denny believes he may have hiked through the Oxbow area on his way to the prison camp. He certainly liked southern Indiana since later on he moved his family from Pennsylvania to near Lawrenceburg.

Dennis's first trips to the Oxbow came about through the writings of Karl Maslowski in the *Sunday Cincinnati Enquirer*. "My interest in southern Indiana has been keen for a long time," Denny explains. "I have made many trips to the streams and woods of the area. I enjoy my small farm in Switzerland County as well as trips to the Oxbow and from where I live in Colerain Township, Ohio, I pass the Oxbow area to go to my farm. Most times I find something of interest to enjoy while passing through."

Denny has served on the Oxbow, Inc. board since 1990, part of that time as recording secretary. He has this message to pass along: "I highly recommend that YOU volunteer to keep this organization moving forward. We have come a long way but there is plenty left to do. Please consider becoming a volunteer for the future of the Oxbow area."

Interests: "Fishing, hunting, canoeing." An amiable outdoorsman, Denny also is a local history buff who appreciates local author Allan W. Eckert.

Biggest Frustration: "Not retiring sooner."

Dream Job: "I have it now: full-time Dad and Grandpa."

Suzanne Skidmore...Native Cincinnati, grew up in Mariemont, B.S., Education, U.C. Taught sixth grade two years at Madisonville School and then married David. "We built a house two miles away from my girlhood home. You can see that I have lived a wildly exciting life," says Suzanne. Three children all live in the Cincinnati area. "Our great delight are seven grandchildren who often come to play Nintendo. After all, we offer free baby-sitting," Suzanne continues. "And I also have my mother, now living in a retirement apartment at the Seasons."

Suzanne has been Oxbow, Inc.'s busy, competent corresponding secretary for 10 years. "During that time," she says, "I have been very impressed with the dedication of other members of the Board. I have found everyone as determined as I to spend the money wisely and truly to want to do a good job. As my grandkids would say, 'That's a cool group!' " On two occasions, Suzanne and David have entertained Oxbow, Inc. members with slide shows of their favorite National Parks. Suzanne credits Worth Randall, deceased naturalist and advisory councilor to Oxbow, Inc., with first interesting her in the Oxbow many years ago.

Interests: "Elemental birding, traveling and reading," Suzanne says. "My older daughter when in the second grade, wrote a paper that said, 'My mother sits around the house all day reading and the maid does all the work.' The only trouble with that statement as I told the teacher--we didn't have a maid. A recent hobby is ballroom dancing and my children think their Dad and I are in our second childhood."

Biggest Frustration: "Not enough hours in the day."

Dream Job: "I have it. I really like cooking and scrubbing floors, all in moderation, of course."

Oxbow, Inc. Memorials

In memory of **Dale Durbin** from **Ken and Shirley Durbin**

In memory of **Dale Durbin** from **Ron and Jean Noll**

Memorials to Oxbow, Inc. may be made in the name of a loved one who will then be enrolled permanently in the records of the corporation. Each contribution to a memorial will be acknowledged to the family or to those selected by the donor. Be sure to include the names and addresses of those to receive the acknowledgement. Memorial contributions should be sent to Oxbow, Inc., PO Box 43391, Cincinnati, Ohio, 45243-0391.

Conservation Easements -- A Useful Tool

by *Tim Mara*
Oxbow, Inc. Attorney

In October, I attended the "Advanced Environmental Law" seminar in Indianapolis. The seminar covered rapidly changing aspects of environmental law with emphasis on recent decisions of the U.S. Supreme Court effecting efforts to preserve our nation's vanishing wetlands. However, one of the more illuminating sessions provided a fresh look at an old topic: tax issues related to conservation easements.

A conservation easement is a legal agreement between the owner of property and a nonprofit organization (like Oxbow, Inc.) in which the land owner agrees to restrict future uses of his land. The exact terms of the use restrictions are negotiated between the land trust and the land owner, are reduced to a writing which conforms to the Uniform Conservation Easement Act, and that document is then recorded at the county recorder's office. The restrictions are binding not only on the current owner but also on future owners of that land.

The restrictions are intended to assure preservation of natural areas for viewing or simply to preserve the environment. The land owner continues to own the fee title to the land and can use it as allowed under the conservation easement in ways which do not damage the natural environment.

Oxbow, Inc. Easements

Oxbow, Inc. holds conservation easements on 258 acres of land in Indiana. In Ohio, the Hamilton County Park District has acquired conservation easements over 911 acres along the Great Miami River adjacent to Shawnee Lookout Park. The owners continue to farm the land but the easements guarantee that the land will never be developed.

Once each year, an Oxbow, Inc. representative meets with the land owners to walk the property to make sure that trees have not been removed or buildings constructed.

A conservation easement may be donated to the land trust or the land trust can purchase the easement from the land owner. Land owners,

particularly farmers, often donate conservation easements because the fair market value of the easement is recognized by the IRS as a charitable contribution which can be deducted from the land owner's income tax if it meets IRS requirements. Among the requirements is a qualified appraisal of the value of the conservation easement.

Result: Lower Taxes

Donation of a conservation easement may also result in a reduction of real estate taxes. It also reduces the value of the land for estate tax purposes. Depending upon the land owner's overall financial circumstances, donating a conservation easement to a 501(c) (3) organization like Oxbow, Inc. could be a significant financial plus to the donor while at the same time furthering efforts to preserve the natural environment.

If you own land within the Oxbow area and are interested in exploring the possibility of donating or selling an easement, contact Oxbow, Inc. (513) 471-8001 to get the ball rolling.

In Indiana, Oxbow, Inc. is interested in preserving the land within the area bounded by the Ohio-Indiana state line, the Ohio River, the Lawrenceburg flood protection levee and U. S. 50, but would consider upland acreage which drains into the Oxbow wetlands. In Ohio, Oxbow, Inc. is interested in land in the Great Miami valley from the Indiana line upstream to Kilby Road.

If you think you might be interested in donating a conservation easement over land outside the Oxbow area, there may be another land trust operating in that area to which we may be able to refer you.



"Keep a green tree in your heart and
perhaps a singing bird will come."

Chinese Proverb

Oxbow, Inc.

A nonprofit organization formed by conservation groups and concerned citizens of Ohio and Indiana for the purpose of preserving and protecting a wetlands ecosystem known locally as the Oxbow, Hardintown, or Horseshoe Bottoms, from industrial development and to preserve the floodplain at the confluence of the Great Miami and Ohio rivers for use as a staging area for the seasonal migrations of waterfowl. This agricultural area is rich in geological, archaeological, and anthropological history.

Help us save this unique wetland ecosystem. Make your state a richer place in which to live by helping us preserve this precious resource. Membership in Oxbow, Inc. is encouraged and solicited.

Individual	\$10	Family	\$15
Contributing	\$25	Supporting	\$50
Patron	\$100	Cornerstone	\$250
Sponsor	\$500	Benefactor	\$1000
Organization/Club	\$25		

Mail to: **Oxbow, Inc.**
P.O. Box 43391
Cincinnati, Ohio, 45243-0391
513-471-8001

Corporation Officers

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